

[Shri F. A. Ahmed]

releases available to the Government for meeting emergent requirements and for distribution through fair price shops to domestic consumers at a fixed ex-factory price of Rs. 150/- per quintal exclusive of excise duty. The Government have agreed to this price taking into account the overall interests of the cane-grower, the industry and the consumer. Under this arrangement, it will be possible for the domestic consumers in most places to get a reasonable part of their requirements at about Rs 2 per kg. In Delhi, it will be slightly higher on account of the higher octroi duty here. This arrangement is likely to be put into operation very soon. If this measure does not bring about the desired result, the Government would not hesitate to take such stringent steps as the situation may call for.

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**JOINT COMMITTEE ON AMENDMENTS TO ELECTION LAW**

**EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE**

**SHRI JAGANNATH RAO** : (Chattrapur) : I beg to move :

"That this House do further extend the time for the presentation of the Report of the Joint Committee on amendments to election law upto the last day of the first week of the Budget Session (1972)"

**MR. SPEAKER** : I think this is very correct. Now the elections are being postponed, you will have more time. You need not make it too rigid. The question is :

"That this House do further extend the time for the presentation of the Report of the Joint Committee on amendments to election law up to the last day of the first week of the Budget Session (1972)."

*The motion was adopted.*

11.09 hrs.

**BUSINESS OF THE HOUSE**

**MR. SPEAKER** : Before we take up the regular discussion I have to make one

announcement. Government want to bring up for discussion and immediate passing a Bill entitled Naval and Aircrafts Prizes Bill 1971. According to the reasons given, at present our navy is unable to enforce the stoppage of war-like materials carried by foreign ships to ports in Pakistan because there is no law on the subject. They want this law to be passed immediately. I have informed government that they can introduce and pass that Bill either today or tomorrow, as they like and there will be no difficulty from our side. Copies of the Bill will be made available to members.

**SHRI ATAL BIHARI VAJPAYEE** (Gwalior) : Will it be discussed today or tomorrow ?

**MR. SPEAKER** : Perhaps tomorrow. I will ask the Defence Minister to move it today. It will be taken up tomorrow and all the other formalities will follow.

11.10 hrs.

**COKING COAL MINES (EMERGENCY PROVISIONS) BILL CONTD.**

**MR. SPEAKER** : Now we shall take up further consideration of the Coking Coal Mines (Emergency Provisions) Bill. We have already taken 20 minutes over it. There is so much urgent business pending and we have very little time available. When the time was allotted in the meeting of the Business Advisory Committee, it was fixed on the basis of the House sitting for the whole day. But now that has been reduced almost to half. Therefore, Members should kindly take lesser time than they had originally planned to take.

**SHRI S. M. BANERJEE** (Kanpur) : Let us sit one hour extra.

**SHRI ATAL BIHARI VAJPAYEE** (Gwalior) : We are prepared to sit for the whole day.

**MR. SPEAKER** : They want their officers to be free and they want to be free themselves for many other things. For us it is all right ; we are doing nothing else.

**SHRI DASARATHA DEB** (Tripura East) : Mr. Speaker, Sir, it is good that the

ownership and management of 214 coking coal mines were taken over by the Government but, at the same time, still there are about 400 coalmines—200 in Bihar and 200 in West Bengal—which have been left in the hands of private ownership. The Minister had pleaded that in the interest of the iron and steel industry and for the efficient management of these coalmines, these 214 coalmines have been nationalised. Why then, I ask the Minister, about 400 coalmines have not yet been nationalised as yet and are left in the hands of private ownership.

While supporting this measure I want to put certain questions regarding the safeguards for workers and employees in these mines. My first question is whether the existing facilities, which the employees have been enjoying by virtue of the Factories Act, will continue after the taking over of these coalmines, like bonus facilities, wage facilities, employment security etc.

Then, workers' earned wages have not been paid by the management at various places, particularly in Bihar. Therefore, my second question is whether, after taking over these coalmines, Government is prepared to pay those arrears. Thirdly, will casual workers, who had been employed by the contractors earlier in the coalmines, be given jobs after the taking over of these mines? Fourthly, will the management of the nationalised coking coalmines be run by the appointed bureaucrats alone or will the employees be associated with the management through their elected representative? These are vital points which the House should discuss and about which I want a specific answer from the Minister concerned.

Then, the Minister said—the Bill also says that—that in the interest of the iron and steel industry these coalmines have been nationalised. Can the Minister give us a guarantee that the iron and steel industry will take coking coal only from these nationalised mines; or will they be taking more coal from the privately run mines just to make the nationalised mines incur some losses?

There was a lot of agitation in the people's mind when the taking over of ownership was announced. It had appeared in the papers also. One criticism was that

this coalmines industry was being run very badly by the owners previously and the daily production of 80 per cent of the coalmines was only 10½ tones or less. The experts' opinion was that for economic production the daily production in these mines required to be 3,000 to 4,000 tonnes.

Another point is about inadequate investment. The amount that the industrialists have invested in this industry is very inadequate to develop this industry. The owners and the management have removed almost all the valuable machines, vehicles and other necessary articles before and after the taking over of these coal mines by the Government. If these people are removing these things, I want to know what steps Government have taken to stop these things and to punish them because they are violating the provisions of the Ordinance.

Immediately after the taking over of these coal mines, a report has appeared in the papers that these owners have already removed the muster-roll books pay roll books and other necessary documents just to deceive the workers and employees of this industry. It may be that they have done it because the compensation is very heavy and the basis of calculating the compensation is also very peculiar. They have fixed a certain year in which there was the highest production. Therefore, these people have taken all these things in order to inflate the amount of production of coal so that they can claim more compensation. They have removed the most up-to-date machines in order to use them elsewhere and to put the nationalised industry to hardship.

These are the reports we are getting from the papers. Above all, these owners have already withdrawn senior experts, mining engineers, from the nationalised coal mines sector and they have posted these people in their head-offices. What is the idea? I want to know what steps Government have taken to stop this. I want to know it specifically from the Government. May be, some of these experts may be available after some time. But these people might push them in certain factories just to sabotage the production so that this nationalised sector cannot cope up with the privately-run factories.

That is why I would say that the only remedy of getting rid of the pressures of big monopolises is that the Government should

[Shri Dasaratha Deb]

nationalise the entire coal mining industry. Nothing should be left in the hands of the private people so that the other sector cannot create difficulties in the running of our nationalised sector.

Coming to the point of liabilities, the liabilities of the Government are very big. The basis of compensation is a peculiar one. According to the Minister himself, the compensation comes to about Rs. 350 lakhs per month. No date-line has been fixed as to how long this compensation will be given. Am I to understand that as long as these mines are run by the nationalised sector this compensation will continue to be paid. Then, it will involve a huge amount.

Besides that, for the development of coal mining industries, loans to the tune of Rs. 28 78 millions dollars were taken from the World Bank. The entire money has been spent in the name of modernising this industry. After the taking over, an amount of Rs. 17 crores is already due to be paid. I think, the Government will have to pay that thing. Besides that, these owners have not deposited the provident fund to the tune of Rs. 15 crores to the Bank. They are the defaulters. Now, for that, the workers will have to suffer. I would urge upon the Government to see that workers do not suffer and the payment is made by the Government to the workers.

Another point which I want to make is this.

Our point is that this Government is going to give a very huge amount of compensation to the tune of Rs. 350 lakhs every month and our plea is that we want that no compensation should be given. They have taken enough money. They have earned enough money. They have looted the country. They have deceived and looted the working class people. After that there should be no compensation to these owners. That is our standpoint.

Lastly, I want to say that there is a great apprehension in the minds of the employees, particularly those who are working in the head office in Calcutta. All these people are apprehensive that after this take-over they will

be retrenched. I urge the Government to absorb all these workers and see that no employees is retrenched. The Andrew Yule & Co Employees' Associations and other Employees' Associations have submitted memoranda to the Ministry concerned and also to the President regarding safeguarding their interests and I hope that the Minister will consider all those points and see that these workers are not retrenched.

With this demand I support this Bill giving warning to the Government to see that the facilities which the workers and the employees have been enjoying under the Factories Act and other Acts should not be negated and they should continue.

MR. SPEAKER : There are so many names, but the time is short. So I propose to introduce rationing the time. You will have to do with only 3 or 4 minutes. You just mention your two or three points.

SHRI JAGANNATHI MISHRA (Madhubani) : Sir, I wholeheartedly support this Bill.

This Bill should have come earlier. However, better late than never.

Our coking coal reserves are limited. So a stricter control was recommended on all hands. Not aounce of coking coal should be allowed to be consumed by non-metallurgical industries.

The hon. Minister should come out with a categorical assurance to this effect.

Mines taken over should first be reconstructed and consolidated. It is a challenge and it should be faced.

With regard to non-taken over mines, the Government should declare its policy categorically to dispel the doubts and misgivings in some quarters. The Government should come out with a firm policy with regard to payment of compensation.

Workers should be protected from all exploitation.

Sons of the soil should be given opportunities to participate in this grand venture.

The Bihar Government should be allowed to participate in the ownership and management of these mines to the maximum extent possible.

Coking coal mines should have a separate entity, and the NCDC should not be saddled with more responsibilities. Organisations like the NCDC which are too big should be split into smaller units as is done in the USSR.

Coal transport is a vital problem these days, and an integrated plan has to be formulated for transport of coal by various means such as rail, road, aerial ropeways, water transport etc. Most parts of Bihar are starved of coal requirements for lack of trains and adequate means of other transport. Riverine transport may help in easing the situation.

With these humble suggestions, I wholeheartedly support this Bill once again and seek your permission to lay a copy of my speech on the Table of the House.

MR. SPEAKER : That will be a very good practice but not permissible. He can give it to the hon. Minister all right, but he cannot lay it on the Table of the House.

श्री शानोदर पांडे (हजारीबाग) : अध्यक्ष महोदय, सबसे पहले मैं भारत सरकार को और मंत्री महोदय को आपके माध्यम से उन एक लाख आत्म-तृप्त मजदूरों की तरफ से बधाई देना चाहता हूँ जिनकी भलाई का काम बहुत दिनों के बाद उन्होंने किया।

जब यह बिल रखा जा रहा था तब मंत्री महोदय ने कुछ बातें रखी थीं जिन के बारे में यहाँ विचार करना लाजिमी है। एक तो भविष्य की कल्पना करने हुए मंत्री महोदय ने यह कहा कि पूरे उद्योग की रि-आर्गेनाइज करना पड़ेगा, नये सिरे से बनाना पड़ेगा। उनका मकसद जो मेरी समझ में आया वह यह था कि जो छोटे-छोटे यूनिट हैं उन्हें मिलाकर बड़ी यूनिट बना करके पूरे उत्पादन को पूल किया जाये। लेकिन मैं एक चीज की तरफ से उनको सावधान करना चाहता हूँ। पिछले अनुभव के आधार पर यह देखा गया

है कि बड़ी-बड़ी कोयला खदानें कर देने से काम नहीं चलता है। इसके साथ ही दूसरे पहलुओं पर भी ध्यान देना पड़ता है। बड़ी कोयला खदान करने की कल्पना के साथ-साथ ही बड़ी मशीनों का आयात उसमें मिला रहता है। हम जानते हैं कि अमरीका और रूस से बड़ी-बड़ी मशीनों की अपने देश में इम्पोर्ट किया गया, लेकिन आज उस की 10 परसेंट यूटिलिटी भी नहीं है। करोड़ों रुपयों की मशीनें यों ही बरबाद हो रही हैं, जस्ट लूडक एम्प्लेसलाइज्ड सेक्टर। अगर बड़ी-बड़ी योजनाएँ बनाने की हम कल्पना करते हैं/ते उसके साथ ही साथ हम बड़ी-बड़ी मशीनों का आयात करने की कल्पना भी करते हैं। मैं समझता हूँ कि इस दिशा में दूसरी तरफ से ध्यान देने की जरूरत है। आज वहाँ पर ऐसे मजदूर मौजूब हैं जिन्होंने आज तक उन कोयला खदानों को न सिर्फ पहचाना है बल्कि उनकी मेहनत और उनकी योग्यता के कारण ही वे आज तक चली हैं। ऐसी स्थिति में उन मशीनों के बदले मजदूर लोग अधिक और अच्छा काम कर सकते हैं। इस तरह से आप को मूठ-मूठ विदेशियों को पैसा नहीं देना पड़ेगा।

अभी मंत्री महोदय ने कहा कि हम पालंड से कोलंबोरेशन करना चाहते हैं। हमें इस पर कोई ऐतराज नहीं है, आप किसी से और कहीं से भी कोलंबोरेशन करें, लेकिन वह वहीं किया जाये जहाँ जरूरत हो। मैं निवेदन करना चाहता हूँ कि इस सम्बन्ध में कोलंबोरेशत की कोई आवश्यकता नहीं है। अपने देश के मार्डनिंग इंजीनियर इस मामले में सक्षम हैं और अपना काम चला सकते हैं।

अगर कोलंबोरेशन की आवश्यकता है तो इस क्षेत्र में आवश्यकता है कि पूरी झरिया कोयला खदानों का एक तिहाई हिस्सा जी जल रहा है, उस आग पर काबू कैसे पाया जाए। अगर आप हवाई जहाज से जाकर ऊपर से देखें तो आपकी पता चलेगा कि जितनी कोयला खदानें अभी खोई गई हैं उनके एक तिहाई हिस्से में आग लगी हुई है और बरसों से यह आग जलती आ रही है। क्यों नहीं हम लोग इसको सोचते हैं कि अंगर

[श्री दामोदर पांडेय]

हमारे पास जानकारी नहीं है, हमारे पास हुनर नहीं है और वैसे ताकत नहीं है कि हम इस पर काबू पा सकें तो हम क्यों नहीं किसी के माथ आग पर काबू पाने के लिए कोलंबोरेशन करते हैं। इस आग को बुझाकर जल्दी से जल्दी उम कोयले को निकाला जाना चाहिये जो उसके नीचे दबा हुआ है, जो नीचे बरबाद हो रहा है और जिसको मौजूदा हालात में निकाला नहीं जा सकता है।

