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(Seventh Session)



सत्यमेव जयते

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LOK SABHA

Monday, May 14, 1973/Vaisakha 24, 1895
(Saka)

The Lok Sabha met at Eleven of the Clock

[Mr. Speaker in the Chair]

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE

REPORTED STATIONERY SCANDAL IN
STATE BANK OF INDIA, NEW DELHI

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, मैं अविलम्बनीय लोक-महत्व के निम्नलिखित विषय की ओर वित्त मंत्री का ध्यान दिलाता हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दें :

“नई दिल्ली स्थित स्टेट बैंक आफ इंडिया की स्थानीय शाखा में चालीस लाख रुपये की लेखन सामग्री (स्टेशनरी) का कथित घोटाला”

THE MINISTER OF FINANCE
(SHRI YESHWANTRAO CHAVAN) :

Mr. Speaker, Sir, the State Bank of India has reported that on receipt of certain complaints towards the end of 1971, regarding over-stocking and unsatisfactory handling of stationery at the Regional Stationery Department, New Delhi, it had asked its Chief Vigilance Officer at the New Delhi Local Head Office, to make a thorough probe into the matter. The investigation by the Chief Vigilance Officer revealed the following irregularities :—

(i) placing of orders for stationery in several cases in excess of actual requirements and in some cases of items which had become obsolete ;

(ii) effecting payments in some cases for stationery received which had not been ordered for and in some other cases paying bills at rates higher than the approved rates ;

(iii) accepting in some cases inferior paper for printing and for registers and envelopes, instead of good quality paper of approved weight ; and

(iv) furnishing of incorrect information in several cases to the Rates Committee for sanction of rates.

On the basis of the report of the Chief Vigilance Officer, the bank has initiated departmental proceedings against three officers of the Stationery Department. Of the three, two have been placed under suspension by the bank. All the three Officers have been subsequently charge-sheeted by the bank and their explanations have been called for. The bank has also called for the explanation of a few other officers, who have been found responsible for certain other procedural irregularities and lapses in handling, purchase and stocking of stationery.

The State Bank of India has reported that on the basis of the scrutiny conducted by it, out of the stationery of total value of Rs. 114 lakhs purchased by the Regional Stationery Department, New Delhi, during the four years, the total amount of over payments would be in the neighbourhood of Rs. 1.22 lakhs—here, I have an addition—and over-stocking of 45 lakhs.

श्री मधु लिमये : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : पहले मंत्री महोदय कह लें ।

श्री मधु लिमये : जो वाक्य जोड़ा जा रहा है, उस पर है ।

अध्यक्ष महोदय : जरा ठहरिये ।

श्री मधु लिमये : इस सदन की प्रक्रिया नियमों के अनुसार चलनी चाहिये, मैं 23 तारीख से प्रार्थना कर रहा हूँ ।

अध्यक्ष महोदय मैं ठीक कह रहा हूँ । आप को मौका मिलेगा, उस वक्त कहें ।

श्री मधु लिमये : वह अलग बात है । मुख्य विषय के बारे में जो कहना है वह मैं बाद,

में कहूंगा, लेकिन इस समय मैं व्यवस्था का प्रश्न उठा रहा हूँ। अगर आप मुझे सुनेंगे नहीं तो मैं बैठ जाऊंगा। मैं जानता हूँ कि किस समय कौन सवाल उठाना चाहिये। इतना बुद्ध नहीं हूँ। मेरी समझ में नहीं आता कि आप बार-बार ऐसा क्यों करते हैं। कौन सवाल किस समय उठाना चाहिये, क्या इतनी भी अक्ल मुझ में नहीं है ?

अध्यक्ष महोदय : मिनिस्टर के स्टेटमेंट के दम्यान कुछ नहीं होना चाहिये।

श्री मधु लिमये : आप कहेंगे कि मैं बोलने नहीं दूंगा तो मैं बैठ जाऊंगा।

अध्यक्ष महोदय : जो भी आप का कहना हो वह स्टेटमेंट के बाद कहिये।

श्री मधु लिमये : क्या आप इस पर व्यवस्था के प्रश्न पर मुझे बोलने नहीं देंगे? क्या नियमों को आप खत्म कर देंगे? किसी भी समय मदन को कार्रवाई के बारे में और सदन के नामने जो चर्चा का विषय हो उस के बारे में नियमानुसार व्यवस्था का प्रश्न उठ सकता है। आप 376 देख लीजिये।

अध्यक्ष महोदय : ठीक है, आप बाद में उस को उठाइये।

श्री मधु लिमये : अगर आप ने प्वाइंट आफ आर्डर के लिये मनाही का हुकम जारी कर दिया है तो मैं बैठ जाता हूँ, लेकिन क्या नियमों का कोई औचित्य नहीं है, नियमों का कोई महत्व नहीं है?

अध्यक्ष महोदय : आनरेबल मिनिस्टर के स्टेटमेंट के बाद मेम्बरों को मौका मिलता है और वह उठा सकते हैं।

श्री मधु लिमये : व्यवस्था का प्रश्न तुरन्त उठता है। मैं ने ठीक समय पर उठाया है। अगर आप अनुमति नहीं देते हैं तो मैं बैठ जाता हूँ या सदन छोड़ कर भी चला जाता हूँ। मुझे ज्यादा बोलना नहीं है। आप 376 की तहत मुझे व्यवस्था का प्रश्न उठाने देंगे या नहीं? (व्यवधान)

अध्यक्ष महोदय : यहां प्वाइंट आफ आर्डर मना करने की बात नहीं है। यहाँ हम ने आपस में जो परम्परा बनाई है, जो कन्वेंशन है, उस के मुताबिक मैं कहना चाहता हूँ।

श्री मधु लिमये : आप परम्परा और कन्वेंशन की बात करते हैं, मैं नियमों की बात करता हूँ, और किसी चीज की नहीं। 376 देखिये।

अध्यक्ष महोदय : नियमों की बात अलग है। हाउस ने यह तरीका माना हुआ है कि क्वेश्चन अवर में और काल अटेंशन में प्वाइंट आफ आर्डर नहीं उठाया जाता।

