

SHRI INDRAJIT GUPTA: Have you directed the Railway Minister or the Prime Minister to make a statement.

MR. SPEAKER: I am directing the Government to come out with a statement. The Minister concerned will make a statement.

How long are we to watch this disorder and shouting? I fail to understand. Is this the way to carry on the proceedings of the House? This is being done constantly, shouting just for the sake of shouting.

Do you want that we should also create such a scene as some other States are having? I never want that we should come to that level. I request you to consider it.

SHRI SAMAR GUHA (Contai): On a point of order, Sir.

MR. SPEAKER: No point of order. The Call Attention Shri Kartik Oraon.

SHRI S. M. BANERJEE: On a point of order, Sir.

MR. SPEAKER: No question of any point of order. We are on the next item, the Call Attention.

[Some Hon. Members then left the House].

12.22 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED THREAT TO PROTECTION OF
COAL AND WORKING OF MINES DUE TO
SHORTAGE OF POWER, HIGH COST OF
MACHINERY, ETC. IN BIHAR AND WEST
BENGAL

SHRI KARTIK ORAON (Lohardaga): Sir, I call the attention of the Minister of Steel and Mines to

the following matter of urgent public importance and I request that he may make a statement thereon:—

The reported threat to production of coal, mine workers and working of mines because of shortage of power, shortage and escalation of costs of machinery and state of industrial relations prevailing in the coalfields of Bihar and West Bengal and consequent escalation of coal prices.

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA): Mr. Speaker, Sir, it is a long statement of 4-1/2 pages.....

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

SHRI K. D. MALAVIYA: I lay it on the Table.

STATEMENT

To meet the increased demand for coal arising out of the present energy crisis the Government decided that the production of coal should be raised from about 78 million tonnes during 1973-74 to 95 million tonnes during 1974-75. In spite of the vigorous efforts that are being made by the coal producing agencies to achieve this target, the production during the first four months of the current year i.e., April to July 1974 has been about 27 million tonnes. Although this production is about 1.4 million tonnes higher than the production during the corresponding period last year, it falls short of the requirement to fulfil the target of 95 million tonnes. Among the major factors which have contributed to this lower level of production are shortage of power in the Bengal-Bihar coalfields, non-availability and delay in the delivery of certain essential items of machinery, disturbed law and order and industrial relations in eastern region and inadequacy of rail transport. Judging from the trend of production so far, it is felt that the production during the current year

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may reach 88 million tonnes as against the last year's estimated production of about 78 million tonnes. If, however the constraints mentioned above are fully or partially removed even from now, the coal production, may go beyond 88 million tonnes during the current year.

2. It is a fact that the power supply to the coal mines in the Bengal-Bihar coalfields, particularly from the Damodar Valley Corporation has not been satisfactory. This has resulted in loss of production of about 8,000 to 10,000 tonnes per day in the Eastern Division of Coal Mines Authority alone. It has also repercussions on the safety of the mines and the danger to men employed in gassy mines. For improving the power supply, utmost coordination is being maintained with the Ministry of Irrigation and Power and by the Coal Mines Authority and the Bharat Coking Coal Ltd., with the DVC and the Bihar and West Bengal States Electricity Boards. Consequently the power supply, of late, has shown some improvement. The coal industry has been given the same high priority as for the Railways, in the matter of power supply. To avoid frequent trippings, it has also been decided to segregate the power supply lines to the collieries on a priority basis. The Bharat Coking Ltd. are installing diesel generating sets to meet part of their requirements. The Coal Mines Authority has also proposed to have a captive power unit of its own in the Eastern Division.