जो खदानें ले ली गई है वहां पर मिनिमम वेज तो लोगों को मिल रहा है। कुछ ठेकेदारी खत्म भी हुई है। लेकिन दूसरे फार्म में, दूसरे तरीके से मजदूरों का अभी भी एक्सप्लायटेशन वहां चल रहा है। मंत्री महोदय जानते हैं कि सी आर ओ यानी कोल फील्ड रिक्रूटिंग आर्गनाइजेशन जो है, मालिक लोग अपने फायदे के लिए उमका गलत इस्तेमाल करते हैं और मजदूरों का बहुत गलत ढंग से वहां शोषण होता है। बहुत लम्बे असें से हम लोग चिल्ला रहे हैं कि इस प्रथा को समाप्त किया जाए। लेकिन जिस तरह से वह राष्ट्रीयकरण का मामला कई बरसों से टलता आ रहा है उसी तरह से यह मामला भी सरकार के विचाराधीन बहुत सालों से पड़ा हुआ है। बहुत बार इसके लिए रिकॉमेंडेशन हुई है कि इसको खत्म किया जाए लेकिन अभी तक इसको खत्म नहीं किया गया है। मैं प्रार्थना करता हूँ कि जल्दी से जल्दी इसको खत्म किया जाए। और भी किसी तरह की अगर कहीं ठेकेदारी प्रथा है तो उसको भी अविलम्ब समाप्त किया जाए।

एक और छोटा सा सवाल है। मालिक लोग जुल्म बहुत करते थे, अन्याय बहुत करते थे। लेकिन कभी-कभी वे अच्छे काम भी करते थे। कुछ मालिक स्कूल चलाते थे, अस्पताल चलाते थे और दूसरी जो सोशल एक्टिविटीज होती हैं उनमें उनका योगदान रहता था। ये सब चीजें मजदूरों के हित में होती थीं। मेरा आग्रह है कि इन सभी कार्य कलापों को उन खदानों में जो आपने अपने हाथ में ली हैं, चाबू रखने की आप व्यवस्था करें।

एक बात मैं मुआवजे के सम्बन्ध में कहना चाहता हूँ। कम्पेंसेशन अगर उनको देना ही था तो एब्रेज प्रोडकशन के आधार पर दिया जाना चाहिये था। जो पिछले सालों का मंथली प्रोडकशन उनका था उसकी औसत प्रोडकशन की बात इसमें कही गई है जो जंचती नहीं है। जो उचित आपको लगता है वह आप करें लेकिन मेरी मान्यता यह है कि उसको एब्रेज प्रोडकशन पर किया जाए। जो भी पैसा आपके हाथ से निकलने वाला है उमका पहले सदुपयोग हो। सदुपयोग यह होना चाहिये कि आज करीब चार करोड़ रुपया मजदूरों का प्राविडेंट फंड का बकाया है। वह पैसा उनका काट तो लिया गया है लेकिन इसको जमा नहीं कराया गया है। मैं चाहता हूँ कि कम्पेंसेशन के पैसे देने से पहले मजदूरों के इन बकायों को पहले चुकाया जाय।

छः करोड़ रुपया स्टेट गवर्नमेंट का रायल्टी का बाकी है, बिहार गवर्नमेंट का धनबाद में केवल इतना १ करोड़ रुपया बाकी है। इसके अलावा हजारीबाग का भी पैसा झूठ है। मैं चाहता हूँ कि इन छः करोड़ रुपयों का भुगतान इस मुआवजे में से किया जाए।

जो मजदूरों का पैसा बकाया है, उनको कमाई हुई मजदूरी के रूप में बकाया है, बोनस के रूप में बकाया है, उन सबका भुगतान भी पहले किया जाए इस कम्पेंसेशन के घेरे में से। बाद में जो बचे, वह उनको कम्पेंसेशन के तौर पर दे दिया जाए।

जिस तरह से एक लाख मजदूरों का कल्याण किया है और करीब अस्सी हजार मजदूर दूसरे नेशनलाइज्ड सेंटर में काम करते हैं, उनका कल्याण हुआ है, उसी तरह से बाकी जो २ लाख २० हजार मजदूर हैं वे भी आर्थिकरी निगाह से देख रहे हैं। जो प्राप्रैसिव पालिसी आपने अख्तियार की है उसको देखते हुए इन 2 लाख 20 हजार मजदूरों को भी आशा है कि उनको भी जल्दी राहत मिलेगी। और बाकी बची हुई जो कोयला खदानें हैं उनका राष्ट्रीयकरण भी जल्दी कर लिया जाएगा।

श्री कमल विद्य मधुकर (केसरिया) : अध्यक्ष महोदय, यह जो विधेयक पेश किया है, यह स्वागत योग्य है और मैं इस विधेयक का स्वागत करता हूँ। इस विधेयक के माध्यम से बड़े पूंजी-पतियों पर कुछ चोट होती है। चूंकि यह बड़े पूंजीपतियों पर चोट करने वाला एक विधेयक है इस वास्ते हम इसका समर्थन करते हैं। ए आई टी यू सी तथा दूसरे प्रगतिशील श्रमिकों तथा उनके संगठनों ने लगातार इसकी मांग की है। फिर भी समाजवाद जिस सरकार का घोषित लक्ष्य हो वह सरकार इजारेदार पूंजीवाद को केवल संयत करने की दिशा में ही कदम उठावे, उसकी शक्ति को तोड़ने की दिशा में नहीं, तो हमारी समझ में नहीं आता कि यह किस किस्म का समाजवाद है।

फिल्हाल हमारा लक्ष्य हम विधेयक के सम्बन्ध में ही अपनी राय जाहिर करने का है। इस विधेयक के द्वारा जो कि एक अध्यादेश को कानूनी जामा पहनाना है, 214 धातु शोधक कोयला खानों जिनमें करीब एक लाख मजदूर काम करते हैं, उनका राष्ट्रीयकरण किया गया है। लेकिन इसमें उन्हें मुआवजा देने की बात की जाती है। मैं नहीं समझ पाया हूँ कि क्यों मुआवजा देने की बात की जा रही है? किस को मुआवजा देने की बात की जा रही है? क्या करम चन्द थापर जैसे सेठों को—मुआवजा देने की बात की जा रही है? पहली बात तो यह है कि इन खदानों से खदान मालिकों ने नफा तो छूटा ही है साथ ही कोयले का उत्पादन भी बेतरतीब ढंग से करके उन्होंने राष्ट्रीय सम्पत्ति को क्षति पहुंचाई है। इसलिए इन्हें मुआवजा देने के बजाय सजा मिलनी चाहिये। इन लोगों ने खदान मजदूरों के रक्त को जोंक की तरह चूसा है। उन्हें अनेक रोगों का शिकार बनाया है। इसके बदले मुआवजा उन्हें दिया जाना क्या उचित है। इन्होंने न केवल इस उद्योग को क्षति पहुंचाई है बल्कि पूरे राष्ट्र को क्षति पहुंचाई है। ऐसे लोगों को मुआवजा देने की बात जब की जाती है तो इसको सुनकर आश्चर्य होता है। मेरी जानकारी में यह आया है कि जिस समय आपने

आर्डिनेंस जारी किया उससे पहले ही इन खदानों के मालिकों को इसके बारे में ख़त चल गया और उन्होंने जिस ढंग से इन खदानों को छूटा, चोरियां कीं, इनको बंधक रखा, उस सब को देखते हुए इनको कोई मुआवजा नहीं दिया जाना चाहिये। इस वास्ते मैं समझता हूँ कि इस विधेयक में से मुआवजा सम्बन्धी सारी धारारें हटा देनी चाहियें। इन खदान मालिकों ने कोयला खदानों का दुरुपयोग करके राष्ट्र को क्षति पहुंचाई है, खदानों की सम्पत्ति को चुराया है और राष्ट्रीयकरण को अमफल बनाने की साजिशों की हैं।

मैं आपको बतलाना चाहता हूँ कि अमलाबाद कोलियरी के मालिक ने विश्व बैंक से छः करोड़ का कर्ज लिया है जिस में से कितना रुपया खदान के ऊपर खर्च किया है, इसका कुछ पता नहीं है। इसने एक कोयला काटने वाली फ्रॉच मशीन मंगाई। खबर है कि वह गायब कर दी गई है। के बोहरा जो कितनी ही खदानों के मालिक है, ने जीपें, ट्रक, मशीनें, कारोरेटिड शीट्स, पम्प, पाइपें आदि गायब कर दी हैं। कुछ खदान मालिकों ने खदान की सामग्री को बन्धक रख दिया है। एच० एस० एल० ने इन खदान मालिकों को भारी रकम ठीक राष्ट्रीयकरण के मीके पर दी है और उस सारी रकम को इन लोगों ने गायब कर दिया है। ताज्जुब तो इस बात का है कि धनबाद स्टेट बैंक के आधिकारियों ने दिनरात परिश्रम करके इस बैंक में से जमा रकम को हटाने में खदान मालिकों की सेवा की है। करमचन्द थापर, चनचनी और के० बोहरा आदि ने बहुत से कागजात को जला डाला है। यही यह मामला खत्म नहीं होता है। इन लोगों में कई लोगों ने इन खदानों को धार्मिक न्यास घोषित कर दिया है ताकि हो सके तो इस तरह से अपने स्वामित्व को बनाए रखा जा सके।

आपने बिहार एवं बंगाल की कोयला खदानों का राष्ट्रीयकरण किया है लेकिन आंध्र प्रदेश तथा देश के दूसरे हिस्सों में जो खदानें हैं उनका नहीं किया है। दूसरे हिस्सों में जो खदानें हैं उनका भी राष्ट्रीयकरण इस विधेयक में करने की

[श्री कमल मिश्र मधुकर]

व्यवस्था होनी चाहिए। इन कुचालों की भी जांच होनी चाहिए कि किस तरह षडयंत्रकारी ढंग से खदान मालिकों ने राष्ट्रीयकरण को भीतरखात करने का प्रयास किया है।

आपने मुआवजा देने की व्यवस्था की है। किम लिए मुआवजा और किन को मुआवजा ? उन लोगों को जिन्होंने देश के प्रति और मजदूरों के प्रति जघन्य अपराध किए हैं ? उनको उसकी सजा मिलनी चाहिए न कि मुआवजा। अगर मुआवजा देना ही है तो जैसा पाडे जी ने कहा है मालिकों के जिम्मे जो रायलटी का बकाया निकलता है, मजदूरों के बेतन का बकाया निकलता है, भविष्य निधि का बकाया निकलता है, उस सब को काट कर और सामानों की जो चोरी हुई है, उसकी कीमत को काट कर बची हुई राशि उनको मुआवजे के तौर पर दी जानी चाहिए। ऐसा आप ने किया तो यह भी अनुचित होगा। उन्हें कुछ भी नहीं मिलना चाहिए।

जहां तक प्रबन्ध का सवाल है इसे नोकर-शाही से बचाया जाना चाहिए। राजकीय पूंजी के संस्थानों का एक कटु अनुभव यह है कि जिन्हें इसके सिद्धान्त में विश्वास नहीं होता है उन्हें व्यवस्था में ला कर रख दिया जाता है। ऐसा करना उन संस्थानों के हित में नहीं हो सकता है। हमें जानकारी मिली है कि ऐसे लोग भी मैनैजमेंट में आने के लिए प्रयत्नशील हैं बिहार सरकार की रायलटी का जिन की तरफ बकाया है। ऐसे लोग भारतीय क्रान्ति दल को छोड़कर रूफिंग कांग्रेस में आ गए हैं। वे खदानों की व्यवस्था में आना चाहते हैं तथा रायलटी की रकम बचाना चाहते हैं। इससे आपको खबरदार रहना चाहिए। सरकार को इस तरफ ध्यान देना पड़ेगा कि ऐसे संस्थानों की व्यवस्था का जनवादीकरण किया जाये और उसके जरिये उन के मैनैजमेंट में मजदूरों का अधिक से अधिक पार्टिसिपेशन हो सके।

तमाम ट्रेड यूनियन नेताओं ने सरकार को एक मेमोरेंडम दिया है, जिस में बताया गया है

कि इन खानों सम्बन्धी विभिन्न समस्याओं का अध्ययन करके उनका सपुचित हल निकाला जाये। जैसा कि अभी बताया गया है, खान-मालिकों ने मस्टर रोल आदि को गायब कर दिया है, जिससे मजदूरों के लिए कठिनाइयां पैदा होंगी। इस लिए सरकार तमाम ट्रेड यूनियन नेताओं से मिलकर खान मजदूरों की विभिन्न समस्याओं को जानने का प्रयत्न करे और उनके सहयोग से इन खानों का काम आगे बढ़ाये।

कई खान मालिक धार्मिक ट्रस्ट आदि स्थापित करके इस कानून की व्यवस्थाओं से बचना चाहते हैं और इस प्रकार सरकार के उद्देश्य को खत्म करना चाहते हैं। सरकार का राष्ट्रीयकरण का उद्देश्य तभी सफल हो सकता है, अगर खान-मालिकों के इन प्रयासों को अमफल बनाने के लिए कारगर उपाय किये जायें।

बिहार एक पिछड़ा हुआ राज्य है और ये कोयला खानें उस राज्य की एक बड़ी सम्पत्ति हैं। कुछ ट्रेड यूनियनों के नेता बिहार और बंगाल तथा अन्य राज्यों के मजदूरों में झगड़े पैदा करना चाहते हैं। हमारी पार्टी और हम लोग उनके इन नारों का विरोध करते हैं। लेकिन हम चाहते हैं कि बिहार के लोगों को इस सम्बन्ध में प्राथमिकता दी जानी चाहिए। हम इन ट्रेड यूनियन नेताओं के विभिन्न राज्यों के मजदूरों में फूट पैदा करने के प्रयत्न का विरोध करते हैं।

जहां तक खान मालिकों को मुआवजा देने का सम्बन्ध है, मैं चाहूंगा कि मंत्री महोदय इस पर पुनर्विचार करें और अपने कानून में उचित संशोधन करें। खान-मालिकों को जो सजा देने की व्यवस्था की गई है, वह बिल्कुल नाफाफी है, क्योंकि उन्होंने लगातार राष्ट्रीय सम्पत्ति को लूट की है और इस उद्योग को बर्बाद किया है। जो लोग राष्ट्रीयकरण के उद्देश्यों को खत्म करने में बाधक हैं, सरकार को उनके साथ सख्ती बरतनी चाहिए, उनको कड़ी सजा देनी चाहिए और उन के साथ कोई छिलाई नहीं होनी चाहिए। मैं जानता हूँ कि सरकार के दिल में बड़े बड़े पूंजीपतियों के लिए बड़ा दर्द और रहम है और उस

को वह कई प्रकार से प्रकट करती है। मैं चाहता हूँ कि सरकार अपनी इस मनोवृत्ति को खत्म करे ताकि उसका राष्ट्रीयकरण का उद्देश्य पूरा हो, बिहार का विकास हो, खान उद्योग का विकास हो और मजदूरों का कल्याण हो।

**SHRI NAWAL KISHORE SINHA** (Muzaffarpur) : I welcome the measure—first the Ordinance and now the bill taking over the management of the coaking coal mines. Every committee since 1937, we were told, recommended the taking over of these mines and the matter has been under active consideration since 1964. But no Government could accomplish this task. It required a Mohan Kumaramangalam to do this very urgent work and thus satisfy the requirement of the steel industry. We have through this taking over already taken over the management of ninety per cent of the coaking coal production of this country. There is no doubt that at a suitable opportunity other kinds of coal may be nationalised. But for the present it has been a great achievement, according to me.