श्री मधु लिमये : आप मुझे नियम पढ़ने दीजिये। उस के बाद आप जो चाहे कह सकते हैं। अगर आप कहेंगे कि व्यवस्था का प्रश्न नहीं उठता तो मैं झगड़ा नहीं करूंगा, मैं बैठ जाऊंगा।

अध्यक्ष महोदय : मैं भी जानता हूँ कि व्यवस्था का प्रश्न हर एक उठा सकता है और हर वक्त उठा सकता है, लेकिन आपस में हाउस में एक परम्परा चली आई है कि जब प्रश्नों का समय हो तब नहीं उठाया जायेगा और जब काल अटेंशन हो तब नहीं उठाया जायेगा दो मिनट में स्टेटमेंट हो जायेगा उस के बाद माननीय सदस्य को हक होगा बोलने का। वह बोलेंगे और मिनिस्टर साहब जवाब देंगे। अगर उन को मौका न मिले तब वह कुछ कह सकते हैं।

श्री मधु लिमये : प्वाइंट आफ आर्डर पर बाद में नहीं बोलना होता है। आप मुझ को नियम पढ़ने दीजिये।

अध्यक्ष महोदय : नियम मुझे पता है।

श्री मधु लिमये : आप मुझ को नियम पढ़ने तो दीजिये।

अध्यक्ष महोदय : जो नियम है उस के बावजूद हाउस ने आपस में यह तरीका बनाया हुआ है कि इस समय प्वाइंट आफ आर्डर नहीं उठाया जायेगा। आप जिस दिन से आ

उसी दिन से जो हम ने आपस में तय किया है उसको खत्म कर रहे हैं।

श्री मधु लिमये : जो बात प्राइवेटली हुई है उस से मुझे कोई मतलब नहीं है। आप सिर्फ यह निर्णय दे दीजिये कि आप ने प्वाइंट आफ आर्डर की मनाही का हुकम जारी किया हुआ है।

अध्यक्ष महोदय : प्वाइंट आफ आर्डर की मनाही की बात नहीं है। अगर आप कोई तरीका नहीं मानते हैं तो यह हर एक मेम्बर पर चलेगा। यह नहीं होगा कि एक मेम्बर पर चले और दूसरे मेम्बरों पर न चले। अगर इस तरह से तरीकों का तोड़ा जायेगा तो कोई तरीका नहीं माना जायेगा। यह क्या तरीका है कि अभी तक जो कुछ चयता आया है उसको खत्म कर दिया जाये? आनरेबल मिनिस्टर दो मिनट के बाद खत्म करने वाले हैं, उस के बाद माननीय सदस्य को मौका मिलेगा, जो कुछ उनको उठाना हो उस के बाद उठा सकते हैं।

श्री मधु लिमये : व्यवस्था का प्रश्न उस समय नहीं उठाया जा सकता।

अध्यक्ष महोदय : आप उस वक्त उठा सकते हैं। मंत्री महोदय उसका जवाब दे देंगे।

श्री मधु लिमये : अध्यक्ष महोदय आप मुझे यह व्यवस्था का प्रश्न उठाने दें।

अध्यक्ष महोदय : उठाइये, लेकिन उस के बाद मुझे सब मेम्बरों को यह इजाजत देनी पड़ेगी। फिर कोई परम्परा नहीं रहेगी।

श्री मधु लिमये : इसमें क्या गलत बात है नियम इसी लिए बनाए गए हैं कि समान रूप से सब सदस्यों पर लागू हो।

SHRI PROBODH CHANDRA (Gurdaspur) : Convention is as much as the rule

SHRI JYOTIRMOY BOSU, (Diamond Harbour) : Convention cannot be as much as a rule, never. That is your convenience

MR. SPEAKER : If you want to break all the conventions, there will be no end to it

एक परम्परा बनी हुई जिसको माननीय सदस्य तोड़ रहे हैं।

श्री मधु लिमये : अध्यक्ष महोदय, हम लोगों को वित्त मंत्री का जो वक्तव्य पहले दिया गया था, मैं यह छान-बीन करने लगा कि क्या उसमें यह महत्वपूर्ण बात है या नहीं कि कुल मिला कर कितने रुपये का घोटाला हुआ है। मुझे मालूम हुआ कि ऐन वक्त पर वह उसमें ओवरस्टार्टिंग के कारण 45 लाख रुपये के घोटाले की बात जोड़ रहे हैं। मेरा व्यवस्था का प्रश्न यह है कि क्या आप को पहले इसकी सूचना थी—क्या उस के लिए आप की इजाजत ली गई थी।

अध्यक्ष महोदय : किस बात के लिए?

श्री मधु लिमये : मंत्री महोदय के बयान की जो प्रति हम लोगों को दी गई, क्या उसमें परिवर्तन करने के लिए मंत्री महोदय ने आपकी इजाजत ली थी। क्या उन्होंने आपकी इस बात की सूचना दी थी और आप में इजाजत ली थी कि जिस 45 लाख रुपये के घोटाले के मामले का बयान में उल्लेख नहीं था, वह उसको अपने बयान में जोड़ सकते हैं? आप मेरे इस व्यवस्था के प्रश्न पर रुचि दे दीजिए।

MR. SPEAKER : The Minister has got the right. He has got the right to amend it even till the last minute. I am told that he has already conveyed it to the Table

श्री मधु लिमये : क्या मंत्री महोदय को पहले लिख कर नहीं देना चाहिए? वह इनकी महत्वपूर्ण बात ऐन वक्त पर जोड़ते हैं। क्या आप हमारे परमन एक्शन रेजिशन में भी बिना अपनी अनुमति के परिवर्तन करने देंगे? आप आगे के लिए निर्णय दीजिए कि क्या आगे इस तरह के परिवर्तन की इजाजत दी जायेगी या नहीं।

अध्यक्ष महोदय : इसमें पहले भी एक दो बार यह सवाल उठाया गया था और यह तय हुआ था कि मिनिस्टर लास्ट मिनट तक चेंज कर सकते हैं।

He has just to inform the Table.