3. As regards shortage of machinery and equipment, I must point out that the former owners of the nationalised mines had grossly neglected to make even the minimum investments in the mines, with the result that a large number of mines require considerable investment to bring them up to the optimum level of production. Both Bharat Coking Coal and Coal Mines Authority Limited have already taken steps to provide to their mines the materials and equipment requir-

ed to maintain and increase production. In the Draft Fifth Plan, out of the total provision of Rs. 737 crores for the coal sector, Rs. 400 crores have been provided for plant and machinery alone. The Government have already sanctioned an expenditure of about Rs. 219 crores for purchase of plant and machinery by Coal Mines Authority during the first two years of the Plan. Most of this equipment is being procured indigenously; only equipment valued at Rs. 60.63 crores may have to be imported, involving a foreign exchange of about Rs. 38 crores. During 1974-75 itself plant and machinery worth about Rs. 68 crores is being procured by C.M.A. All available capacity for the manufacture of mining machinery in the country is being fully utilised. There is, however, an acute shortage of items of electrical equipment, haulages etc., which are being imported expeditiously.

4. The industrial relations in the coal industry have been by and large satisfactory. The workers and the trade unions fully supported the nationalisation of the private coal mines. Such troubles as have arisen are mostly on account of inter and intra union rivalries and resistance on the part of the management to the efforts of the unscrupulous trade unions and other parties to induct non-genuine miners after the takeover of the mines. It must be pointed out to the credit of the Coal Mines Authority that during the short period of its existence it regularised the services of approximately 3 lakhs of workers employed in the taken over mines after due screening and categorisation. It also made considerable progress in improving the working conditions of the miners in conformity with applicable labour welfare legislations thereby remedying the serious neglect of this matter by the former private mine owners. The accepted recommendations of the Wage Board have also been fully implemented in all the taken over mines, where they had not been implement-

ed by the former private mine owners. A five-year programme has been prepared by Coal Mines Authority for the construction of over one lakh houses and the provision of water supply to their workers involving an expenditure of about Rs. 100 crores. One important step taken to improve the industrial relations in the coal industry was the appointment of a bi-partite wage Negotiating Committee in August, 1973. Certain conclusions have been reached at the meetings of the Committee, the implementation of which will involve substantial expenditure which will not be covered by the extra income that the coal producing agencies may get as a result of the recent price increase of the order of Rs. 10 per tonne on the average. Though there is a strong case for the revision of wages of coal mine workers, the implications of such a revision have to be carefully considered especially when our economy is passing through a critical phase. I hope it will soon be possible for the management and the workers to sign a mutually acceptable agreement in regard to the wage revision, so that a contented work force will secure for the country the large increases in coal production that is necessary for the country's economic growth.

SHRI KARTIK ORAON: Sir, I invite the kind attention of the hon Minister to a news item published in the *Financial Express* dated 31th July, 1974 under the caption, "Coal shortage":

"The number of coking coal mines nationalised under the Coking Coal Mines (Nationalisation) Act, 1972 was 214 and that of non-coking coal mines under the Coal Mines (Nationalisation) Act, 1973 was 711. Thus, the total number of coking and non-coking coal mines nationalised is 925, out of which the total number of working coal mines in August, 1973, according to the recent Press Release of the Directorate, General

of Mines Safety Dhanbad is only 566 as against 728 in January, 1973",

i.e., prior to nationalisation of non-coking coal mines. It is thus evident that both BCCL and CMAL have failed to work out as many as 359 nationalised coal mines which runs counter to the statement made in the preamble to the Coal Mines (Taking Over of Management) Ordinance 1973, subsequently replaced by the Nationalisation Act to the effect that coal mines were being nationalised 'with a view to ensuring rational and coordinated development of coal production and for promoting optimum utilisation of the coal resources consistent with the growing requirement of the economy'. Both BCCL and CMAL, therefore, owe an explanation to the public why they have failed to work out such a large number of nationalised coal mines, particularly at a time when there is a large unsatisfied coal demand in the country.

As you know, today power development is the most important in our country, and power development must precede development in all other sectors. Therefore, we have to put the maximum stress on development of power. We are lagging behind in the development of power....

MR. SPEAKER: Ask your question now.