I was going to draw the attention of the hon. Minister to clause 6 of the Bill. He has used the word 'compensation'. By sheer efflux of time and judicial pronouncements it has come to acquire a definite meaning and connotation. It has created a lot of legal complications. The constitution was recently amended and the word 'amount' was substituted for 'compensation.' I have not been able to understand why the word 'compensation' must be used in this Bill. I have given notice of an amendment and if the hon. Minister desires, he may accept it.

There is another clause 17 which gives power to the Government to enquire into contracts and agreements entered into by the former owners.

It is a very useful provision, but I do not think a very only a period of twelve months has been fixed. It will be more useful if the period from 1964 to the appointed day is inserted in this Clause. The matter has been under active consideration since 1964, and my own fear is that during the last seven years the owners of the mines must have entered into lots of agreements and contracts

which may nullify or at least put into difficulty the Government's efforts.

My information is that these mine owners owe a royalty of Rs. 4 crores to the Government of Bihar alone. The Employees' Provident Fund is another Rs. 4 crores, and the Bihar Electricity Board dues are another Rs. 10 crores. The Bihar Electricity Board is running at a loss of Rs. 32 crores every year. When the zamindaris were acquired in the various States, a provision was specifically made in Act that all Government dues would be realised before the compensation was paid, and even interim compensation was not paid so long as Government dues were not recovered. So, the hon. Minister may explain why he is going to give compensation without realising Government dues first.

There is a Clause under which Government wants certain powers to frame rules for constituting a Board of Management for advising the Custodian-General. I am not being parochial, but I would like to know whether Government proposed to associate Members of Parliament with this Board. I am not talking about myself, but there are quite a few Members here who can be very useful, who have had long experience of the working of these mines and the actual conditions there. If the Government is prepared, it is not difficult to include some of them.

\***SHRI J. M. GOWDER** (Nilgiris) : Hon. Mr. Speaker, Sir, on behalf of the Dravida Munnetra Kazhagam, I extend my wholehearted support to the Coking Coal Mines (Emergency Provisions) Bill introduced by Shri Mohan Kumaramanga'am, the Minister of Steel and Mines.

I am very happy that the policy of Government in nationalising the essential means of production in national interest has received due impetus in the hands of Shri Kumaramangalam and it has been left to him to implement this policy vigorously. I have no hesitation in saying that the policy of nationalisation is being implemented solely guided by the welfare of the people and it is not the intention of the Government to do away once and for all the private sector, and the institution of private property. I would just make a few suggestions on the Bill.

\*The original speech was delivered in Tamil.



[Shri Nawal Kishore Sinha]

The coking coal mines are being nationalised with a view to meeting the essential requirement of our iron and steel industry and this measure should receive the unanimous approval of this House.

When a grave emergency prevails in the country, I would like to request the hon. Minister to re-examine the question of paying compensation to the mine-owners. In the Bill, it is stated that an amount of Rs 35 lakhs is proposed to be given as compensation every month. I would like to know the total amount of compensation to be paid to the mine-owners and for how long such a compensation is going to be paid to them. As there is no mention about this in the Bill, I would request the hon. Minister to clarify this point. The owners have been exploiting the coal mines, which really belong to the people of the country, for ages and have amassed crores of rupees. When we nationalise them in public interest, I am not able to appreciate the necessity for paying compensation to these owners.

200 coking coal mines, 6 Raniganj coal-fields and 12 coke-oven plants are being nationalised. I would like to know from the Minister whether the Government have verified the pole potential of these mines. As they are being exploited by the owners for so many generations, they may for the namesake be called as mines and there may be no coal at all in some of them. Since the Government have decided to pay compensation to the mine-owners, it is necessary that this aspect is taken serious note of by the Government and it should be ensured that compensation is not paid to empty mines. I would request the hon. Minister to make an assessment of the coal-bearing mines and then make the payment of compensation. Similarly, before compensation is paid to the owners of coke-oven plants, the Government should ensure that the plant and equipment are in working condition. It may be that the plant and machinery may have gone out of commission and in repairs after so many years of constant working. I would request the hon. Minister to bear in mind this point also.

In the Annual Report of the Ministry, it is stated that there was a shortfall in the estimated off-take of coal by the Steel Plants, with the result that there was huge piling of

stocks. I would like to hon. Minister to clarify as to how this happened. In October, 1970 a high level Fuel Policy Committee was appointed by the Government and this Committee, I do not know, has submitted its report or not. So many such Committees are appointed by the Government and the Parliament does not come to know about their reports. I would like to know whether this Committee has submitted its report and the action taken by the Government on its recommendations. There was also a scheme of amalgamating small mines with bigger ones with a view to conserving reserves of coal. I would like to know how this scheme is being implemented now. In the Annual Report of the Ministry, it is stated that this scheme is likely to be finalised during the year 1971.

Sir, there is the Ministry of Steel and Mines at the Centre and then there is the Coal Board as also the Coal Controller's organisation. I need not say that all these organisations are staffed with highly qualified officials. With all this paraphernalia, I am not able to understand how the coke-oven plants were omitted to be taken over especially when an Ordinance had been issued by the President taking over the mines and other plants. It is said that only the plants covered by the definition "mine" had been taken over. I would like the hon. Minister to explain why such a serious lapse should have occurred especially when the Government had taken recourse to the issuance of Presidential proclamation. I would be happy if the Minister could clarify how the coke-oven plants were omitted to be taken over at the time of presidential promulgation of the Ordinance.

With these words, I conclude.

MR SPEAKER : How much time would the Minister like to have for his reply ?

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARAMAN - GALAM) : About 15 minutes.

MR. SPEAKER : Then, I can give another 25 minutes to the members. So many of them want to speak. Apart from the lists sent by the whips, independently members are sending slips. I will have to ignore the lists sent by whips and do away with that system if members send slips independently also.

SHRI K. D. MALAVIYA (Domariaganj) :  
Now that you have cancelled the list, I seek  
your permission to speak.

SHRIMATI SAVITRI SHYAM (Aonla) :  
I would also like to speak.

श्री शंकर ब्याल सिंह (चतरा) : अध्यक्ष महोदय, जिन 214 कोकिंग कोल खानों का राष्ट्रीयकरण किया गया है, जिन के लिए अध्यादेश जारी किया गया है, मैं समझता हूँ यह समस्या केवल उन 214 खानों की ही नहीं है और न तो यह समस्या उन खान मालिकों की है जो 100 वर्ष से भी अधिक से उन खानों से कोयला निकालते रहे हैं और यह नहीं जानते कि कपड़े पर कोयले की गन्दगी क्या होती है। चनचनी, बोहरा, थापर, बर्क्स, मूधड़ा आदि जो इन खानों के मालिक थे वे यह भी नहीं जानते कि कोयले की गन्दगी क्या होती है, जिनके वस्त्रों पर केवल धवलता ही फैली रहती थी, उनकी यह समस्या नहीं है। बल्कि मैं समझता हूँ कि यह समस्या उन बेचारे गरीब मजदूरों की समस्या है जो लाखों की तादाद में जमीन के अन्दर घसकर, घुसकर, दिन रात काम करते हैं और उसके परिवार के सदस्य यह नहीं जानते हैं कि नीचे से वह जिन्दा आएगा या उसकी लाश आएगी या उसके मरने की खबर आएगी क्यों कि इस तरह की बातें उन खदानों में हो चुकी हैं।

11.57 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

मुझे सन् या संबत् ठीक से याद नहीं, 1965 य 66 में धौरी कोलियरी में 250 मजदूर नीचे मर गए थे, मरने के बाद उनके परिवार को उनकी मौत का कम्पेन्सेशन भी नहीं दिया गया था। इसलिए सरकार ने जो कदम उठाया है उसका मैं हार्दिक स्वागत करता हूँ। मैं यह कहना चाहूँगा कि बैंकों के राष्ट्रीयकरण के सम्बन्ध में जो क्रांतिकारी कदम उठाया गया था उससे कम महत्वपूर्ण या क्रांतिकारी कदम यह नहीं है।

इसके साथ-साथ मैं तीन चार बातें मंत्री महोदय से निवेदन करना चाहता हूँ। मंत्री महोदय श्री मोहन कुमार मंगलम ने 11 नवम्बर को धनबाद की एक विशाल कोल रेली में भाषण देते हुए कहा कि बहुत से लोग कोकिंग कोल माइन्स का राष्ट्रीयकरण न हो, इसके लिए लगे हुए थे। मैं मंत्री महोदय से यह कहना चाहता हूँ कि इसकी भी जांच होनी चाहिए कि कौन ऐसे लोग थे जो इसकी राह में बाधा बने हुए थे? क्योंकि उन्होंने खुद भाषण देते हुए कहा है, तो इसकी जांच होनी चाहिए।

दूसरी बात मैं यह कहना चाहता हूँ कि कोकिंग कोल का राष्ट्रीयकरण 17 अक्टूबर को अध्यादेश द्वारा हुआ। लेकिन इसके पहले से ही इसकी खबर उस क्षेत्र में चली गई थी। मैं जानना चाहता हूँ कि यह लीकेज क्यों हुआ, किसने किया, उसकी जांच हो और जो उसके लिए दोषी पाया जाय उसे दण्ड दिया जाय।

तीसरी बात 214 कोकिंग कोल खानों का राष्ट्रीयकरण हुआ है। इसमें से आधे ऐसे हैं जिनके मुख्य कार्यालय कलकत्ते में हैं। मैं यह कहना चाहता हूँ कि धनबाद और झरिया में तो कोल फील्ड रहे और उनके हेड आफिस कलकत्ते में रहें इस बात का कोई औचित्य नहीं है। इस लिए उनके भी हेड आफिस वहाँ चले आएँ जहाँ यह खानें हैं।

चौथी बात कुछ ऐसी शिक्षण संस्थाएं और अस्पताल हैं जो उनकी आमदनी से चल रहे थे। तो वह शिक्षण संस्थाएं और अस्पताल बन्द नहीं होने चाहिए। सरकार को देखना चाहिए कि ऐक्चुअल प्रोटेक्शन उनको सरकार द्वारा मिले और वह संस्थाएं चलती रहें।

पांचवीं बात जो कम्पेन्सेशन दिया जाय उसमें यह देखा जाय कि जिन्हें कम्पेन्सेशन दिया जाता है, राज्य सरकार या मजदूरों का पैसा काट कर तो आप कम्पेन्सेशन देंगे, लेकिन इसके बाद वह उस रुपये का दुरुपयोग न करें, बल्कि वहाँ किसी उद्योग में उस रुपये को इन्वेस्ट करें तो एक अच्छी बात होगी।

[श्री शंकर दयाल सिंह]

एक बान में यह कहना चाहता हूँ कि जिस तरह में आपने कोकिंग-कोल का नेशनलाइजेशन किया है, उगी तरह से अभंग्र की खानों को भी नेशनलाइजेशन कर दें क्योंकि यह भी बहुत बड़ी समस्या है। आप वहाँ जाकर उनकी स्थिति को देखें तो आप को मालूम होगा कि उनकी हालत इनसे भी ज्यादा बदतर है।

12.00 hrs.

आखरी बात में यह कहना चाहता हूँ कि समाजवाद की गाडी को आप आगे जरूर ले जा रहे हैं, लेकिन मजदूरों और अफसरों के जीवन-स्तर में इतना अधिक भेद नहीं होना चाहिये, जिसे कि यह आग बराबर जलती ही रह जाय। आपने अपने बोकारो कारखाने में देखा होगा कि कितने अधिक एअर-कण्डीशनर्ज वहाँ लगे हुए हैं, कितना अधिक लेविशनेमें वहाँ के आफिसेज में हैं। इस लिये जो आप के कन्ट्रिब्यूटर्ज हो, जो आफिर्मर्ज हो, उगा लिविंग इस प्रकार का होना चाहिये जिसे मजदूरों को यह महसूस न हो कि हमारे और इनके जीवन-स्तर में जमीन आममान का अन्तर है।

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

श्री ईश्वर चौधरी (गया) : उपाध्यक्ष महोदय, जिस परिस्थिति में कोकिंग-कोल का नेशनलाइजेशन किया गया है, वह परिस्थिति यह थी सारे देश में कोकिंग कोल की बहुत कमी थी और इस कमी का एकमात्र वारण रेल के डिब्बे थे। अभी कुछ दिन हुए इस मदन में यह बात दोहराई गई थी कि रेल के डिब्बों की कमी होने के कारण आज सर्वत्र कोल की शाटेंज हो रही हैं। आज भी करोड़ों रुपये का कोयला खानों में जमा है, लेकिन उसको ले जाने के लिए रेल-डिब्बों की व्यवस्था अभी तक नहीं की गई है। इस लिए मैं सरकार से अनुरोध करना चाहता हूँ कि सम्पूर्ण कोयला खानों को अपने हाथ में लें। कुछ खानों को लेना और कुछ को छोड़ देना बहुत शोभा नहीं देता है,

इस के साथ ही साथ कोयला वैगनों की शीघ्र व्यवस्था करे।

अब ऐसा सुनने में आया है कि पोलैड से इस के विशेषज्ञ मंगाय जा रहे हैं। मैं जानना चाहता हूँ कि क्या भारतवर्ष में इस के विशेषज्ञों की कमी है? हमारे भारतवर्ष में विशेषज्ञों की कमी नहीं है, आप उनका उपयोग करे तो बाहर से मंगाने की जरूरत ही न रहे।