श्री मधु लिमये : उन को पहले ही करना चाहिए था। यह कोई मामूली बात नहीं है, जिस को लिखने वाला भूल सकता है।

SHRI YESHWANTRAO CHAVAN : The total amount of overpayments would be in the neighbourhood of Rs. 1.22 lakhs and overstocking of Rs. 45 lakhs. This is the one sentence I am adding. (Interruptions) If you ask a supplementary I shall explain it.

The bank has initiated action for recovering amounts paid in excess to the suppliers concerned. Value of losses on account of inferior material supplied is being worked out. Stationery received in excess of requirements is being utilised by transfer to branches in other circles where it is needed.

The bank has also added that it has taken suitable steps for ensuring the strict observance of prescribed procedures by the Regional Stationery Department, New Delhi, for printing, purchase, stocking and distribution of stationery.

श्री मधु लिमये : अध्यक्ष महोदय, मैं आप की अनुमति से और आप की मार्फत अपने मित्र, श्री ज्योतिर्मय बसु को बधाई देना चाहता हूँ, क्योंकि (शयबधान)

SHRI HARI KISHORE SINGH: (Pupri) Mr. Speaker, Sir, I rise on a point of order. What Shri Madhu Limaye is saying is quite irrelevant to the subject. I want your ruling.

अध्यक्ष महोदय : मैं बधाई देने से किस को रोक सकता हूँ ?

SHRI HARI KISHORE SINGH : Is it relevant to the call attention motion or not ? On this I want your ruling.

अध्यक्ष महोदय : इस में क्या रूलिंग देना है ?

श्री मधु लिमये : मैं श्री ज्योतिर्मय बसु को इस लिए बधाई देना चाहता हूँ कि पिछले दो साल की विषम और प्रतिकूल परिस्थितियों में, स्टेट बैंक जैसे सार्वजनिक क्षेत्र के संस्थानों

में जो प्रांशलियां चलती हैं, उन की ओर इस मदन का ध्यान दिलाने का बहुत महत्वपूर्ण काम उन्होंने किया है। स्टेट बैंक आफ इंडिया इस देश का पहला राष्ट्रीयकृत बैंक था और 1956 में उस की स्थापना हुई। वर्तमान बैंक व्यवस्था में इस बैंक का स्थान कितने महत्व का है, मैं इस के बारे में कुछ आंकड़े सदन के सामने पेश करना चाहता हूँ।

सब व्यापारी बैंकों की जितनी शाखायें हैं, उन में 19 प्रतिशत शाखायें अकेले स्टेट बैंक की हैं। इस सम्बन्ध में जो आंकड़े उपलब्ध हैं, मैं उन्हीं के आधार पर बता रहा हूँ। कुल जितने डिपॉजिट्स हैं, उन में से 22 प्रतिशत डिपॉजिट्स स्टेट बैंक के पास हैं। व्यापारी बैंकों के द्वारा जो बर्जों या अग्रिम दिये जाते हैं, उन में 23 प्रतिशत स्टेट बैंक के द्वारा दिये गये हैं। व्यापारी बैंकों के कुल जो कर्मचारी हैं, उन में से 27 प्रतिशत अकेले स्टेट बैंक के हैं।

मैंने स्टेट बैंक के 1970-71 और 1971-72 की रपटें देखी हैं और उन रपटों में उन्होंने अपनी प्रगति और तरक्की का गीत गाया है कि हम बड़ी तेजी से आगे बढ़ रहे हैं। लेकिन एक क्षेत्र के बारे में उन्होंने खामोशी बरती है—यह कि जिस तरह स्टेट बैंक की शाखायें, डिपॉजिट्स और कर्जों की राशि बढ़ रही हैं, उसी तरह घोटालों, घूसखोरी और अकार्य-क्षमता के मामले में भी स्टेट बैंक बहुत तेजी से तरक्की करता चला जा रहा है।

डा० कैलाश (दक्षिण बम्बई) : अध्यक्ष महोदय, कालिग अटेंशन नोटिस में प्रश्न पूछा जायेगा या भाषण दिया जायेगा ?

अध्यक्ष महोदय : पहले स्पीकर को ज्यादा देस मिनट दिये जा सकते हैं। उस में वह प्रश्न पूछे या भाषण दें, लेकिन वह रेलिबेंट होना चाहिए।

PROF. MADHU DANDAVATE (Rajapur) : This is the style every one is adopting. Why has Shri Madhu Limaye been singled out ?

श्री मधु लिमये : अगर मेरी बातें उन को चुभती हैं, तो उन पर कोई जबरदस्ती नहीं है

कि वह सदन में बैठे रहें। अगर मैं कोई अससदीय या अशिष्ट बात कहूँ, या गाली मुलोक करूँ, तो अध्यक्ष महोदय, आप मुझे रोक सकते हैं। (व्यवधान) मैं कहना चाहता हूँ कि स्टेट बैंक आफ इंडिया एक क्षेत्र में बड़ी तेजी से प्रगति क्या घुड़दौड़ कर रहा है, और वह है घोटाले, घूसखोरी और भ्रष्टाचार के मामले में।

अध्यक्ष महोदय, 1971 हमारी राजनीति में एक ऐसा माल था कि राजनीति ने एव करवट बदली और आज घर मंत्री का भाषण मैं ने पढ़ा कि समाजवाद के हम यात्री हैं और बड़ी तेजी से हम लोग आगे बढ़ रहे हैं।

श्री बी० पी० भौर्य (ह्राउड) : प्वाइंट आफ आर्डर मर। यह हमेशा के लिए निर्णय हो जाना चाहिए। होम मिनिस्टर और गृह मंत्री यह दो आफिशियल टर्म्स हमारे यहाँ हैं। घर मंत्री ऐसा कोई हमारे यहाँ पर आफिशियल टर्म नहीं है। क्या आप इस तरह के अनआफिशियल टर्म्स इस्तेमाल करने की इजाजत देगे ?