SHRI KARTIK ORAON: In the first four Five-Year Plans, we have not been able to reach our targets of coal production. Now we have fixed a target of 143 million tonnes to be achieved by the end of the Fifth Five-Year Plan. Now we produced round about 78 million tonnes during 1973-74. This year, I think, by July we have produced only 27 million tonnes. Therefore, it is hardly possible that we can reach the target of 143 million tonnes by the end of the Fifth Five-Year Plan. I would like to ask Government what concrete steps Government have already taken and are like-

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ly to take to gear up production so that we can reach the target of 143 million tonnes of coal by the end of the Fifth Five-Year Plan.

SHRI ATAL BIHARI VAJPAYEE (Gwalior): The statement was not read out by the Minister, and copies also have not been circulated.

MR. SPEAKER: Copies have been circulated.

SHRI ATAL BIHAR VAJPAYEE: We do not have copies here. How can we follow what is happening in the House?

SHRI K. D. MALAVIYA: I sought the permission of the Chair to lay it on the Table.

MR. SPEAKER: Yes. It was a long statement.

SHRI ATAL BIHAR VAJPAYEE: It should have been circulated to all the members and not only to those who have tabled the call-attention motion

SHRI K. D. MALAVIYA: The hon. Member has enquired as to why about 300 coal mines which were working before nationalisation are not working now. The fact of the matter is that, immediately after nationalisation, a process of rationalisation was attempted and there are integrated mining projects which are being taken up. It is also a fact that a large number of mines—not exceeding 100—are not working at present because either they are too uneconomical to work or mechanisation has to be undertaken with a view to increasing production by utilising only the adequate number of workers. Therefore, in the totality of things, production is increasing and we are rationalising the entire mining areas in both BCCL and CMAL.

With regard to reaching our target of 143 million tonnes by the end of the Fifth Five-Year Plan. I have already enumerated the steps that we are taking and the provision that has

been made. The present progress in production is not unsatisfactory. We hope by the end of this year to exceed 80 million tonnes of coal production although our target is 95 million tonnes. I have already stated in my statement that due to constraints here and there with regard to transport availability and power availability, we may not be able to reach the target that we have worked out after joint consultation. But we are having constant and co-ordinated consultations amongst ourselves and we meet quite often. Lately, we have improved the situation also with regard to the availability of power and the availability of the transportation system. The transportation system also has improved and we hope by co-ordination, by intensive efforts and by making available all the inputs that are necessary, we shall increase the coal production with a view to not only step it up to 88 million tonnes by the end of this year but also to reach, as near as possible, to the 143 million tonnes by the end of the Fifth Plan.

MR. SPEAKER: Shri Chapalendu Bhattacharyya.

SHRI KARTIK ORAON: Will you kindly permit me one question, Sir? A very important question.

MR. SPEAKER: No, please. You had already asked your question.

SHRI KARTIK ORAON: I am seeking your permission.

MR. SPEAKER: No, please. If something is not answered, you can say that this has been omitted. But you cannot put a fresh question.

SHRI CHAPALENDU BHATTACHARYYA (Girdih): The statement of the Minister, I have to say, begs any number of fresh questions. The question is: what is your policy and programme of setting up captive thermal power stations to ensure uninterrupted coal production?

What have you done to stave off hazards to mine-working and the mine workers because of failure of power and prevent repetition of mine disasters?

What have you done to bring coal prices in relation with the production costs which have escalated?

A power shovel which used to cost previously Rs. 4.5 lakhs is now costing Rs. 39 lakhs.

CMPDI project reports that the cost price is between Rs. 40 to Rs. 50 per tonne whereas your prices are Rs. 37 for the same high ash coal.

The oil prices have escalated from dollar 1.29 in 1969 per barrel to 11.65 dollars as on 1-1-1974.

The prices of high-ash coal have increased and are ruling between Rs. 24 and Rs. 37 per tonne only.