उपाध्यक्ष महोदय, कोयले की ज्यादातर खानें बिहार में हैं। मैं चाहता हूँ कि बिहार में प्राइवेट सेक्टर के लोगों ने जो सुविधायें अब तक मजदूरों को दी हुई थी, आप को उन से दो कदम आगे बढ़कर ही काम करके दिखलाना चाहिए, उनकी पढाई-लिखाई की व्यवस्था, चिकित्सा और आनाम की व्यवस्था पर आप को विशेष ध्यान देना चाहिए।

सरकार ने जिन खानों को लेने का निश्चय किया है, उनके मालिकों को कुछ रायटी देने के लिए व्यवस्था की है। सरकार इस के बारे में जो भी नीति निर्धारित करेगी, मैं उस के सम्बन्ध में कुछ नहीं कहना चाहता, लेकिन श्रमिकों का बोनास जो अभी भी इन खान मालिकों की तरफ बाकी है, उस को देना सरकार न भूले।

एक शंका आज भी हमारे में मन बनी हुई है। सरकार जिसे चीज का भी राष्ट्रीयकरण करती है, राष्ट्रीयकरण हो जाने के बाद धीरे धीरे वह चीज खोखली होती जाती है और सफल नहीं हो पाती है। आज सरकार ने खानों का राष्ट्रीयकरण किया है, सरकार ने इसके लिए अध्यादेश निकाला है, मैं चाहता हूँ कि आने वाले भविष्य में हमारे अब तक के अनुभव को सामने रखकर व्यवस्था की जाय। श्रमिकों को अधिक से अधिक लाभ देने का प्रयत्न किया जाय। अभी हमारे एक मिन में ढोड़ी खान का जिक्र किया जो बंद गई थी और जिसमें हजारों लोग मर गये थे, उन को कोई कम्पेन्सेशन नहीं मिला, मैं चाहता हूँ कि ऐसा भविष्य में न हो। हमारे श्रमिक जब खान के अन्दर जाते हैं तो उस समय शंका बनी

रहती है कि बाहर आ पायेंगे या नहीं। मैं चाहता हूँ कि खानों के अन्दर जाने तथा आने की व्यवस्था में मंत्री महोदय सतोषजनक सुधार करावेंगे।

खानों के मुआवजे के बारे में मैं कुछ नहीं कहना चाहता, सरकार इस बारे में जो भी नीति निर्धारित करेगी, मैं उसका स्वागत करूँगा। लेकिन कम्पन्सेशन, बोनस की जो बात है, उसमें फर्क नहीं आना चाहिए। बिहार सरकार का भी इनकी तरफ बिजली तथा दूसरी चीजों का करोड़ों रुपया बचाया है। अगर सरकार उस रुपये की बसूली बिहार सरकार को करा दे तो उसमें हमारे बिहार का बहुत काम चल जायगा।

श्रीमती सावित्री श्याम (आवला) :  
उपाध्यक्ष महोदय, मैं श्री मोहन कुमारमगलम जी को हार्दिक बधाई देना चाहती हूँ, उन के इस साहसिक कदम के लिए जो उन्होंने उठाया है, जिसके द्वारा इस देश के एक बहुत बड़े शोषण करने वाले नबके से उन्होंने छुटकारा दिलाया है। इन खानों से नजदीक से मेरा कोई सम्बन्ध नहीं है, लेकिन इनके काले कारनामों की कहानियाँ सुनने-सुनते और पढ़ते-पढ़ते दिल के अन्दर बड़ा क्षोभ होता था। जब जब देश को ज़रूरत पड़ी सबने देश को सहयोग दिया, लेकिन उस समय भी इन कोयला खानों के मालिकों ने हम लोगों का शोषण किया। इसलिए जब आज हम इन खानों का राष्ट्रीयकरण करने जा रहे हैं तो हम को देखना होगा कि इनका राष्ट्रीयकरण किस ढंग से करे। एक तरफ तो हम इन शोषण करने वालों की जमायत का खात्मा करने जा रहे हैं, लेकिन दूसरी तरफ हमें इनकी व्यवस्था के बारे में भी सोचते रहना होगा कि किस ढंग से हम इन के एडमिनिस्ट्रेशन को व्यवस्थित करें।

एक बात मुझे बिहार के इलैक्ट्रिसिटी बोर्ड के बारे में कहनी है...

MR. DEPUTY-SPEAKER : This is about coking coal, not about Electricity Board.

SHRIMATI SAVITRI SHYAM : That is also relevant here ; that is linked with it. The administration must be improved. Otherwise what will be the use of the nationalisation of these things. मेरे कहने का अभिप्राय यही है कि हमें सब से पहले इस में एडमिनिस्ट्रेशन को दुस्त करना होगा। जब तक आप इनका एडमिनिस्ट्रेशन नहीं सुधारेगे और जो सरमायेदार और इजारेदार एडमिनिस्ट्रेटर के रूप में घुस हुए हैं, उनको नहीं निकालेंगे, तब तक इस नेशनलाइजेशन से कोई लाभ होने वाला नहीं है।

इसी सम्बन्ध में मैं यह भी कहना चाहती हूँ कि फयूल के बारे में एक लोग-रेज-पालिसी होनी चाहिए। उन सभी साधनों को लेकर चाहे स्टीम हो, कोयला हो, डीजलाइजेशन हो, इलैक्ट्रिकेशन हो, जो भी चीजें देश में उपलब्ध हैं, उनको इकट्ठा करके आप को कोई काम्प्रीहेंसिव बिल लाना चाहिए, जिस में इस बात की व्यवस्था हो कि कितने फयूल की ज़रूरत है और वह कहा कहा मिल सकता है।

यहां पर अभी कम्पन्सेशन की बात कही गई है, मैं तो कम्पन्सेशन देने की कोई आवश्यकता ही नहीं समझती। आज जिनकी भी कोयला खाने इन लोगों के पास हैं, वे उनको बहुत कम लीज पर मिली हुई है, कई गुना आमदनी वे इन से कर चुके हैं, लेकिन उस के बावजूद भी काफी रुपया उन की तरफ मजदूरों के बोनस का बकाया है, प्रोविडेंट फण्ड का बकाया है, रिलीफ फण्ड का बकाया है, अगर आप इन सबको इकट्ठा करके कम्पन्सेशन में से घटा कर देखें तो शायद उनको कुछ भी देना नहीं निकलेगा।

बाप ने इस बिल में यह भी समावेश किया है कि अगर कम्पन्सेशन के बारे में उनके साथ कोई डिस्प्यूट होगा तो लोकल-कोर्ट्स हस्तक्षेप कर सकेंगी। मैं सरकार को बतलाना चाहती हूँ कि इस प्रकार के प्रावधान की कोई आवश्यकता नहीं थी। हमारे देश को इस प्रकार के प्रावधान से हमेशा बहुत नुकसान पहुँचा है। जब बाप लोकलकोर्ट्स को इन्टरफियरेंस का अधिकार देंगे

[श्रीमती सावित्री श्याम]

तो फिर आप उनको अपील करने से भी नहीं रोक सकेंगे—मैं नहीं समझ सकी हूँ कि इसकी क्या आवश्यकता थी। मैं मंत्री महोदय से अनुरोध करना चाहती हूँ कि वे इस को पुनः देखें और इस क्लॉज को अपने बिल में से निकाल दें। कोटर्स के इन्टरफियरेंस की इस में कोई आवश्यकता नहीं है। जिम बिना पर आप इन कोयला खानों को लेना चाहते हैं, उन रिक्मेन्डेशन्ज को भी लागू करें। मिमाल के तौर पर वेजबोर्ड की रिक्मेन्डेशन्ज लागू होनी चाहिए। हमारे पब्लिक सैक्टर में अगर वेज-बोर्ड की रिक्मेन्डेशन्ज लागू नहीं होती हैं तो फिर प्राइवेट सैक्टर पर आप उन को कैसे लागू कर सकते हैं। बोनास, प्रावीडेंट फण्ड, ग्रेजुइटी, रिलीफ फण्ड, ये सब स्कीमें मजदूरों को मिलनी चाहियें, इन सब का भुगतान करने के बाद आप कम्पेन्सेशन की बात करें।

आप इस बात को भी देखें कि प्लानिंग कमीशन के अन्दर जो वैक्टरमन कमेटी बनी थी, उसने कोक के सम्बन्ध में भी अपनी सिफारिशें दी थीं, उन सिफारिशों पर भी आप विचार करें और वे सुविधायें भी मजदूरों को दी जानी चाहिए।

अभी शाहनवाज खां साहब ने एक स्टेटमेंट पढ़ा, जिसमें उन्होंने कहा कि हार्ड-कोक माइन्ज का नेशनलाइजेशन हम नहीं करेंगे। मैं इस बात को नहीं समझ सकी कि इसके एनाउन्समेंट की क्या जरूरत थी कि हम नेशनलाइजेशन नहीं करेंगे। ऐसी उनके साथ क्या समझौते की बात है? जरूरत पड़ेगी तो हम करेंगे और नेशनलाइजेशन धीरे धीरे बढ़ना चाहिए तथा साथ ही साथ एडमिनिस्ट्रेशन भी अच्छा होना चाहिए। देश को इस समय इसी चीज की आवश्यकता है।

**SHRI SATYENDRA NARAIN SINHA** (Aurangabad): Against the background of the dithering by the Government for well over a decade, the Minister has acted with speed in redeeming his assurance to the House, and

therefore, I compliment him for having ended the air of uncertainty and suspense which hung over the coal fields all these years. Since the time at my disposal is very brief, I won't go into greater details but come to the point straightaway.

Even at the risk of being called a little parochial I would like to make a submission to the hon. Minister that the Government company when formed should have its headquarters at Dhanbad. The State Government has also made a representation to the Minister and I also add my voice to that.

Secondly, I was glad to know that the Minister is making all efforts to find out all available talents in the country to man the management. Here again, I may tell the Minister that, other things being equal, our Bihari talents should get preference in the top executive jobs. The State Government in 1963-64 appointed a Committee to go into this question and the Committee expressed its dissatisfaction over the employment of Biharis both in the private and public sectors and they made a recommendation that the top executive jobs should go to our qualified Bihari talents.

**MR. DEPUTY-SPEAKER** : You want this to be borne in mind so far as the coking coal mines are concerned. You are trying to go over the entire field of employment.

**SHRI SATYENDRA NARAIN SINHA** : I am coming to the point.

**MR. DEPUTY-SPEAKER** : You come to the point. Time is short.

**SHRI SATYENDRA NARAIN SINHA** : The present Deputy Labour Minister has also made a statement on the floor of the Assembly that Biharis' claims have not been given due weight. Sir, if the Custodians are brought from outside, they will not be looking to the claims of the Biharis sympathetically and this is our point and this is very relevant and the Minister is perhaps aware of the strong feelings widely held by the Biharis on this point. Therefore, I may tell you and I make this earnest request to the Minister that he should bear in mind that, other things being equal, our Bihari talents must get preference in the matter of appointment to the top executive jobs.

I come to my third and last point. The Minister knows that the coal fields present a different picture altogether. The disparities exist in a gaping manner. The collieries' proprietors have not been able to implement the recommendations of the Wage Board but we have not noticed any curtailment in the various privileges enjoyed by them. They have been able to do so by undercutting the wages of the labour. I am speaking from my personal experience and I know that.

MR. DEPUTY-SPEAKER : That is why they have brought forward this Bill.

SHRI SATYENDRA NARAIN SINHA : Kindly bear with me. I am also making a point. I have experience of that area. I come from Bihar.

MR. DEPUTY-SPEAKER : I am not saying that the hon. Member does not have experience. I am only pointing out that it is not the entire gamut of industries which is being discussed. It is only a very limited thing relating to the taking over of certain coking coal mines, and that is all.

AN HON. MEMBER : You do not know, Sir, what the condition of labour there is.

SHRI RAMSHEKHAR PRASAD SINGH : The management must also be efficient. We are only pointing out that the management so far has not been efficient.

SHRI SATYENDRA NARAIN SINHA : I must be allowed to make my point. It is our problem. You know, Sir, that in Assam State, people from other States are not being allowed.....

MR. DEPUTY-SPEAKER : There is no question of Assam or Bihar here .....

SHRI RAMSHEKHAR PRASAD SINGH : This is our main point. You cannot gag us.....

MR. DEPUTY-SPEAKER : This would have been more relevant if we had been discussing labour and employment.....

SHRI RAMSHEKHAR PRASAD SINGH : This is most important. This has caused.....

MR. DEPUTY-SPEAKER : Order, please. Let not the hon. Member intervene. What he says will not go on record.

SHRI RAMSHEKHAR PRASAD SINGH : \*\*

MR. DEPUTY-SPEAKER : Let the hon. Member kindly confine himself to the Bill and not go very far afield. That is my only advice to him because the time at our disposal is limited.

SHRI SATYENDRA NARAIN SINHA : I am confining myself absolutely to the scope of the Bill, and whatever I am saying is absolutely relevant. Perhaps, Sir, you are not aware that quite recently, even the Deputy Labour Minister of Bihar has made a statement on this question and said that the claim of the Biharis has been ignored.....

MR. DEPUTY-SPEAKER : The hon. Member has made that point already. He does not have to repeat that point. He has made that at least fifteen times by now.

SHRI SATYENDRA NARAIN SINHA : No, I have not repeated it. Kindly refer to the record. I do not repeat my points.

Now, I come to another point. I have already said that I am speaking from personal experience when I say this, because I have been connected with some labour unions on the coalfields, and I know that a large number of workers were kept as casual labourers or were employed as contractors' labourers and they were never given full wages as per the wage board award. By undercutting their wages, the colliery proprietors were making profits, and I am sorry to have to say that some of the labour leaders also colluded with the colliery proprietors.....

MR. DEPUTY-SPEAKER : This should be taken up when we have a debate on labour and employment and not now.

**SHRI SATYENDRA NARAIN SINHA :**  
.....and their expenses run to high figures.

**SHRI CHAPALENDU BHATTACHARYYA (Giridih) :** Not only some of the labour leaders but also some of the top political leaders.

**MR. DEPUTY-SPEAKER :** May I suggest to the hon. Member that all these points that he is making would be very relevant to a debate on the Ministry of Labour and Employment? They do not relate to this particular Bill which has a very limited scope. I really wonder how these points arise out of this.

**SHRI SATYENDRA NARAIN SINHA :** Kindly bear with me, Sir; then you will understand why I am making these points. I am saying that the Minister has said that there are a lakh of workers employed in the collieries. I am raising the question of casual labour and contractors' labour, and I would like to know whether the figure of one lakh includes those labourers also or not. This has got to be gone into very critically. If they are kept out, then these unfortunate victims who have been victims of exploitation already will again suffer.....