श्री मधु लिम्बये मैं बाजार भाषा का इस्तेमाल करता हूँ।

श्री बी० पी० भौर्य मेरा निवेदन आप से यह है कि अगर ये अनआफिशियल टर्म्स आप ने एलाऊ किए तो कोई तार मंत्री कहेगा कोई कुछ कहेगा, न जाने किस-किस तरह के टर्म्स आ जाएंगे। अपने जो मंत्रालय हैं उन के लिए जो अंग्रेजी के शब्द हैं वह अंग्रेजी में और जो हिन्दी में हैं वह हिन्दी में आने चाहिए। यह जो मधु लिम्बये जी ने अभी लफज इस्तेमाल किया है घर मंत्री, ऐसा कोई शब्द नहीं है। यह मैं भविष्य के लिए कह रहा हूँ।

श्री मधु लिम्बये अध्यक्ष महोदय मैं कोई पणितारु हिन्दी का कायल नहीं हूँ। उर्दू के शब्द भी चलेगे और चौराहे के शब्द भी चलेगे। होम माने घर। 58 करोड़ लोग मेरी बात को समझते हैं।

अध्यक्ष महोदय : और सब चलाइए, गुडई मत चलाइए।

श्री मधु लिम्बये : अध्यक्ष महोदय, घर मंत्री ने कहा कि जब हम समाजवाद के पथ के वाली हैं। अगर वह यह कहते कि हम मार्क्स-समाजवाद के पथ के वाली हैं तो बात समझ में आती क्योंकि 1971 के बाद क्या हुआ है ? एक तो 60 लाख का मामला इसी स्टेट बैंक का है जिस के बारे में अभी तक सफाई नहीं हो पाई है और यही वजह है कि 60 लाख के मामले में चूक सख्त वारंवाही नहीं की गई, सारे तथ्य सामने नहीं आए गए इसलिए स्टेट बैंक के जो बड़े बड़े अफसर हैं उनकी जूरंत होती है कि इस तरह के काम वे करें। मैं आप से जानना चाहता हूँ कि जब स्टेट बैंक के मामले में 60 लाख के घोटाले के बारे में जो सत्य बातें रख सकते हैं उनकी आवाज को हमेशा के लिए शांत किया गया नागरवाला और काश्यप साहब की आवाज को तो क्या इस मामले में इसी तरह की कायवाही होगी जिस से इस घोटाले का परिसकोट करने की शक्ति रखने वाले लोग या जिन को जानकारी है वह लोग भी हमेशा के लिए शांत किए जाएंगे ? अबबारो में तो प्रधान मंत्री को धमकी के पत्र आए हैं उम की चर्चा है लेकिन मुझ को कल से चिंठिया मिलने लगी है कि प्रधान मंत्री की आलोचना करना बंद करो करना कुत्ते की मौत से मरोगे। इस तरह की धमकियों का क्या मतलब होता है ?

(व्यवधान) मैं इसी पर बोल रहा हूँ। 60 लाख के घोटाले में जो लोग पकड़े गए थे या जो लोग जाच कर रहे थे उनकी अगर जान चली जा सकती है तो क्या वित्त मंत्री इस घोटाले की जाच करेंगे तो आश्वासन देगे कि ऐसे लोगों के साथ वही व्यवहार नहीं किया जाएगा जो 60 लाख वाले मामले में किया गया ? कुछ कांग्रेसियों ने मुझ से आकर कहा कि स्टेट बैंक के वाल्ट और चैम्बर का इस्तेमाल, इनका जो चुनाव कोष है जिस का इस समय आकड़ा कांग्रेसी लोग ही मुझ को कहते थे कि 52 करोड़ तक पहुँच गया है, किया छद्मता है, वह करते हैं आप लोगों की क्या छिन्धत है उत्तर प्रदेश में हमरा मुकाबिला करने की,

[श्री मधु लिमये]

इसलिए वित्त मंत्री महोदय इस बात की भी सफाई दें कि स्टेट बैंक के चेस्ट का और वाल्ट का इस्तेमाल इस एकाउंट में इकट्ठा किए गए पैसों को रखने के लिए नहीं किया जाएगा ? इस तरह का भी आश्वासन मैं इसके बारे में चाहता हूँ ।

अब यह जो वित्त मंत्री का बयान है इस के तीन मुद्दों की ओर मैं आपका ध्यान खींचना चाहता हूँ । पहले तो इन्होंने यह लिखा था कि—

"The total amount of over-payment would be in the neighbourhood of Rs. 1,22,000/ "

और उसके बाद अब 45 लाख का आंकड़ा जोड़ दिया है ओवर स्टॉकिंग का उस के ऊपर

"the value of loss on account of inferior material"

उसके ऊपर भी हिसाब किताब चल रहा है । यह मामला कितना पुराना है यह देखें, यह 1971 के अंत का मामला है । तो

"the value of loss on account of inferior material supplied has been worked out."

किनने साल यह प्रक्रिया चलेगी ? दो साल, तीन साल, पांच सालसात साल या हम जब इस दुनिया से मिट जाएंगे तभी यह जानकारी मदन के सामने आएगी ?

उसी तरह इन्होंने यह कहा कि जो ओवर स्टॉक है जिस का कुल मूल्य इन्होंने 45 लाख बताया है, इस का ठीक इस्तेमाल किया जा रहा है दूमरे ढाँचों के लिए, यह भी इन्होंने इस में कहा है । तो मंत्री महोदय से मैं यह जानना चाहता हूँ कि जो जांच आप कर रहे हैं आन्तरिक जांच उस पर अब न देश का विश्वास रहा न इस मदन का विश्वास रहा । तो क्या यदि अध्यक्ष महोदय, इस मामले की ओर 60 लाख के घोटाले की जांच करने के लिए संसदीय कमेटी नियुक्त करेंगे तो क्या आप इस से आनन्दित नहीं होंगे ? क्योंकि ऐसा करने से आप की जो निष्पक्षता है वह देश के सामने और मदन के सामने आ जाएगी । यदि आप इस का विरोध करेंगे तो और कौन सा जांच

का तरीका आप ने सोच रखा है जिस से वह जानकारी मदन को दी जा सके ?