I come to a very vital point. A one crore rupee plant of low temperature carbonisation utilising 100 tonnes of coal can produce 3.5 million cubic ft. of gas for domestic cooking and save 35 tonnes of furnace oil per day or Rs. 65 lakhs of foreign exchange annually. We are spending through our nose Rs. 1100 crores for importing crude. Dr. J. C. Ghosh had recommended LTC plants in 1956. What did the Government do all these 20 years? Shelling out Rs. 1100 crores through our nose in foreign exchange? Have you any plan for setting up 100 such LTC plants serving small, medium and big towns?

Then the crux of the matter is: you cannot freeze the wages at this level. The workers will not work and the mining industry will not be there. Houses are not there. There is widespread incidence of small-pox and malaria has staged a come-back. Even ordinary water-supply is missing and the infra-structure is not there. The roads are in shambles. In order to serve the economy better and to strengthen India's economy you have to have a rational coal price also. What

is your coal price policy in relation to other forms of energy?

The point is that the Railways have done a good job in the peripheral areas. But, in Bihar and Bengal the railway transport is the major constraint along with power and the state of industrial relations for holding up coal production. I suggest that the roads should be widened and with an improvement of the inland riverine transport six to seven districts can thus be served. They are paying rupees eight a maund, that is to say, rupee one-hundred-and-eighty per tonne. At pit head it is Rs. 40 per tonne and it is brought to Delhi by truck costing Rs. 300 per tonne. This is irrational use of high-cost power. 80 per cent of coal is moved in the form of rakes by railway. The coal industry is doing pretty well in that respect. Let Monghyr be a transhipment point for developing riverine transport and supply adequate coal to such places as Azamgarh, Gorakhpur, Ballia, Motihar, Chapra etc. which are served by metre gauge railways. They are not using cowdung for their fuel. This will help the utilisation of this cowdung for agriculture and so this will help our economy. These are very important questions to be answered if we want to make sufficient impact on the development of the economy of the country.

SHRI K. D. MALAVIYA: The hon. Member has raised very relevant issues in connection with coal production and its use in the country but I cannot just take up the whole issue in question and answer but I will try to reply to some of the points briefly. It is the policy of the Government to allow minimum number of captive power plants to boost production and maintain target of production of coal. We are now in the process of identifying the places in this respect and then in consultation with Irrigation and Power Ministry. We hope to arrange for the availability of these units. Due to lack of power

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the hazards to miners and the workers did increase but however DCCA and CMA do take care to see that such hazards occur and they take proper precautions to see that power is supplied. As a matter of fact during the last few weeks the power position has improved.

I am glad to inform the House that the power supply position has improved and that these people are not being confronted with such situations as he mentioned. However we take due care to see that such things do not occur again.

Regarding coal price it is a complicated problem. There are various issues involved in the calculation of coal prices. There has been increase in the production of coal, per men. There has been improvement and mechanisation of coal mines and improvement of industrial relations and also of the welfare schemes which are of our agenda. These are being expedited as far as possible whether this is lack of water or lack of housing facilities and other things also.

With regard to production, I have stated somewhere and also it is here in the statement, that our production has increased. They have touched the 88 million tonne level now. And we hope by the end of this Plan period we shall even go beyond this 88 million tonne level.

The constraints are obvious. They always make us alert and we take greater care to see that transport system is improved; power position is improved. We are in constant touch with both of them.