**AN HON. MEMBER :** Shri Satyendra Narain Sinha has taken 10 minutes already.

**SHRI SATYENDRA NARAIN SINHA :** I have not taken 10 minutes, because there were so many interruptions.

**MR. DEPUTY-SPEAKER :** The hon. Member would not have been interrupted if he had been relevant. He was interrupted because he was irrelevant.

**SHRI SATYENDRA NARAIN SINHA :** I shall finish my speech in a minute or two.....

**MR. DEPUTY-SPEAKER :** Now, Shri Ramshekhar Prasad Singh. He should finish in not more than two or three minutes.

**SHRI RAMSHEKHAR PRASAD SINGH :** How can I finish in two or three minutes?

**MR. DEPUTY-SPEAKER :** I think hon. Members have already agreed to take less time for speeches.

**श्री रामशेखर प्रसाद सिंह (छपरा) :** उपाध्यक्ष जी, जिस भावना और लक्ष्य को लेकर इस बिल को लाया गया है मैं उसका स्वागत करता हूँ। जो रेन आफ टेरर घनबाद एरिया में मचा हुआ था उसको केन्द्रीय सरकार ने मैनैजमेंट को अपने हाथ में लेकर समाप्त किया है। वहाँ पर वे लोग तमाम लोगों को एग्ज कर और तमाम गुडों को इस्तेमाल कर सरकार का टैक्स तो रोक ही लेते थे साथ ही साथ वहाँ पर काम करने वाले जो मजदूर हैं उनकी मजदूरी भी नहीं देना चाहते थे। उस प्रकार से सरकार ने जो अपने हाथ में इन्जाम लिया है उससे मजदूरों में राहत आई है और उनको सन्तोष हुआ है। उनकी सिक्योरिटी आफ आफिम कायम हुई है। यह काम आप ने बहुत अच्छा किया है, लेकिन साथ ही साथ भय इस बात का है कि जो काम वह करते थे, मिल-मालिक और कोलिअरी मालिक किया करते थे, सरकार उस को कर पायेगी या नहीं। उपाध्यक्ष महोदय, आप ने बतलाया कि यह बात इस बिल के स्कोप के अन्दर नहीं आती। लेकिन मैं समझता हूँ कि आती है। मैं मानता हूँ कि जो भी काम आप करना चाहते हैं अगर उस की मशीनरी एफिशिएंट न हो, उनके अन्दर काम करने वाले यन्त्र अच्छे न हों, उन को सुचारु रूप से चलाने वाले मनुष्य अच्छे न हों, जोकि कमिटेड हों तो जो भी सिद्धान्त और प्रिंसिपल आप यहाँ बनाते हैं वह कभी भी सफल नहीं हो सकते।

मैं आप को यह भी बतलाना चाहता हूँ कि बिहार के लोग कभी भी रीजनल फीलिंग से प्रभावित नहीं हुए। हमारे प्रदेश में सात-आठ कमिश्नर बाहर के हैं। हम खोग बाहर के लोगों के साथ व्यवहार रखते हैं, लेकिन हम यह नहीं चाहते हैं कि हमारे हितों की आप रक्षा करें और हमारी चीज को एक्सप्लायट करके, उसका इस्तेमाल करके बिहार की कोलिअरीज को दूसरों का उपनिवेश बनाया जाये। हमारे यहाँ सुयोग्य

व्यक्ति मौजूद हैं। उन को वहाँ पर रखना चाहिए। आपने श्री चारी को कस्टोडियन जनरल बहाल किया है। इसमें मुझे कोई ऐतराज नहीं है। वह अच्छे आदमी है। उन्हें काम का अनुभव है। लेकिन आप ने जिन 24 छोटे छोटे कस्टोडियनों को बहाल किया है, मैं विश्वास के साथ कहना चाहता हूँ कि बिहार के लोगों को उन में आस्था नहीं है, और आज तक जो काम वह कर चुके है उनके कारण बिहार में बहुत ही निराशा फैली है।

आज जिम उद्देश्य की पूर्ति के लिए आप नेशनलाइजेशन करना चाहते हैं उस के बारे में सारा देश एक है। नेशनल आउटलुक से काम लेना चाहिए। नेशनलाइजेशन की प्रगति में हम भाग लेना चाहते हैं और इस सम्बन्ध में किमी प्रदेश से पीछे नहीं रहना चाहते, लेकिन मैं नहीं चाहता कि हमारे हाथों को आप दबा लें, हमारे अधिकारों को छीन लें, हम को जो मिलना चाहिए वह न दें और हमारे प्रदेश को उपनिवेश बनायें। इसे हम लोग वर्दाशत नहीं कर सकते। अगर आप कहें कि यह बिल के स्कोप के अन्दर नहीं आता, तो मैं कहना चाहता हूँ कि आता है। जब तक आप सुयोग्य यन्त्र नहीं बनायेंगे तब तक काम ठीक से नहीं हो सकता। जमींदारी अबालिशन हुआ था तब जमींदारों ने ट्रस्ट बना कर जनहित के लिए कुछ काम किये थे। इस तरह के स्कूल, कालेजों और धर्मशालाओं की देख-रेख जमींदारी ले लेने के बाद कौन करता था? अभी कम्युनिस्ट पार्टी के एक मेरे मित्र ने कहा कि जो ऐसे ट्रस्ट बने हैं जो किसी व्यक्ति के हित में इस्तेमाल होते हैं उन को आप हटा दें। आप चाहें तो ऐसा कर सकते हैं, लेकिन जो स्कूल हैं, अस्पताल हैं, चैरिटी इन्स्टिट्यूशन्स हैं, अनाथालय हैं, ऐसे ट्रस्टों को, सरकार को सहायता देनी चाहिए ताकि वह जनहित में अच्छा काम कर सकें।

मेरे मित्र श्री शंकर दयाल सिंह ने कहा कि बहुत सी बड़ी बड़ी कोलिअरीज के प्रोप्रायटर हैं। यह बात सही है, लेकिन बड़े बड़े प्रोप्रायटरों के अलावा छोटे छोटे कोलिअरी प्रोप्रायटर भी हैं।

जब आप उन कोलिअरीज का इन्तजाम अपने हाथ में लेते हैं तो उनके अनएम्प्लायमेंट का प्रश्न पैदा हो जाता है। ऐसे लोगों के रिहैबिलिटेशन का भी इन्तजाम आप को करना चाहिए और जो छोटे छोटे प्रोप्रायटर बिहार के हैं, किसी और प्रदेश के नहीं, उनकी रक्षा आप को करनी चाहिए।

यहा लोकेशन आफ आफिसेज के बारे में भी कहा गया है। यह बात सही है कि जो भी आफिसेज आप इस काम के लिए बनायें वह चाहे आप धनबाद में बनायें, रांची में बनायें, हजारीबाग में बनायें या पटना में बनायें लेकिन कलकत्ते में रहकर उमको काम नहीं करना चाहिए।

अन्त में मैं मिनिस्टर माहब को धन्यवाद देता हूँ कि उन्होंने इस काम को किया। इसके लिए यहाँ के लोग बहुत चिन्तित थे। लेकिन साथ ही यह निवेदन करूंगा कि जो एम्प्लायटेशन हो रहा है, जो सरकार के टैक्स बकाया है, जो प्राविडेंट फंड का रुपया बकाया है, वह वसूल करके दिला दें तभी किसी आदमी को कम्पेन्सेशन दें अन्यथा नहीं।

श्री स्वर्ण सिंह सोखी (जमशेदपुर) : उपाध्यक्ष महोदय, यह जो बिल आया है इसके बारे में मैं कुछ सलाह देना चाहता हूँ मिनिस्टर साहब को। वह शायद कई बातें भूल गये हैं। पहली बात तो यह है कि इसमें जो कम्पेन्सेशन का लपज आया है उस को बिल्कुल निकाल देना चाहिए। कम्पेन्सेशन बिल्कुल नहीं रहना चाहिए। न कोक ओबन प्लैन्स में और न माइन्स में। अगर हम लोगों ने माइन्स के लीजेज को विदड़ कर लिया होता इस बिल के द्वारा तो कम्पेन्सेशन न देना पड़ता। पब्लिक इंटेरेस्ट में लीजेज को विदड़ कर लेना चाहिये था। इस बिल में लिखा हुआ है कि 75 पैसे पर टन कम्पेन्सेशन दिया जायेगा और 25 पैसे पर टन भी। यह तो रायल्टी हो जाती है। इट मीन्स रायल्टी, इट अमाउन्ड्स टु रायल्टी। कम्पेन्सेशन आप रायल्टी की तरह से देना चाहते हैं। यह नहीं होना चाहिए। कम्पेन्सेशन बिल्कुल नहीं देना चाहिए।



[श्री स्वर्ण सिंह सोखी]

हमारे बहुत से दोस्तों ने कई बातें कही है उनको मैं दोहराना नहीं चाहता हूँ। माइन्स में से ठेकेदारी को निकाल देना चाहिए क्योंकि यह लोग बीच में काम खराब करते हैं।

दूसरी बात यह है कि घनवाद में ईस्ट एशिया का सब से बड़ा माइनिंग कालेज है। वहाँ पर बाहर मुल्कों के लोग भी आकर शिक्षा पाते हैं। पोलैंड से कालेब्रोवेशन की क्या जरूरत है। हमारे बिहार में बड़े बड़े इंजीनियर हैं, जो कि वही से पाग होकर निकले हैं। इसलिए वहाँ पर जो पढ़े लिखे माइनिंग इंजीनियर हैं उनको बड़ी बड़ी पोस्टें देनी चाहिये।

SHRI C M SHIHLN (Muvattupuzha) : Mr. Deputy-Speaker, Member after Member is pleading for his case, namely, Biharis must be appointed to high places. I want to point out that there is another voice which has also to be added. If they want to press such a thing, then, persons from my State may have to present their point of view, and I plead that I must be given an opportunity to plead that point of view. These are matters which affect the Kerala people. This should not be left unchallenged.

MR. DEPUTY-SPEAKER : Order, please. I think this point has been made, perhaps, by Members from Bihar because most of these mines are in Bihar. That is the main reason. Anyway, please try to conclude.

श्री स्वर्ण सिंह सोखी : जो कोक ओवन प्लान्ट्स नहीं लिये गये हैं, क्या पता है उनमें से कितनी मशीनरी चली गई है। कोक ओवन प्लान्ट्स कोल माइन्स की इंटीग्रेल पार्ट है। साथ साथ उनको भी लेना चाहिए था। यह सिर्फ इस लिए हो रहा है कि शायद मिनिस्टर साहब इस बात को नहीं जानते हैं कि वहाँ क्या हो रहा है। वहाँ काम करने वाले आफिसर्स से जो कुछ उनको मिलता है उसी को वह जानते हैं।

आप को यह भी मोचना चाहिए कि आखिर हम लोग कोल माइन्स के बारे में लिटिगेशन पर

कितना पैसा खर्च करेंगे। अभी तो लिटिगेशन शुरू ही हुआ है। इसलिए कोर्ट को हस्तक्षेप इसमें नहीं होने देना चाहिए। इससे कोर्ट का कोई वास्ता नहीं होना चाहिए।

इन अल्फाज के साथ मैं इस बिल को सपोर्ट करता हूँ।

MR. DEPUTY-SPEAKER : The Minister.

SEVERAL HON. MEMBERS rose—

SHRI N. K. P. SALVE (Betul) : No one from this side has been given an opportunity. I support the basic principles of the Bill. But one or two speakers from here may also be called.

MR. DEPUTY-SPEAKER : Order, please. Kindly listen to me. Within the limits of the time fixed, we tried to abide by the list of speakers submitted by the Whips. Here is the list submitted by the Whips. I have called everybody from the list. I cannot call anybody else. The Minister.

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARA-MANGALAM) : Mr. Deputy-Speaker, Sir, may I first of all thank all the hon. Members of the House who participated in this discussion for the support that they have given to this Bill? I entirely agree with them that the decision of Government to take over the coking coal mines is a long overdue one, and I am sure that this will redound to the benefit of the economy of our country.

Let me take, however, the points that have been made in the debate one by one. My friend Shri Deb has raised a large number of points, but one point which I was not able to follow at all was this : why he should ask for a guarantee or an assurance that the facilities granted to the workers will continue to be given. To the workers who were not getting the facilities at all, we are now giving many, many facilities which were not given to them earlier : wages that were not being paid properly ; provident funds that were not being properly deposited in the provident fund ; and so on and so forth. I think Shri Deb will appreciate that the nationalised organisation undoubtedly will see to it not merely that whatever facilities have been given up to now

will continue to be given, but to the many workers who for years have been deprived of the facilities due to them under the law will be given those facilities. Already they are being given. Wage board wages were not being paid in a large number of collieries; we are doing our very best to pay them. You will also appreciate that it takes time. Putting things right in every one of the 200 collieries cannot be done in a day, in a month, maybe even in a year. We are trying to do our best and I think we are entitled to ask your indulgence if in certain areas we are not able to reach the targets which we, you and I, put before ourselves in relation to the worker.

So far as the previous wages, arrears of wages are concerned, arrears which have not been paid, we are quite frank and it is difficult to know how much it is. We are not able to trust the books of the mine owners regarding even the number of workers who are employed because that number suddenly swelled just before nationalisation. So we have to check all this carefully before we commit ourselves to certain positions. But I can assure him that we shall try to see that whatever should have been paid to the workers by way of arrears on the 17th October is paid to them before a pie of compensation is paid to the owner. No compensation will be paid until the dues of the workers, provident fund, royalty, etc. which may be called national dues are paid and only then any compensation payable will be paid... (*Interruptions*)

One matter on which hon. Members coming from Bihar appear to be agitated is about the employment of Biharis in the coal-mines. I should like them to remember, particularly those hon. Members who have had quite a lot to do with administration at various times of their political career and who have now become very enthusiastic about the employment of Biharis, that in the days gone by in the mines, out of something like 120 senior officers in the private collieries in Bihar not more than 20 per cent, if not less, were Biharis. The position was, let us say, not something about which one can be very happy. But today out of the custodians that have been appointed in the recent selections something like fifty per cent are Biharis.....(An Hon. Member : Only 6). Unfortunately your figures are incorrect. I have been begging Members to come and take the correct figures from me, and not to listen to the former owners of coking coal mines who are today the most

enthusiastic sponsors of these agitations because they want to discredit the present managements.