अंत में मैं कहना चाहता हूँ कि यह 45 लाख का जो ओवर स्टॉकिंग हुआ यह जनता की पूँजी का कितना दुरुपयोग है आप सोच सकते हैं । यह रकम यदि पम्पिंग सेटों को लगवाने के लिए इस्तेमाल में लाई जाती तो हम में कम से कम 25-30 हजार पम्पिंग सेट आसानी में लग सकते थे । इस से जो पैदावार बढ़ती अनाज की उम में इस वक्त दाम वृद्धि को लेकर जो देश संकट में पड़ा हुआ है उस को रोकने में क्या यह 30 हजार पम्पिंग सेट कारगर गाबिन नहीं होते? तो मंत्री महोदय इन बातों का भी जवाब दें । (व्यवधान) ... मैं खत्म कर रहा हूँ । स्टेट बैंक के उद्देश्यों को मैं आपको पढ़ कर मुनाऊँ उनमें यह भी है कि खेती को सहायता करना, यह भी स्टेट बैंक का उद्देश्य है ।

अध्यक्ष महोदय : यह सब हम में यहाँ जोड़ा नहीं जा सकता ।

श्री मधु लिमये : हम बार में मुल्क का समाधान और संतोष हो इस के लिए वह वकनव्य दें । वरना यदि इनका यही दृष्टिकोण रहा तो यह भी कहा जा सकता है कि तकरीबन 2 हजार करोड़ रुपये का साधन इस बैंक के पास है । घोटाले में तो मिर्फ एक करोड़ ही बरबाद हुआ है । अभी 19 सौ निन्यानवे करोड़ बचा हुआ है खाने पीने के लिए तो जब तक वह पूरा खत्म नहीं होता तब तक चिंता करने की कोई बात नहीं है, क्या सरकार ऐसा सोचती है, उस की भी सफाई वह दें ।

अध्यक्ष महोदय : आप रूल्स के बड़े पाबंद हैं । रूल्स में एक प्रश्न होता है ।

श्री मधु लिमये : तो आप चलाइए । मुझे कोई एतराज नहीं है । अगली बार से आप एक प्रश्न को ही चलवाइए, मुझे कोई एतराज नहीं है ।

अध्यक्ष महोदय : आप फिर कहेंगे कि परम्परा है ।

(CA)

SHRI JYOTIRMOY BOSU There is nothing mandatory. The rule book is only a guidance. The rules cannot bind us. That should be borne in mind.

अध्यक्ष महोदय : आप बैठिए । यह नहीं होना चाहिए कि अगर रूल फिट बैठता है तो रूल आ जाय और परम्परा फिट बैठती है तो वह आ जाय ।

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) Sir, the hon. Member has asked me a few questions regarding the subject-matter before the House. I have nothing to say about the first part of his speech because it was of a general nature. He wanted me to give certain assurances. He put certain questions which are rather leading questions. I would like to tell him that there was no *ghotala* in the case of the previous 60 lakhs also. There was no question of giving any assurance about that. There is no question of giving any assurance about this also.

As far as the subject-matter which is under discussion in the House today is concerned, this is being looked into by an Investigating Officer. It has been looked into by a Vigilance Officer. Their conclusions, results and information I have placed before the House. He is right that this Rs. 45 lakhs over-stocking certainly has caused damage to the Bank. It could have been used for better purposes. I do not deny that. But at the same time it is not a pure loss. There was over-stocking and this was certainly done against the rules. Rs. 45 lakhs worth of stationery is being made use of by distributing to other regional offices and branches wherever it can be made use of. Out of Rs. 45 lakhs, nearly Rs. 17 lakhs worth of stationery has already been distributed and the rest will be distributed in course of time. This is as far as the other part is concerned.

The hon. Member asked me how many years would be taken to make the inquiry about the losses because of the inferior quality we used etc. It will take some time because this is a very complicated question. He should try to understand our difficulties in this. It is very difficult to trace some of the inferior materials which have already been used. It has happened in the course of the last four years. Some of the things have already been made use of. It is very difficult

to work out the cost there. But whatever has remained, we will try to work it out.

I do not think that this hon. House should be burdened with appointing a committee to go into the matter. There are certain provisions, regulations of the Bank itself and the Bank, according to the rules, is making an investigation. This House has the right to bring forward the matter. It was very good that it was brought before the House so that we can also look into it. I had an opportunity to go into the details of it. The general discussions will be helpful to the Bank. But I would like to make one more statement here. In this, to try to damage the reputation of the State Bank of India is certainly not very commendatory. This is deliberately being done as if the State Bank is one of the banks which is not doing good work. But I would like to make this claim on behalf of the Bank. There may be certain difficulties. There were certain affairs which were discussed here, but they were very properly explained in this House. If you look at the totality of the working of the State Bank, I would certainly say that it is one of the good banks.

SHRI MANORANJAN HAZRA (Ajambagh) Hon. Member, Shri Madhu Iyengar, has made my task easier. I do not want to enter into the details of this ugly affair. The members of this House remember with a heavy heart the great episode of Nagarwala and Malhotra where Rs. 60 lakhs went out of the State Bank of India by the grace of a sweet feminine voice over the telephone. Since then, a few months have elapsed and again we are faced with such a situation. The hon. Minister did not take any lesson from that great episode. He did not even think of any future danger. Therefore, I want to ask him why he did not keep his Department alert about the repetition of such a thing in some form or other.

Now I would like to ask him my second question. There is a saying in Bengali—“To hold the Shradh ceremonies of the father of ghosts” while the shradh ceremonies were being performed in the State Bank of India with these Rs. 43/- lakhs, it is a mystery to me how it went unnoticed by the authorities. This fact only reveals that there had been gang of conspirators—those who used to

[Shri Manoranjan Hazra] make their fortune out of such fraudulent activities. And only when the cat come out of the bag with its own enormous notoriety, they took departmental action against the officer who, they thought, was responsible. As you know, in the posthumous famed Glosworthy's Justice, the hero, Falder, had to undergo penal servitude for three years for committing a similar crime.