I was referring to the price of coal. There is no doubt that the price of coal in India is the lowest in the whole of the world. The coal costs today about Rs. 49 or 50 at the pithead. And to reach places like Delhi or Amritsar, the cost of coal is four or five times this price. It is obvious that transport of coal is not able to reach at such distant places. We are,

however, improving the situation. Now, our policy is that coal is reached to distant places by rail and to nearabout places by road transport. That way we have tried to reduce the burden of transport on coal prices. I have no doubt that the question of wages for the mine workers is worrying us. I can assure you that Government is constantly examining the question as to what is to be done in this regard. As regards bi-partite negotiating committee, it has made certain recommendations. Those recommendations were as a result of the agreement between the coal authority and the trade union leaders. Because of recent difficulties in the matter of financial resources that we are facing and the price hike, Government obviously tries to see in what manner we can accept or modify those recommendations quickly. I want to assure the House that it will always be the wish of the Government to satisfy the workers in regard to the agreement that has already been made. There is one other point. There has been a rapid increase in the production of coal. And so, there has to be a rationalisation of prices of coal and workers in the mines. No doubt there has been an erratic increase of workers at some places where they are not producing more coal. That has also got to be constantly taken care of. Therefore, from all these points of view, the C.M.A. and B. C. C. L. are constantly watching the situation and they are trying to see that something is done. We do not have concentration of workers for increasing the production of coal so that there is no increase in cost of production of coal every now and then.

As regards gassification by the low-carbonising process plants the State Government is actually examining this programme. We are also in constant touch with such a technical bodies—both National and international, which will examine this question. It is the view of the Government that we should have as many L.T.C.

plants as we can in this country with a view to producing gas and lessening the pressure on the consumption of diesel and furnace oil. In this year, we are making our best efforts to start one plant at Ranigunj, Ranigunj I.T.C. gassification plant is proposed to be set up and started some time this year. When we start this and when we gain experience, we propose to increase it still further.

SHRI CHAPALENDU BHATTACHARYYA: About transport he has not replied to my question.

SHRI K. D. MALAVIYA: I am sorry. That question is very much welcome to us. We shall discuss the transport difficulties that we are facing and lowering down the price of coal. We shall try to develop river transport system as fast as possible.

SHRI KARTIK ORAON: Sir, I would like to know from the hon. Minister whether he is aware of the fact.....

MR. SPEAKER: Are you aware of this fact that you are not allowed to stand now?

SHRI KARTIK ORAON: Sir, with your permission, I want to know whether the Minister is aware that in the B.C.C.L. there is a large number of ghost workers out of 1,87,000 employees. In Kosta Mines payment is being made to the contractors or without raiding coal, in collusion with the Area Manager. Is he aware of it?

MR. SPEAKER: No, please. Now, Mr. Mohapatra.

SHRI SHYAM SUNDAR MOHAPATRA (Balasore): Mr. Speaker, Sir, today's discussion is very vital from the national point of view. The hon. Minister, Shri K. D. Malaviya, is a visionary like Thomas More

who wrote his famous poem 'Utopia' but I must admit at the same time he has made bold confessions that the production has fallen short of requirement to fulfil the target of 95 m. tonnes. He has also admitted there is shortage of power, non-availability and delay in delivery of essential items of machinery, difficult industrial relations and others. My submission is that it is the workers in the coal mines who have kept up the production going. Will you believe, Sir, in coal mines not even minimum requirements are available for production? There is no tube, no railway lines, no ropes, no cement dusting—nothing. I wonder how under these circumstances coal production is going on. At the same time the officers do not go down the mines. They are only busy with consultations. They never go down the mines to see the conditions or working of the mines.

We are very much concerned with power failure. I think there is some defect in the planning as far as Eastern India is concerned. That region is always short of power and the industries are likely to close down. I feel there is inter-ministerial wrangling between the Ministry of Irrigation and the Steel Ministry otherwise why have they not allowed the captive power plants to flourish. Will the hon. Minister tell us when will they be in a position to run the captive power plants and when perfect coordination will be established between the two Ministries?

There is one private Electric supply agency in Jharia. Why has government not taken it over? What is the pressure? We would like to know.