I can assure the hon. Members with all the sincerity at my command that the management is doing its best to see that the interests of Biharis in Bihar are protected. The difficulty is that many persons who successfully prevented the nationalisation over the last 34 years have today suddenly become protectors of the Biharis, protectors of the workers, protectors of the State Electricity Board, protectors of the royalty for the Government, protectors of everything, though before they were nationalised they forgot all those questions and there was no agitation at that time, no shouting on this question at that time. That is why I should like to assure the hon. Members that so far as coking coal mines are concerned, justice is being done and will be done to the Biharis. We have taken over the management of the coking coal mines not to do injustice to the people of that place but in order to see that all the robbery and loot that was going on by the mine-owners who have purchased everybody at every level at every time for the last quarter of a century is ended once and for all... (*Interruptions*). I should like to say that if I were to distribute compliments about persons who had enjoyed the fruits of the coal mines, here will be very few political parties or persons who have not had the benefit by one way or another over all these years...(*Interruptions*). The pot should not go round calling the kettle black.

So far as the headquarters of the coking coal organisation is concerned, it will be at Dhanbad, and only at Dhanbad. You may rest assured that we do not want to take it away from there because the majority of the mines are there. But I would also like to say that the primary and essential condition regarding the appointment of persons to run these mines must be their technological capacity. We are all Indians, and we want to make the best use of Indian talent, and I would like particularly my friends from Bihar to appreciate that the task of re-structuring these coking coal mines is probably one of the most difficult technological tasks facing our country and our Government today.

SHRI N. K. P. SALVE : Why did you allow them to become bankrupt ?

**SHRI S. MOHAN KUMARAMANGALAM :** I came only six months ago. There was somebody else before, but I can assure you that we are now going to do our best to see that all the mistakes of the past are remedied as soon as possible.

Let me deal with the question of compensation. Almost all the Members who spoke, except one, were very anxious that no compensation whatsoever should be paid. Whether we like it or not, at the present moment under our Constitution some compensation, even if one does not use the word "amount" because that is the latest position after the amendment, has to be paid. We are ensuring, and we are interested in seeing, that whatever amount is paid will only be paid to the owners after all the dues of those who are legitimately entitled to them, workers' provident fund, royalty and so on, are met. I think that is the best that we can do. So far as the actual amount that is being paid is concerned, we have arrived at it in the basis of a rational calculation of management compensation because we have been advised that even when we take over the management, compensation is due.

**SHRI K. D. MALAVIYA (Domanaganj) :** Is it or is it not a fact that there was a deliberate attempt made to massacre the mines in the last few decades, knowing fully well that one day the mines were going to be taken over as, since the end of the Second World War, this apprehension was there in the minds of those people? Also, in spite of the fact that voluntary amalgamation measures were taken and they were persuaded to amalgamate the mines, they did not do so. Therefore, will these things be borne in mind while paying compensation?

**SHRI S. MOHAN KUMARAMANGALAM :** Coming as it does from my senior friend, Mr. Malaviya, who was also formerly a Minister of Mines, it will be taken into consideration, let him have no doubt.

So far as the coke owners are concerned, the only reason for not including them in the Ordinance is, let me assure you, pure ignorance. We were not aware of the fact that legal separation had been made between the coke owners on the one hand and the coal mines on the other. In certain cases the coke owners were not separated, and therefore they

were taken over by us. Where legal separation had been made and separate companies had been set up, we have taken power under this Bill to take them over.

I was asked a question, I think it was by Shri Shankar Dayal Singh who sabotaged nationalisation? Obviously the coking mine owners who have been effective and strong enough to sabotage it for over 34 years. That is also the answer to the question as to how the news leaked out. If they were efficient and strong enough to prevent nationalisation for 34 years, it will be beyond the bounds of expectations that they will not be able to know when it is going to happen, because how were they able to prevent it for 34 years? That is the main enquiry to be made, if one is going to make any enquiry at all. I am not prepared to say that any news leaked out, but obviously after the commitment made to this House during my reply to the Demands for Grants on 1st July this year, the coking coal mine owners, to put it very mildly, were somewhat disturbed and extremely anxious to find out what was going on, and the fact that Government was serious about its promise made to Parliament was enough for them to have more than a shrewd guess that the mines were going to be nationalised. I would like to assure the House that the actual loss to the mines as a result of what has happened is negligible. Perhaps some motor cars have been sold and things of that character. I do not say this just to satisfy the House. As I said in my opening remarks, the very fact that the production of coking coal has not gone down, but on the contrary has gone up since we took them over on October 17, is sufficient proof of the fact that no serious harm or damage has been done to the equipment or resources of the coking coal mines. Those gentlemen among the mine-owners who have taken away, or stolen, if I may use the expression, any of the properties, would not get compensation for it. So, they are not going to gain very much. 41

Regarding the question of Calcutta staff, the difficulty is this. Knowing what may be called the uncertainty of remaining inside the private sector, many of the staff who were not involved in dealing with coking coal mines are being transferred to the coking coal sector of private sector organisations, so as to be able to transfer them to the public sector. We do not want to take more than those who

actually were doing work on the coking coal areas. We do not want to take the other employeess in Andrew Yule or Jardine Henderson who were working not in coking coal areas but in other areas. Those about whom we were definite that they were working in coking coal areas, we have taken over. About those regarding whom there is some uncertainty, we have set up a screening committee to examine every one of them. We will take over those who were actually working in the coking coal areas and see that their terms and conditions of service are safeguarded.

**SHRI JYOTIRMOY BOSU** (Diamond Harbour) : Coking coal area is a vague term. What about the coal department employees in the agency houses ?

**SHRI S. MOHAN KUMARAMANGA-LAM** : I must make it clear that we will not take over all the staff of the coal departments of all those companies. We cannot, because there are quite a number of coal mines left in the hands of the private organisations. If we take over everybody, we will have an enormous surplus and then you will say, "The nationalised sector is inefficient ; the management is bad" and so on and they will say "The workers are not working". So, let us not get into that debate. We want to take over those who legitimately have a right to be included among workers of coking coal areas, I think that is a fair and proper way of looking at it.

Coming to contract labour, there has been a lot of misuse, as members from Bihar know, of this system in coking coal mines. Naturally, it will take us some time to set this right. But it is our object to see that as early as possible contract labour in these areas is abolished.

**SHRI DAMODAR PANDEY**  
Completely?

**SHRI S. MOHAN KUMARAMANGA-LAM** : The law permits it so far as construction workers are concerned. But so far as the actual working of the mines is concerned, our object must be to abolish contract labour completely. So far as construction workers are concerned, it is a different matter. I do not think you are expecting me to abolish it there also.

Lastly, the question was asked, why is it that we have not taken over the non-coking coal mines ? Firstly, taking over 214 coking coal mines at one stroke was no small task. Taking over of 14 banks, well-organised, with good accounts, etc. could be done. So also the taking over of life insurance or general insurance. But to take over 214 mines of this character and to be able to run them effectively and efficiently was itself a Herculean task. I can quite frankly admit before hon. Members that even now we are not satisfied that we have complete control over the situation, and that is why so many complaints are coming, hon. Members write to me and our officers are having a very very difficult time. But, more than that, the main reason is, so far as coking coal is concerned, our reserves are limited. At best we may go up to 50 or 75 years. But, so far as ordinary coal is concerned, our reserves will take us somewhere up to 500 years or so, perhaps more.

**SHRI N. K. P. SALVE** : In Madhya Pradesh there is malpractice and misexploitation and still he is not redeeming them, whereas he has redeemed them in Bihar. Unscrupulous private sector people are running them and there is dereliction on the part of his Ministry. So far as non-coking coal is concerned, he should assure us that he will at least look into those types of malpractices and misexploitation of coal.

**SHRI S. MOHAN KUMARAMANGA-LAM** : I was explaining to hon. Members the difference between coking coal on the one hand and non-coking coal on the other. So far as coking coal is concerned, it is an extremely urgent necessity from the point of view of the present and the future that we preserve and control the use of coking coal, particularly from the point of view of iron and steel industry. But that does not mean that we are not looking at the ordinary coal mines. We are examining that also. If the coal miners conduct themselves properly, invest money properly, implement the wage board awards properly and in general act with foresight as sensible industrialists do, then it is a different matter. But if they do not and if they do not care for the interests of the workers and the nation, well, government certainly know what to do in the matter.

[Shri S. Mohan Kumaramangalam]

I would conclude by mentioning one single point. I think it was Shri N. K. Sinha who mentioned the need for elimination of the word "compensation". I am accepting the amendment he has moved and certain consequential amendments. The word "compensation" will be deleted from the Bill and the word "amount" will be put in. I think the point he has made is perfectly right. So far as the other amendments are concerned, I will move them here.

I thank hon. Members again for the support they have given to this Bill. But I would only beg of them to be a little indulgent to the government in this area for a little time because it is extremely difficult for us to be able to do everything that we should do, even justice to the workers, because it is a very difficult job. To remedy all the sins that have been committed over a quarter of a century and more cannot be done in a short time. I would ask of hon. Members to give credit for the genuineness of the administration that has been set up and the *bona fides* of that administration. Whatever you find wrong, kindly bring it to my notice or to that of the administration and we shall do our best to set things right.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to provide for the taking over, in the public interest, of the management of coking coal mines and coke oven plants, pending nationalisation of such mines and plants, be taken into consideration."

*The motion was adopted.*

MR. DEPUTY-SPEAKER : We will now take up clause by clause consideration. The question is :

"That clauses 2 to 5 stand part of the Bill".

*The motion was adopted.*

*Clauses 2 to 5 were added to the Bill.*

### Clause 6. (Payment of compensation)

SHRI NAWAL KISHORE SINHA : I beg to move :

Page 6, line 51 and wherever it occurs in the Bill,—

*for "compensation" substitute—  
"amount" (9)*

SHRI S. MOHAN KUMARAMANGALAM : The amendment of Shri Nawal Kishore Sinha has put it in a very general way. It will have to be amended slightly. I am accepting the amendment, but there are certain consequential amendments which I may have to move. I do not know what the procedure is.

MR. DEPUTY-SPEAKER : If you accept his amendment, I will put it to the House. As far as the amendments to the other clauses are concerned, they can be moved when the relevant clauses are taken up.

SHRI S. MOHAN KUMARAMANGALAM : The amendment says that everywhere the word "compensation" is to be substituted by the word "amount". That would not be entirely correct; though we agree with the object of his amendment, the terms in which he has put it would not be entirely proper.

MR. DEPUTY-SPEAKER : The procedure is that every amendment should be given notice of a day in advance.

SHRI B. S. MURTHY (Amalapuram) : It is not necessary.

MR. DEPUTY-SPEAKER : If it is not necessary, then do away with the rules. But the Chair has got certain discretion and under certain circumstances that discretion has to be exercised. But that discretion is not to be exercised all the time. I am mentioning this so that Government and Members kindly bear this in mind. If they think that a particular amendment is acceptable to Government but is not properly put in words, they should take action in advance and tell the Chair that that has got to be done and not be caught unawares in this way. The rules of the House have got to be taken seriously... (*Interruption*). We should try to do things regularly. The Minister says that he is prepared to accept this amendment but it is not put in proper words.

SHRI S. MOHAN KUMARAMANGA-LAM : The object of Shri Sinha himself is not being attained by the amendment that he has moved. I have reframed the amendment in such a way that it will cover all the different things.

MR. DEPUTY-SPEAKER : I will accept that amendment now.

SHRI NAWAL KISHORE SINHA : Sir, you have the power to permit me to move that amendment.

SHRI S. MOHAN KUMARAMANGA-LAM : It is not one amendment. It will come to something like ten amendments.

MR. DEPUTY-SPEAKER : To this clause ?

SHRI S. MOHAN KUMARAMANGA-LAM : To clause 6, in sub-clause (1), for the word "compensation", substitute "an amount". Then, in sub-clause (2) and in the provisos on page 7 of the Bill there are consequential amendments. I have got the whole thing here.

MR. DEPUTY-SPEAKER : Then, I will put first the amendment of Shri Sinha to the vote of the House.

SHRI ATAL BIHARI VAJPAYEE (Gwalior) : Let him withdraw it. The hon. Minister has accepted his amendment in spirit. He need not press it.

MR. DEPUTY-SPEAKER : The Minister has given amendments to this clause. Although the time is very short, I accept them under these circumstances.

SHRI NAWAL KISHORE SINHA : You will find that in my amendment I have mentioned that whatever the word "compensation" occurs in the Bill, it should be substituted by "amount". In a general way both the amendments are one and the same. But if you say, I will withdraw it.

MR. DEPUTY-SPEAKER : That is up to you.

SHRI NAWAL KISHORE SINHA : In that case, I withdraw it.

MR. DEPUTY-SPEAKER : Has he the leave of the House to withdraw his amendment ?

SOME HON. MEMBERS : Yes.

*Amendment No. 9 was, by leave, withdrawn.*

MR. DEPUTY-SPEAKER : Now I am putting the Government amendments to clause 6.

SHRI K. MANOHARAN (Madras North) : These are amendments moved by the Minister on the spot without getting your prior permission and you are exercising your discretion ?

MR. DEPUTY-SPEAKER : Yes.

*Amendments made :*

Page 6, line 51,—

*for "compensation" substitute "an amount" (10)*

Page 7, line 3,—

*for "shall be" substitute—*

*"shall be computed at the rate of" (11)*

Page 7,—

*(i) lines 2 and 3, omit "of compensation";*

*(ii) line 7, omit "of compensation";*

*(iii) line 14, omit "of compensation". (12)*

*(Shri S. Mohan Kumaramangalam)*

MR. DEPUTY-SPEAKER : Now, the question is :

*"That clause 6, as amended, stand part of the Bill."*

*The motion was adopted.*

*Clause\* 6, as amended, was added to the Bill.*

\*In view of the amendments to clause 6 adopted by the House, the words "Payment of compensation" in the marginal heading to clause 6 were substituted by the words "Payment of amount", as patent error under the Direction of the Speaker.

[Mr. Deputy-Speaker]

*Clause 7 was added to the Bill.*

*Clause 8 —(Payment of compensation).*

MR. DEPUTY SPEAKER The Minister has given notice of certain amendments.