In our land, the land of great justice men inferior to Falder go unpunished every day in every sphere of life. Therefore I want to ask the Minister whether he would order a judicial probe by appointing a Judge of the Supreme Court with the much talked outlook in conformity with the changing society. My third question is this : in this case the financial rules and regulations had been trampled down from A to Z. I want to know from the Minister whether he is prepared to set up a committee of Members of his Parliament to probe in to this and make a report to Parliament before the monsoon session.

I hope the Minister will be pleased to reply on all these points.

SHRI YESHWANTRAD CHAVAN : As I have tried to understand the Member, he has asked me three questions. One is : how the Government has taken steps to find out such a thing and also to prevent its recurrence. I would like to tell him that this question was not raised by anybody else. Really speaking, this thing was found out in the Bank itself and immediately when it came to their notice at the end of 1971, they put their Vigilance officer in charge of the matter to look in to the matter and he went into a detailed examination and enquiry and submitted his report some time in the month of June. So, it is not as if somebody else has given them this information. The bank itself has in built arrangements to go in to these matters and they have done it. It is only after they started action that we knew about it and then it appeared in the Press and this matter was brought here. It is not correct to say that the bank itself has no machinery to take steps against such matters. It is there. He raised two questions. One was about the judicial probe and the other was about the Parliamentary Committee. About the Parliamentary Committee, this was raised by hon Member, Shri Madhu

Limaye also. I have answered that it is not necessary. A Member of Parliament has got still more important work to do than going in to these small matters of a bank. There are certainly other officers.

Regarding the judicial probe, this is not a matter in which a judicial probe can be ordered.

श्री मुख्तियार सिंह मलिक (रोहतक) : स्पीकर साहब, स्टेशनरी की बाबत स्टेट बैंक आफ इंडिया का जो स्कैंडल है, इस के बारे में मेरे से पहले बोलने वाले दोस्तों ने बहुत कुछ कहा है, लेकिन मिनिस्टर साहब का एक जवाब सुनकर मुझे बड़ी परेशानी हुई कि इस बैंक के अन्दर 60 लाख का जो घुटाला हुआ था, उस के लिए मिनिस्टर साहब कहते हैं कि कोई घोटाला ही नहीं हुआ, इनको वहाँ के हेड कैशियर को डिस्मिस करना पड़ा, उस की वजह से एक आदमी की जान गई, कन्ट्री के अन्दर एक बड़ा भारी हंगामा मचा, फिर भी ये कहते हैं कि स्कैंडल नहीं हुआ। इन 60 लाख और 45 लाख के स्कैंडलों को देखकर हमें मजबूर होकर कहना पडा है—

It is not State Bank of India; it is rather a Scandal Bank of India.

उस के बावजूद भी मिनिस्टर साहब, चव्हाण साहब की पोझीशन का आदमी खड़ा हो कर उन को क्रेडिट देने लगे और कहे—

"One of the best bank of India" To make such a statement is very unfortunate, even in spite of all these scandals in the bank.

मेरी समझ में एक बात तो आ सकती है कि गवर्नमेंट ने इन बैंको को नेशनलाइज किया, अपने हाथ में लिया और उस के बाद इन की तरफ से नारा दिया गया कि हम गरीबी को दूर करेंगे—शायद इसी लिये इन्होंने बैंको से पाबंदी को रिमूव करने का फैसला किया हो—खाओ, पियो, मजा उड़ाओ जितना भी स्वया निकाला जाये बैंक से—क्या गरीबी को इसी तरह से दूर करने का फैसला किया गया? यह बात तो मेरी समझ में आ सकती है लेकिन इस तरह का स्कैंडल बैंक में हो और हमारी गवर्नमेंट दो साल तक साइलेन्ट

स्वैक्रेटर की तरह बैठ कर तमाशा देखती रहे यह बात समझ में नहीं आती है। इन्होंने एग्जीशिएट किया कि कालिग अटेन्शन मोशन देकर गवर्नमेंट का ध्यान इसकी तरफ आकर्षित किया गया लेकिन यह बात कितनी सरप्राइजिंग है कि अगर काल अटेन्शन मोशन न दिया जाये तो गवर्नमेंट उसका बिल्कुल नोटिस ही नहीं लेती। (व्यवधान) मैं सारी चीजें जानता हूँ, आप लोग स्पीकर का काम अपने जिम्मे क्यों लेते हैं? क्या उस स्कैंडल के अन्दर आप शामिल हैं इसीलिये इसको दबवाना चाहते हैं? इस देश में कहीं भी करप्शन हो, गवर्नमेंट के इदारों में कोई करप्शन हो तो उसमें क्या आप भागीदार बनना चाहते हैं? क्या आपने इसकी ठेकेदारी उठाई हुई है?

It is for the Speaker to regulate. What I speak is quite relevant to the subject.

मेरी समझ में नहीं आता हर एक आदमी को चेक करने की ठेकेदारी आपने क्यों उठाई हुई है।

तो मैं गवर्नमेंट से पूछना चाहता हूँ कि यह जो स्कैंडल है, इस गबन की बाबत पहली बार कब किस महीने में और किस तारीख को गवर्नमेंट की नोटिस में आया और नोटिस में आने के बाद गवर्नमेंट ने इसमें क्या कदम उठाये? गवर्नमेंट ने अपने आपको उससे एग्जीशिएट किया या नहीं और इसके बारे में कोई स्टेप्स लिए या नहीं?

दूसरी बात यह है कि मुझे यह इन्फार्मेशन मिली है कि बैंक में कोई छोटी मोटी इरेगुलैरिटीज होती थी या कोई ऐसी चीजें होती थीं तो उनके बारे में इन्क्वायरी जो है वह सी० बी०आई० को एन्ट्रस्ट की जाती थी और इस केस में तो हेवी एमाउन्ट इन्वाल्ड है, उसके साथ-साथ बड़े-बड़े आफिसर्स इन्वाल्ड हैं।

As per the report some big officials are involved. 2 officers are suspended/chargesheeted. 8 employees are chargesheeted.