Sir, the worker conditions are appalling in mines. I request the hon. Minister to visit the coal mining areas and he will find the conditions in which they live are even worse

[Shri Shyam Sundar Mohapatra] then the olden days when Britishers came and subjugated all these people to in human torture. You will find the mud huts and there is no standing space. When they come out of their working hours you find hundreds and thousands of them moving in black-shapes. I want to know why the wage of the workers has been frozen since 1967. What has happened to the bipartite agreement. Unless the workers wages are increased, the production will not go up. The coal prices have gone up and probably we will not be able to come to Lok Sabha as our wives will beat us up on account of the coal prices having gone up and up almost every-day. Why not abolish the middleman and directly take the coal to the domestic user like the Indian Oil Corporation having opened their own depot. Why not we have our own depots so that the coal is supplied to the people direct.

What about the death rate in the coal mines. It is between 200 to 230 every year and as regards serious accidents it is 2,000 to 3,000. This is the condition. I request the hon. Minister to find out the causes and also take the safety measures to prevent this situation in the coal-mines

Although my friend, Shri Oraon, has spoken about corruption yet I must point out that those officers who were dismissed for severe charges in the Coal Mining Authority have now been taken back. It is very funny. About BCCL I have been raising a point of a highly corrupt officer who had been thrown out of Rourkela Steel Plant and who has now taken in BCCL on promotion.

I submit this with a challenge that if my charges are not proved, I am prepared to take any punishment from my patron, the hon. Minister, but I am so sure about my charges and I submit that these are serious charges indeed! If we do not clear the Angean stables and if we do not clear all these dustbins in the coal

mines, I do not think that coal production will go up or the country will be satisfied in regard to the results of nationalisation which had raised such high hopes among the winners as well as among of us.

SHRI K. D. MALVIYA: The hon. Member has raised some important issues and I shall take them up one by one.

There is no doubt that the workers of the coal mines are maintaining production and the country has to feel grateful to them that even under condition which are not very satisfactory and which are painful to all who are concerned with this, Government as well as people outside and the whole House, they are maintaining the production; not only are they maintaining it but the production is also slowly and slowly increasing. Unfortunately this is also a fact which has been brought to my notice that many of the managers in the mines do not take the trouble to go deep down the mines to examine the condition of the mines; they do not go as often as they ought to. But recently the situation has improved and they have been strongly advised not only to examine the papers and to scrutinise them and okay everything but also to go down the mines according to rules. I can assure the House that the technical officer whose duty it is to go down the mines will go more and more just as they have started going already.

With regard to the general failure of power or shortage of power in eastern India, the hon. Member is as much aware of the situation as the House is. I have no doubt that in the next year or so the power position will improve and there will not be so much complaint about shortage of power as is being made out today.

It is wholly wrong to say that there is any wrangling going on bet-

ween the Ministry of Steel and Mines and the Ministry of Irrigation and Power. I refute this. We are in constant touch with regard to making up for all the deficiencies within our constraints, and we have improved the situation in power generation in the DVC area and elsewhere.

With regard to Sejua power plant and its nationalisation, the matter is entirely in the hands of the State Government. We are in constant touch with them, and I hope that something final will be done in this connection.

As regards the workers' condition, as I have already said it is not as satisfactory as we want it to be. But we have provided in this Plan large sums of money for building houses, for availability of water, for general welfare schemes and so on, and right now the Ministry of Labour and our Ministry are engaged in examining in detail what we can do immediately and in what manner we have to move fast in order to improve the situation at various places in the CMA as well as the BCCL area.

The wages of the workers will increase, and, therefore, the coal price will also increase. As regards the wages of workers, as I have already said, as a result of the joint negotiations between the trade union leaders and the CMA and the BCCL authority, we have come to some sort of tentative agreements, and those agreements and proposals are under the examination of Government. I do not think that we shall take much time in coming to decision, and as a result of this, the condition will improve.

However, I want to assure the coal mines workers that we are fully aware of the difficulties in which they are placed and we are constantly watching and seeing how best and how soon we can improve the situation.