*Amendments made :*

Page 7,—

(i) line 31, *for* "compensation", *substitute*— "an amount" ;

(ii) lines 34 and 35, *omit* "of compensation" ;

(iii) line 35, *for* "shall be" *substitute* — "shall be computed at the rate of"

(iv) lines 43 and 44, *for* "compensation" *substitute* "amount". (13)

*(Shri S. Mohan Kumaramangalam)*

MR. DEPUTY-SPEAKER : The question is :

"That clause 8, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause\* 8, as amended, was added to the Bill.*

*Clause 9 was added to the Bill.*

MR. DEPUTY-SPEAKER : We are nearing 1 O' Clock Is it the pleasure of the House that we finish this Bill and then adjourn ?

SOME HON. MEMBERS : Yes.

SHRI JYOTIRMOY BOSU : Tomorrow.

*Clause 10. — (Penalties).*

SHRI RAMAVATAR SHASTRI (Patna) :  
Sir, I move : —

Page 8, line 11,—

*after* "mine" *insert*—

"or removes or destroys it" (1)

Page 8, line 17,—

*for* "six months" *substitute* —

"two years" (2)

Page 8, line 17,—

*for* "ten thousand rupees" *substitute*—  
"fifty thousand rupees" (3)

SHRI S. MOHAN KUMARAMANGALAM : Sir, so far as the amendments of Shri Ramavatar Shastri are concerned, I will accept Nos. 1 and 2. In return, let him drop the rest.

SHRI RAMAVATAR SHASTRI : All right. I am ready for this compromise. I am withdrawing amendment No. 3.

MR. DEPUTY-SPEAKER : Has the hon. Member the leave of the House to withdraw his amendment No. 3 ?

SOME HON. MEMBERS : Yes

*Amendment No. 3 was, by leave, withdrawn.*

MR. DEPUTY-SPEAKER : I am now putting amendment No. 1 to the vote of the House.

SHRI JYOTIRMOY BOSU : Sir, on a point of order. We are supposed to adjourn at 1 O' Clock On Friday, when a very important Resolution was sought, to be taken up about GDR'S recognition, the Congress Members insisted that they would not sit after 1 O' Clock Today we do not want to sit beyond 1 O' Clock. Therefore, we should adjourn right now. That is the motion I move.

\*In view of the amendments to clause 8 adopted by the House, the words "Payment of compensation" in the marginal heading to clause 8 were substituted by the words "Payment of amount", as patent error under the Direction of the Speaker.

MR DEPUTY-SPEAKER : I have said at the beginning that it is at the pleasure of the House. Is it the pleasure of the House to continue until we finish this Bill or we adjourn now ?

SOME HON. MEMBERS : Let us finish it.

SHRI JYOTIRMOY BOSU : We will not be here.

SHRI K. MANOHARAN : You had put the question to the House already and the House had agreed to sit till the Bill was finished. He was a party to that.

SHRI JYOTIRMOY BOSU : No. He is always good at catching the wrong end of the stick. I again repeat it and I move it in the shape of a motion :—

“That the House do adjourn in time and not continue with the List of Business.”

13. hrs.

SHRI K. MANOHARAN : It was rejected by the House.

MR. DEPUTY-SPEAKER : Order, please. I have heard you. You have stated a point. I have said that I have taken the sense of the House. (*Interruptions*) and it is my opinion that the sense of the House is to continue. But, if you challenge it, I will have to put it to the House...(*Interruptions*) Order, please. I will put it in the form of question to the House.

SHRI JYOTIRMOY BOSU : Would you kindly sit down for a minute ? I submit again that on Friday when hon. Member, Mr. Hiren Mukerjee, was wanting to have a few minutes and one minute to introduce that resolution of his on such an important issue as recognition of the GDR, the Congress Members there protested and the Chair had to listen to that. To-day if you make an exception, we will not allow you.

MR. DEPUTY-SPEAKER : I am not making an exception. Last time also I put it to the House. I took the sense of the House. To day also I will take the sense of the House. To-day my opinion is that the sense of the House is to continue.

Now, the question is :

‘Page 8, line 11.—

after ‘mine’ insert—

‘or removes or destroys it.’ (1)

*The motion was adopted.*

MR. DEPUTY-SPEAKER : Now, I will put amendment No. 2 of Mr. Ramavatar Shastri to vote.

The question is :

“Page 8, line 17,—

for ‘six months’ substitute,—

‘two years’.” (2)

*The motion was adopted.*

MR. DEPUTY-SPEAKER : Now, the question is :

“That Clause 10, as amended, stand part of the Bill.”

*The motion was adopted.*

*Clause 10, as amended, was added to the Bill.*

*Clause 11—(Offences by Companies.)*

MR. DEPUTY-SPEAKER : Mr. Ramavatar Shastri.

MR. JYOTIRMOY BOSU : You are exceeding your jurisdiction. You have not given a clear ruling on what I have said.

MR. DEPUTY-SPEAKER : I have given my ruling.

SHRI JYOTIRMOY BOSU : You have not. On Friday last, in your wisdom, you could have continued the House after 1 O'clock. But at quarter to one because the Government wanted to scuttle the move of Prof. Hiren Mukerjee in introducing his private members' resolution on GDR recognition, which they wanted to obstruct, the House was adjourned ; and to-day if you have double standards.....



MR. DEPUTY-SPEAKER : Order please. No double standards.

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. S. SHANKARANAND) : He should withdraw that word.

MR. DEPUTY-SPEAKER : Mr. Ramavtar Shastri.

SHRI RAMAVATAR SHASTRI : I beg to move :

Page 8,—

omit lines 25 to 28. (4)

उपाध्यक्ष महोदय, इस में जो प्रावीजो है, उसको मैं हटा देना चाहता हूँ। इस प्रावीजो के अनुसार अगर कोई कंपनी कोई जुर्म करे, कोई गलत काम करे तो इस व्यवस्था के अनुसार यदि वे गुनाहगार मानित होंगे तो उन्हें सजा मिलेगी, लेकिन इस प्रावीजो के जरिये आप एक रास्ता छोड़ देना चाहते हैं जिससे बड़े बड़े अधिकारी अगर जुर्म में पकड़े जाते हैं तो वे उससे निकल सकते हैं। मेरा संशोधन बहुत स्पष्ट है, उन के लिए कोई दरवाजा, कोई खिड़की, कोई सुराख नहीं रहने देना चाहिये ताकि उसका इस्तेमाल कर वे जुर्म करने वाले लोग निकल जाय। इस प्रकार की व्यवस्था इस बिल की जो मंशा है, उसको डिफरिट करती है। इसलिए मैं चाहूँगा कि सरकार इस संशोधन को स्वीकार कर ले क्योंकि इस से गलती करने वालों को समुचित सजा मिलेगी और उन्हें बचने का रास्ता नहीं रहेगा।

SHRI S. MOHAN KUMARAMAN-GALAM : I am afraid I am not able to accept this amendment mainly because I don't think my friend, Shri Ramavtar Shastri, has understood what exactly this proviso means.

This proviso only lays down that no person shall be liable to punishment if he is able to prove that the offence was committed without his knowledge. So the onus entirely lies on him and I can assure him and he will accept my assurance that it will be extremely difficult for anybody to prove unless he genuinely did not have any responsibility for

that particular act. It is not we, the Government or the State; the prosecution will have to prove that he did know. It will be presumed he did know and the onus will lie entirely on him to show that he did not know. I think that at least must be allowed to him because if he really did not know and if really the officer had nothing to do with the matter at all except being formally responsible, he should be entitled to prove positively that he did not know. That is why I cannot accept this amendment.

MR. DEPUTY-SPEAKER : Now, I will put amendment No. 4 of Mr. Ramavtar Shastri to vote.

*Amendment No. 4 was put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 11 stand part of the Bill".

*The motion was adopted.*

*Clause 11 was added to the Bill.*

*Clauses 12 to 19 were added to the Bill.*

*Clause 20—(Coking coal mines to which the Act shall not apply)*

SHRI RAMAVATAR SHASTRI : I beg to move :

Page 10, omit lines 24 and 25. (5)

MR. DEPUTY-SPEAKER : The amendment is now before the House.

श्री रामावतार शास्त्री : मेरा संशोधन यही है कि क्लॉज 20 की जो सब-क्लॉज (की) है उसको हटा देना चाहता हूँ। इस क्लॉज का मतलब स्पष्ट है कि आप इस के द्वारा बिरला या दूसरे जो इजारेदार पूंजीपति हैं, जो स्टील के कारखाने चलाते हैं, जो कोकिंग कोल (धातु-शोधक कोयले) की खानें रखते हैं, उनको छोड़ रहे हैं, उनका राष्ट्रीयकरण नहीं करना चाहते हैं। इसका मतलब यह होगा कि आप की जो नीति है, वह पूरी तरह

से सफल नहीं हो सकेगी। मैं जानना चाहता हूँ कि इस में आप की क्या कठिनाइयाँ हैं, जिन के कारण आप इन कोयला खानों को उन के पास छोड़ रहे हैं। हमारा यह उद्देश्य नहीं है कि उनको कोयला न मिले या जमशेदपुर या बर्नपुर का कारखाना बन्द हो जाय, अगर उनको कोयला नहीं मिलेगा तो उस समय भी सरकार की ही जवाबदेही होगी। इसलिए इस तरह से इन इजारेदारों को छूट देने का कोई औचित्य मुझे नजर नहीं आता है। इसका मतलब तो यह है कि कहने का तो आप इजारेदारी को खरम करना चाहते हैं, लेकिन इस तरह से छूट देकर उन्हें बचाना चाहते हैं या आप जान-भूझ कर उन के ऊपर इसको लागू नहीं करना चाहते हैं।

मेरा आप से यह अनुरोध है कि तमाम कोकिंग-कोल खानों को बिना किसी एक्सेप्शन के, सब अपने हाथ में लीजिए। किसी कारखानेदार या इजारेदार के हाथ में नहीं रहने चाहिए, किसी को छूट नहीं मिलनी चाहिए, बिरला या दूसरे इजारेदारों को छूट नहीं मिलनी चाहिए। इसी लिए मैं इस संशोधन को पेश कर रहा हूँ।

SHRI S. MOHAN KUMARAMAN-GALAM : I am afraid I am not able to accept the amendment of the hon. Member.

The object of this Bill itself is to protect, conserve and promote the scientific development of the resources of coking coal needed to meet the growing requirements of the iron and steel industry. The proviso to clause 20 says :

"Provided that this section shall not extend to such mine or part thereof which, in the opinion of the Central Government, is in excess of the requirement for the production of iron and steel by that company."

The clause lays down specifically that this Act shall not apply to any coking coal mine owned or managed by a company engaged in the production of iron or steel. Actually, this proviso can be taken advantage of by the coking coal mines that are owned by the two private sector iron and steel corporations, namely the Indian Iron and Steels on the one

hand and the Tata Iron and Steel Co. on the other. These are coking coal mines which are specifically being run for the purpose of supplying coking coal to these industries or companies, and by and large they are being efficiently run. We do not think that it is appropriate at this time to include them within the provisions of the Bill.

MR. DEPUTY-SPEAKER : I shall now put amendment No. 5 to the vote of the House.

*Amendment No. 5 was put and negatived.*

MR. DEPUTY-SPEAKER : The question is :

"That clause 20 stand part of the Bill."

*The motion was adopted.*

*Clause 20 was added to the Bill.*

*Clauses 21 and 22 were added to the Bill.*

#### First Schedule

MR. DEPUTY-SPEAKER : There are two government amendments.

SHRI S. MOHAN KUMARAMAN-GALAM : These are consequential amendments in relation to certain mistakes that had been made in the Bill.

#### *Amendments made :*

Page 15, Sl. No. 87, column 2,—

*before* "East Loyabad" *insert—*  
"Surendra" (7)

Page 15, Sl. No. 87, column 4,—

*for* "Central Alkusa Colliery Company"

*substitute* "Surendra East Loyabad Colliery Company" (8)

(Shri S. Mohan Kumaramangalam)

MR. DEPUTY-SPEAKER : The question is :

"That the First Schedule, as amended, stand part of the Bill."

*The motion was adopted.*

*The First Schedule, as amended, was added to the Bill.*

*The Second Schedule, clause 1, the Enacting Formula, the Preamble and the title were added to the Bill.*

SHRI S. MOHAN KUMARAMAN-GALAM : I beg to move :

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

MR. DEPUTY-SPEAKER : Motion moved :

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

SHRI JYOTIRMOY BOSU : The Minister has done a lot of drum-beating on his own Government. May I ask him how, when default had taken place of provident fund contributions to the tune of Rs. 15 crores during the 25 years of his Government's golden rule, the government machinery was functioning? What was done to detect and prosecute those who misappropriated the poor workers' contribution held in trust in the provident fund?

As regards implementation of the Wage Board award for coal mine workers, who does not know that most of the employers in the coal fields, the patron-saints of this Government in power today, had been committing frauds.

SHRI DAMODAR PANDEY : What did his party do when it was in power in West Bengal?

SHRI JYOTIRMOY BOSU : The employers had been inflating the wage bills of workers and they not only deprived the workers of their dues under the very nose of this Government but also created black money through evasion and used it for their nefarious purposes. The Minister had gone to the extent of saying in reference to me 'the kettle calling the pot black'. May I tell him what

was the position of arrears of royalties due to the West Bengal Government when my party came into power in West Bengal? The first thing we did was to get hold of those racketeers and collect the arrears that they owed to the state exchequer. What energetic action did his Government take here or they in Bihar to collect the arrears that were lying, crores of rupees, with owners of the coal mines?

The coal coking mine owners knew long ago that nationalisation was coming. They decided to make hay while the sun shone. They mismanaged the coal mines, took the best out of them by way of profit. Nationalisation will mean a lot of trouble for Government when it takes these over. Everybody knew it was coming and there was a lobby working here in Delhi for the last two years.

This is not an isolated case. In regard to sugar decontrol also, Government did the same thing. They had let others know about it. The sugar mill owners made fantastic profits when sugar was partially decontrolled. I will cite one instance. Nine sugar mills in 9 months of a particular year made an excess profit of Rs. 12 crores partial decontrol. When nationalisation of insurance came about, the private owners did not leak out. So it was easier for Government to tackle it. But in this case, since they knew in advance, they got time to prepare themselves and did the worst thing they could do. They removed moveable assets as far as possible and took maximum advance from the banks. The Custodian in a press conference at Dhanbad on 20 October had said that most of the moveable items had been removed by the erstwhile owners.