और भी हाई आफिशियल्स इन्वाल्ड हैं, उनके बारे में भी गवर्नमेंट जांच पड़ताल कर रही है, उनका भी हाथ इसमें हो सकता है। जब ऐसी चीजें हैं तो जो इन्क्वायरी है वह सी० बी०आई० को एन्ट्रस्ट क्यों नहीं की गई है? इतना हेवी एमाउन्ट इन्वाल्ड होने के बावजूद सी० बी०आई० को इन्क्वायरी क्यों नहीं दी गई?

तीसरी बात यह है कि जब हाई आफिशियल्स इन्वाल्ड हैं और दो साल हो रहे हैं तो जो एविडेन्स है उसके भी खुदबुद होने का अन्देशा है, वे आफिशियल्स पेपर्स को इधर-उधर कर सकते हैं तो क्या गवर्नमेंट ने अपनी तरफ से भी उस पर कोई स्पेशल आडिट, कोई ऐसा सेल बेरिफिकेशन के लिए सारे एकाउन्ट्स के लिए मुकर्रर किया या नहीं जोकि उन चीजों को देख सके?

इसका एक पहलू और है कि इसमें कुछ ऐसी फर्म हैं जिनको आर्डर्स वगैरह दिए गए, जिनसे चीजें ली गईं, जो फर्म स्कैंडल से इन्वाल्ड हैं उनको इस स्कैंडल के होने के बाद भी आर्डर्स दिए जा रहे हैं। एक प्रेस की बाबत तो कहा जाता है कि जबसे उसको बैंक से आर्डर्स मिलने लगे हैं उसके बाद में वह प्रेस दिल्ली में चालू किया गया। तो इन सारी चीजों पर गवर्नमेंट ने कोई ध्यान लगाया या नहीं? उसकी नोटिस में यह सारी चीजें हैं या नहीं? इसमें बड़ी-बड़ी फर्म हैं जो कि स्कैंडल के साथ इन्वाल्ड हैं लेकिन उनको अब भी आर्डर्स दिए जा रहे हैं। तो इन सारी चीजों की तफसील हाउस को देने की कृपा करें।

SHRI YESHWANTRAO CHAVAN :
Sir, the hon. Member has asked me two or three questions. One is: Why was it not considered necessary to go to CBI? From the enquiry that has been made so far it is not found necessary to go to CBI because on the information the charges can be proved against the officers through departmental proceedings. That is why it is not considered necessary to go to CBI. But in the course of investigations we get explanations to

[Shri Yeshwantrao Chavan]

the effect that it is considered necessary to go to CBI possibly the bank can consider that matter. As for the auditing matter is concerned, there is a very regular method of auditing. Every bank has its own auditing system and, therefore, the impression there is no auditing should not persist in the mind of the hon. Member. He also mentioned whether we are still giving orders to the same person for supplies as I mentioned in my statement we are taking certain steps to see that such things are not repeated. I would like to tell him four or five steps taken by the bank : Supplies are now being obtained on the basis of three months requirements and no excess stocks are now being purchased. They are being paid at competitive rates and are at rates laid down by Central Stationery Department, Calcutta. Surplus stationery has been diverted to other Circles of the Bank ; Inventory has been reduced and steps are being taken to have a panel of approved printers and suppliers. At least one of the largest supplier who was involved has already been black-listed and others will be examined on merits whether they need to be proceeded against or not.

11 45 hrs.

PAPERS LAID ON THE TABLE

SEAMEN'S P.F. (AMDT.) SCHEME, 1972, EXAMINATION OF MASTERS AND MATES (AMDT) RULES, 1973 AND NOTIFICATION UNDER ANDHRA PRADESH MOTOR VEHICLES TAXATION ACT, 1963

THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI M. B. RANA) : On behalf of Shri Raj Bahadur I beg to lay on the Table :

- (1) (i) A copy of the Seamen's Provident Fund (Amendment) Scheme, 1972 (Hindi and English versions) published in Notification No. G.S.R. 949 in Gazette of India dated the 12th August, 1972 together with a copy of 'Errata' published in Notification No. G.S.R. 1515 in Gazette of India dated the 2nd December, 1972 under section 24 of the Seamen's Provident Fund Act, 1966.
- (ii) A statement (Hindi and English versions) showing reasons for delay

in laying the above Notification. [Placed in Library. See No. LT-5057/73].

- (2) A copy of the Examination of Masters and Mates (Amendment) Rules, 1973 (Hindi and English versions) published in Notification No. G.S.R. 272 in Gazette of India dated the 17th March, 1973, under sub-section (3) of section 458 of the Merchant Shipping Act, 1958. [Placed in Library. See No. LT-5058/73].
- (3) A copy of Notification No. G. O. Rt. 222 (Hindi and English versions) published in Andhra Pradesh Gazette dated the 8th March, 1973 under sub-section (2) of section 9 of the Andhra Pradesh Motor Vehicles Taxation Act, 1963 read with clause (c) (iii) of the Proclamation dated the 18th January, 1973 issued by the President in relation to the State of Andhra Pradesh. [Placed in Library. See No. LT-5059/73].

11 46 hrs.

RE. ARREST OF SHRI JAMBUWANT DHOTE

SHRI BIRENDER SINGH RAO : (Mahendragarh) : Sir, I want to raise a question of privilege regarding Mr. Dhote's arrest. I want one minute only. This constitutes a serious breach of privilege of this House. The member went to his Constituency where people were agitating against food shortage. He was detained under MISA and prevented from attending this House. (Interruptions)

MR. SPEAKER : When it comes I shall enquire from the Minister. (Interruptions)

SHRI BIRENDER SINGH RAO : He has not been allowed to attend the House. Even when a member is under arrest, he should be allowed to attend the House so that the house may know the conditions in his constituency. The court has struck down certain provisions of the MISA and yet those provisions are being applied against Members of this house. Member's liberty be ensured unless they commit a substantive criminal offence.