Shri Mohapatra has raised a very important question with regard to distribution of coal. I entirely agree with him that the distribution of coal is as important as the production of coal. As I have mentioned the present price of coal at the pit is Rs. 50, and when it reaches a distant place like Delhi, it becomes Rs. 300 or even more than Rs. 300. So the cost of transport has to come into it in a very big way. The question of distribution of coal by the Authority also is being examined. We are going to start some dumps in Bihar, but in UP some dumps have been created, four or five. It is our intention to increase our dumps in a large number in the next month or so.

So far as distant places are concerned, it is our decision to reach coal by railway wagons thereby lessening the price of coal.

The death rate among coal mine workers is more or less the same, but it is very unsatisfactory from our point of view. We have to bring down the death rate. From that point of view, we have set up a committee to examine as to how to be done immediately, with regard to giving relief on such counts where the health of the worker is taken care of.

Corruption: I cannot say there is no corruption in the coal mines. I can also say that the size of the corruption which has spread in the coal mine area is causing us worry, but it is not correct to say that when the get hold of some corrupt person we just let him go. There are some cases where it is better to find out a doubtful man and ask him to go than to prosecute him and let him remain there and going on paying him as long as the law allows him payment. Therefore, sometimes we just find out an opportunity and ask him to go. This is a sort of compromise. There are other instances where punishment has also been meted out. So we have to balance the whole situa-

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tion. On the whole, I do not agree with the view expressed by the hon. member that corruption is increasing. Corruption is now under control and although whatever is there should cause us worry, it will be the effort of the Ministry to see that it is weeded out from the coal mines area.

12.58 hrs.

RE. OIL INDUSTRY (DEVELOPMENT) BILL

MR. SPEAKER: On the 6th August, 1974 when the Minister of Petroleum and Chemicals moved that the Oil Industry (Development) Bill be taken into consideration, certain objections in respect of the Bill were raised by Sarvashri Madhu Limaye, Shyamnandan Mishra, Somnath Chatterjee, R. V. Bade and H. N. Mukerjee. The main points mentioned by them are as follows:—

- (1) Two proposals have been put forward in this Bill—one for setting up a Board for the development of the oil industry and the other for levy of excise duty on crude oil produced in the country. The Speaker should consider whether two entirely different concepts could be joined together as is sought to be done in this Bill.
- (2) The Bill has created a very strange situation. If the Speaker decides that it is a money Bill, the rights of Rajya Sabha would be restricted. On the other hand, if it is deemed to be a non-Money Bill, then it violates the exclusive right of Lok Sabha in matters relating to taxation.
- (3) It appears from the Statement of Objects and Reasons of the Bill that the primary object of the Bill is to

impose taxation in the garb of regulating and controlling the oil industry by setting up a Development Board. Therefore, this is a Money Bill.

- (4) If this Bill had not been brought forward as a secret Bill, Members could have expressed their views on the proposed Board.

At that time after making certain observations, I postponed consideration of the Bill in order to enable me to apply my mind to the points raised by the Members.

I have since discussed the matter with the Minister of Petroleum and Chemicals and the Minister of Law. They have *inter alia* submitted that "since the commencement of the Constitution and extending to very recent times 'composite' or 'hybrid' Bills of the nature of the Oil Industry (Development) Bill have come before Parliament and have been duly enacted." For example, they have cited the following Acts:—

- (1) The Tea Act, 1953;
- (2) The Coir Industry Act, 1953;
- (3) The Cardamom Act, 1965;
- (4) The Produce Cess Act, 1966;
- (5) The Textiles Committee (Amendment) Act, 1973.

I am satisfied that this is not the first time that a Bill of this nature has been brought forward before the House. The precedents show that identical clauses relating to imposition of cess are contained in all the Bills which were introduced and passed earlier. As the present Bill follows the past precedents, I allow it to be proceeded with.

Further, since this Bill does not contain only provisions dealing with all or any of the matters specified in clause (1) of article 110 of the Constitution, I hold that it is not a Money Bill.