SHRI S. MOHAN KUMARAMANGALAM : It was later contradicted as wrong.

SHRI JYOTIRMOY BOSU : \* I am not yielding. Now, they also took to mean manipulations in the matter of employees who totalled over a lakh of people. They adopted the scorched-earth policy. What is the provision for punishment? That shows the class character of this Government. In the case of these misdeeds, they could only give a punishment of imprisonment for six months, or, a fine of Rs. 10,000. I want to ask the Government categorically.....

**SHRI S. MOHAN KUMARAMANGALAM :** My hon. friend is not following the procedure of this House. I am sorry he did not listen when I had answered the points. (Interruption)

**SHRI JYOTIRMOY BOSU :** I want to ask the hon. Minister in how many cases such misdeeds have been detected and in how many cases prosecutions have been launched so far. Then, when are you going to nationalise the other 400 collieries which are in a way interlocked with the coal venture. Coal, although a basic raw material for industries including steel, in the working of the collieries, the workers are the most neglected. They have sacrificed the most, but they are living daily under worst-living condition in disease and in misery. Everybody knows about it. What about their compensation? In what the Government are proposing to give, they might use the word "amount" or "capital" or whatever it is. It is also royalty, as very rightly described by my friend on the other side. Why is it that the Government must think of paying compensation while they have made the best out of it under their ownership for the last 25, 30, 40 or 100 years?

This nationalisation has given summary powers to the Custodian. He can do away with any employee or worker. This is a very wrong thing. The workers who worked under the private ownership in the coal mines should be fully absorbed in the nationalised sector. Contract labour which has a share has been rejected by the custodian; there also, we want you to look into the matter.

Big businessmen, during decontrol in 1967, under a very corrupt Minister, were allowed to give lower grade coal as a substitute for higher grade one at higher prices. It meant adulteration also. It was given to the Government-controlled industries, and in this manner, 1,000 million tonnes of low grade coal were allowed to be substituted for higher grade coal.

Sand stowing is another scandal. The big businessmen have been given not less than Re. 1,78,59,983 on account of sand stowing charges. This is nothing but a daylight robbery. I say that according to the industrial policy resolution, if you interpret it in its true spirit, all the coalmines should be nationalised.

You must see that the conditions of the workers who have contributed most to the development and growth of the coal mines are improved.

**श्री रामावतार शास्त्री :** उपाध्यक्ष महोदय, यह जो 214 धातु शोधक कोयला खानों को सरकारी व्यवस्था में लेने का बिल है उसका मैं समर्थन करता हूँ। अब तक हिन्दुस्तान का मजदूर आन्दोलन इसी बात की मांग करता रहा है और यह उसी की विजय है क्योंकि सरकार ही स्वयं बराबर आगा-पीछा करती रही इस तरह की कोयला खानों को अपने हाथ में लेने में जबकि मजदूर इसके लिए जोरदार आन्दोलन करते रहे। इसलिए उनके लिए यह खुशी की बात है और उन्होंने भी इसका स्वागत किया है। लेकिन आवश्यकता इस बात की है कि तमाम कोयला खानों का राष्ट्रीयकरण अविलम्ब किया जाये ताकि वहाँ जो धीगा-मुस्ती चल रही है, वहाँ पर जो गोलमाल चल रहा है उसे भी बन्द किया जाये और वहाँ के मजदूर भी यह महसूस कर सक कि उनकी आवाज सुनी गई।

दूसरी बात मैं यह कहना चाहता हूँ कि अभी मंत्री जी ने बतलाया कि कहीं कहीं जीप्ट वगैरह भी ले जाई गई यानी धातु शोधक कोयला खानों को सरकार द्वारा अपने हाथ में लेने का जो आर्डिनेन्स जारी हुआ उसके बाद, उनका कहना है कि कुछ मालिक लोग जीप उठाकर ले गए। मैं उनसे पूछना चाहता हूँ क्या यह बात सच है कि अमलाबाद कोलियरी जिसके मालिक हिन्दुस्तान के एक बड़े इजारेदार पूंजीपति करमचन्द थापर हैं उन्हें वर्ल्ड बैंक से खान की तरक्की के लिए 6 करोड़ रुपये का कर्जा दिया गया था? यदि हाँ, तो उन रूपों को उन्होंने किस तरह से इस्तेमाल किया? क्या यह बात भी सच है कि थापर साहब की खान से फांस से खरीद कर मंगवाई गई बेशकीमती चार कोयला काटने की मशीनें भी उठाकर ले जाई गई? क्या यह बात भी सच है कि के० बोरा कम्पनी जो 20 माइन्स की मालिक थी, उस कम्पनी के लोगों ने भी मशीन, पंप, पाइप, कार्गोटेड शीट्स, जीप्ट

[श्री रामावतार शास्त्री]

ट्रक्स, कार्स वगैरह वहाँ से उठा लिया ? मैं चाहूँगा कि इन बातों की एन्वयारी करवाकर मंत्री महोदय सच्ची बात को सदन के सामने रखें क्योंकि अक्सर देखा गया है कि मिल-मालिकों ने इस तरह से किया है।

क्या यह भी सच है कि जिन खान मालिकों के खाते धनबाद के स्टेट बैंक में थे उनमें से बहुत बड़े पैमाने पर लोगों ने पैसा निकाला है। एच० एस० एल० ने कोयला खानों को सरकार के अपने हाथ में लेने के ठीक पहले बहुत बड़ी राशि खान मालिकों की दी थी जिसे वे ले भागे। इन तमाम बातों की जांच होनी चाहिए ताकि अगर किसी प्रकार की गड़बड़ी की गई है तो सरकार उसका बदला उनसे ले सके।

इसके लिए मैं मंत्री महोदय को धन्यवाद देता हूँ कि जो उन्होंने कहा है कि जो भी बकाया खान मालिकों पर होगा उन को काटकर वह पैसा देगे। कई माननीय सदस्यों ने ठीक ही कहा बिहार विपुल बोर्ड के लाखों रुपये बाकी हैं, उन्हें भी काट लेना चाहिये। मैं कहना चाहता हूँ कि अगर यह साबित हो जाये कि फलां कोयला खान मालिक फलानी फलानी चीज उठा कर ले गया, चोरी करके ले गया, तो उस की कीमत भी उस के पैसों में से काटी जानी चाहिये।

इस के अलावा बिहारी और गैर-बिहारी का सवाल भी बहुत बड़े पैमाने पर लोग उठा रहे हैं। ये कौन लोग हैं ? ये वही लोग हैं जो अब तक खानों पर कब्जा किए हुए थे तथा ट्रेड यूनियनों के बदनाम लीडर रहे हैं, जो अभी भी इस तरह की आवाज उठा कर, खान संचालन के लिए जो बोर्ड बनने वाले हैं उनमें घुसना चाहते हैं। ऐसे लोगों की बातों की तरफ सरकार का ध्यान नहीं जाना चाहिए। लेकिन यह बात जरूरी है, जैसा कई माननीय सदस्यों ने कहा, अगर वहाँ पर सुयोग्य व्यक्ति मिलें तो उनको नजरअन्दाज नहीं किया जाना चाहिये। मंत्री महोदय ने कहा भी है कि वह वहाँ के लोगों को

मीका देगे। मीका दिया जाना चाहिये, लेकिन जो लोक प्रान्तीयता का या देश में फूट डालने का, मजदूरों में फूट डालने का बराबर प्रयास करते रहे हैं, जो गुंडों का इस्तेमाल कर के ट्रेड यूनियनों को तोड़ने के लिये मालिकों की दलाली करते रहे हैं, ऐसे लोगों की आवाज हमारे सूबे में भी उठ रही है, उन लोगों से सावधान रहने की जरूरत है।

एक बात और बतला दूँ। खुद श्री शाहनवाज खां ने कहा था कि झरिया क्षेत्र तो एक हमाम है और सब लोग उसमें स्नान करते हैं। उन्होंने ठीक बात कही परन्तु ऐसे लोगों का जनाजा निकल गया जो इस तरह से आवाज उठाकर उसके भीतर घुसना चाहते हैं। अभी मैंने अखबार में देखा कि एक डिस्क्रेडिट राजनीतिक नेता जो बिहार में मन्त्री रह चुके हैं और अब रूजिंग पार्टी में शामिल हो गये हैं, वह बोर्ड के अन्दर घुसना चाहते हैं। उनके भाई के यहाँ लाखों रुपयों की रायल्टी बाकी है, जो उन्होंने राज्य सरकार को नहीं दी है। वह घुसकर उसमें गोल-माल करना चाहते हैं। जहाँ तक मेरी जानकारी है वह रूजिंग कांग्रेस पार्टी के मँम्बर बन गये हैं। ऐसे डिस्क्रेडिट और बदनाम लोगों को कांग्रेस में नहीं आने देना चाहिये। यह जो साजिश चल रही है उसकी ओर मैं आपका ध्यान दिलाना चाहता हूँ। वही लोग बिहारी और गैर-बिहारी का सवाल उठा रहे हैं। जो भी इस प्रकार के लोथ हैं उमकी बातों पर ध्यान नहीं दिया जाना चाहिये, लेकिन साथ ही वहाँ पर जो योग्य व्यक्ति हैं उनके साथ न्याय होना चाहिये।

कस्टोडियन का जो अप्वाइंटमेंट हुआ है उसमें ऐसे बदनाम मैनेजर भी हैं जो मजदूरों के खिलाफ कास कर रहे हैं, बदनाम ट्रेड यूनियनों का साथ देते रहे हैं। मैं चाहूँगा कि ऐसे लोगों को हटाया जाय तरजीह न द क्योंकि वह मजदूरों के साथ तरह-तरह की गड़बड़ियाँ करेंगे। ऐसे लोगों को वहाँ से हटाया जाना चाहिए। अगर यह सारे काम आप करेंगे तो मजदूर लोग जो हैं वह आपका समर्थन करेंगे।

आपने कई संशोधनों को स्वीकार कर लिया है। कम्पैन्सेशन का अब कोई सवाल नहीं रहा, लेकिन जो अमाउंट उनके नाम पर रखा गया है, इस तरह की चीजों को इनमें से निकाल दिया जाये। वहाँ के मजदूर लोग इसका स्वागत कर रहे हैं, वह समझते हैं कि वह उनकी जीत है। अब तक आप नहीं चेतते थे। चौबीस सालों तक मालिकों ने खानों को बरबाद किया। जब वह लोग उनको चलाने की स्थिति में नहीं रहे तब उन्होंने आप को दे दिया। जो कोयला वह निकाल सकते थे वह तो निकाल लिया आगे निकालने के लिए उन को और गहरे जाना पड़ता। उसके लिये उनके पास मशीनें नहीं थी। इसलिए उनको मजदूर होना पड़ा कि अब यह काम वह नहीं करना चाहते हैं। उन्होंने तमाम कोयला खानों को तहस नहस और बर्बाद करके आप को दे दिया। इसका बदला उनमें जरूर लेना चाहिए ताकि हिन्दुस्तान की और राष्ट्र की जो क्षति हुई है वह पूरी हो सके, लाखों रुपयों का प्राविडेंट फंड मजदूरों का और दूसरी चीजों का बकाया पड़ा हुआ है। वह वसूल करके उन्हें दिया जाये।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

SHRI D. N. TIWARY (Gopalganj) : I was amused to hear the criticism of Shri Jyotirmoy Bosu. When they were in power in Bengal, they did little to realise the royalties from these mine-owners. What they did was to get subscriptions for their party fund and left them off.

We welcome this Bill, but it has come very late, and many of the mines have been spoiled by the owners. But it is better later than ever.

I support the contention of Shri Ramavtar Shastri. A strict check should be made to find out the things that have been taken away by the colliery owners, and suitable deductions should be made in their compensation. Otherwise, we shall suffer a loss, and our whole scheme will be frustrated.

We, Biharis, have had a very bad experience in the past of public sector undertakings in

Bihar. We have found that Committees of Appointment are formed in such a way that others get preference over the children of all soil. So the Minister should be careful in forming Committees so that the real interests of the children of the soil may not suffer. I do not say you should put only Biharis there. When they are not competent, you may not appoint them, but when everything is equal, you must give preference to the children of the soil. In lower grades, nobody should be brought from outside, as you will find suitable hands in abundance in Bihar itself. Why not absorb them and mitigate the unemployment in Bihar, where it is very serious. Statistics will show that unemployment has increased by leaps and bounds in Bihar and is worse than the rest of India. So, I request him to take care of these things.

In a few days this Bill will be put on the statute-book, but it should be applied in such a way that the mines prosper and the mine-owners do not cheat us again.

SHRI S. MOHAN KUMARAMANGALAM : I was under the impression that Shri Jyotirmoy Bosu had raised certain questions in all seriousness and wanted a reply, but since he has not remained here to hear my reply, I presume he merely raised these for rhetorical effect, and I shall leave it at that.

I entirely sympathise with the indignation of Shri Ramvatar Shastri at what has been happening in the coking coal mines over these years. I know that he reflects to a very large extent the feelings of the workers, as my friends on this side like Shri Damodar Pandey, who spoke earlier. I assure him that they will be kept in mind when I deal with the problems as they come up from day to day.

As for the question raised by my hon. friend Shri Tiwary just now regarding the sons of the soil being employed, I want to assure him one thing.

No injustice will be done to Biharis at all. But he must also appreciate, as I think he does, that the technological requirements of the organisation must be kept in front, not as an excuse to deprive the people of Bihar, of employment, but really, genuinely, for that purpose.

So far as lower grades are concerned, I think we should be clear. Not very much

[Shri S. Mohan Kumaramangalam]

additional employment is going to be there now because we have taken over running mines. It is only when we expand the mines, after a year or two, that additional employment will be available. But today, we have taken over a whole vast organisation with a lakh of workers who are already working there. I am sure you do not want them to be turned out. So far as additional employment in the lower grades is concerned, in all the public sector undertakings the broad policy that is being followed is that local people should get preference. Even in Bokaro that is being followed and it is not a Bihari who is in charge of Bokaro, but a non-Bihari and I think he has done justice to the Biharis.

I do not think any other new matters have been raised in this debate which need a reply. I commend the Bill, as amended, to the House.

MR. DEPUTY-SPEAKER : The question is :

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

*The motion was adopted.*

13.33 hrs.

*The Lok Sabha then adjourned till Ten of the Clock on Tuesday, December, 14, 1971/Agrahayana 23, 1893 (Saka).*