SHRI SAMAR GUHA (Coochabear) : If he had been arrested in violation of section

144 of the Cr. P. C. one could understand, but he has been arrested under the MISA.

अध्यक्ष महोदय : आप सब लोगों को पता है कि आप कभी सत्याग्रह करते हैं, कभी स्ट्राइक करते हैं, और अरेस्ट होते हैं। स्पीकर को इन्फार्मेशन आ जाती है। इसी तरह से मीसा में भी अरेस्ट होते रहे हैं लोग, पहले यह सवाल कभी नहीं आया।

(Interruptions)

MR. SPEAKER : I have asked for information from the hon. Minister and when it comes, I shall call the hon. Member.

SHRI INDRAJIT GUPTA (Alipore) : In the intimation which the authorities have sent to you about his arrest, have they mentioned that he has been arrested under the MISA ?

MR. SPEAKER : On the basis of what Shri Birender Singh Rao has written, to me, I am asking for information from the hon. Minister.

The intimation which I have received has already been printed in the bulletin dated the 28th April, 1973, and it reads thus :

"Shri Jambuwant Dhote, Member, Lok Sabha, was detained under provisions of Maintenance of Internal Security Act, 1971. He was taken into custody at about 18.15 hours on the 25th April, 1973. He is lodged in Yeravada Central Prison, Poona. A regular intimation to this effect sent by post at about 11.30 hours on the 26th instant".

SHRI JYOTIRMOY BOSU (Diamond Harbour) : It has other implications. An hon. Member of this House has been arrested under the MISA when the House is in session. The Home Minister is here, and you should ask him to say something. Let us hear his voice for a change.

There was an assurance given that Members of Parliament would not be arrested under the MISA.

MR. SPEAKER : Is there any exemption for MPs under the MISA ?

SHRI INDRAJIT GUPTA : Will you please request the Home Minister to inform the House of the circumstances under which the MISA had to be used against the Member ? After all, he is a Member of the House. The hon. Minister should tell us

the circumstances which in his opinion justified that MISA should be used against Shri Jambuwant Dhote. Should we not be given any information on this ?

MR. SPEAKER : I have called for the information and when it comes, I shall call the hon. Member.

SHRI VASANT SATHE (Akola) : I have received a letter from a senior advocate from Nagpur, Mr. A. S. Bobde that he had asked the Police Commissioner for permission to interview him...

MR. SPEAKER : He need not answer on behalf of the hon. Minister.

SHRI VASANT SATHE : After all, he has a right to defend himself. Why should the counsel not be allowed to meet him ?

MR. SPEAKER : I am not here to pronounce judgement on legal issues...

SHRI VASANT SATHE : You have to protect a Member of Parliament.

MR. SPEAKER : I am getting the information. I am not here to adjudicate on legal issues. When courts are there, the Speaker is not the adjudicating body. I can only judge if a privilege is involved. As I said, I am getting the information.

SHRI INDRAJIT GUPTA : The court has no jurisdiction. Therefore you must intervene. Will you kindly request him to make a statement ?

MR. SPEAKER : I will get the information.

(Interruptions)

SHRI VASANT SATHE : The police should allow his counsel to interview him. This is an elementary thing that should be allowed.

SHRI PILOO MODY (Godhra) : As far as I understand the law, I do not think a Member of Parliament can be arrested unless it is to your satisfaction.

MR. SPEAKER : No, no ; not at all. This is a new law he is enunciating.

SHRI PILOO MODY : The speaker has to be satisfied that it was on good grounds.

MR. SPEAKER : Do not introduce new things in the procedure. But in your case, if ever you are arrested, I will take particular interest.

SHRI PILOO MODY : Please put it on record.

(Interruptions)

MR. SPEAKER : I am looking into it. I am getting the information. I am not allowing anything else on this. When the information comes, I will tell you.

SHRI K. S. CHAVDA (Patan) : Will it come before the end of the session ?

MR. SPEAKER : Of course, it should be before the session ends.

SHRI PILOO MODY : I had written to you about a sort of milk which is full of worms that is being supplied by the Delhi Milk Scheme. This bottle is not only full of worms but there a sort of long tapeworm also here. Something should be done about this. You should draw the attention of the relevant Ministry. The Delhi Milk Scheme is supposed to be a scheme that ensures hygienic milk supply to the population.

MR. SPEAKER : You can hand it over to the Health Minister.

SHRI PILOO MODY : Who is in charge of milk ?

MR. SPEAKER : Everybody is in charge of milk. You can keep it on the Table.

SHRI PILOO MODY : I believe in Lucknow there is no milk at all. There are no worms there.

11-58 hrs.

[PAPERS LAID ON THE TABLE—Contd.

REVIEW AND ANNUAL REPORT OF HOUSING AND URBAN DEVELOPMENT CORPORATION LTD., NEW DELHI, FOR 1971-72

THE MINISTER OF WORKS AND HOUSING (SHRI BHOLA PASWAN SHASTRI) : I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619-A of the Companies Act, 1956 :—

(i) Review by the Government on the working of the Housing and Urban Development Corporation Limited, New Delhi, for the year 1971-72.

(ii) Annual Report of the Housing and Urban Development Corporation Limited, New Delhi, for the year 1971-72 along with the Audited accounts and the comments of the Comptroller and Auditor-General thereon. [Placed in Library. See No. LT-5060/73]

ANNUAL REPORT OF PUNJAB AGROINDUSTRIES CORPORATION LTD., CHANDIGARH

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHEB P. SHINDE) : I beg to lay on the Table a copy of the Annual Report (Hindi and English versions) of the Punjab Agro-Industries Corporation Limited, Chandigarh, for the year ended 31st May, 1971 along with the Audited Accounts and the Comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 619-A of the Companies Act, 1956. [Placed in Library. See No. LT-5061/73]

DELHI, MEERUT AND BULANDSHAHR MILK AND MILK PRODUCTS CONTROL ORDER, 1973 AND NOTIFICATIONS UNDER ANDHRA PRADESH PANCHAYAT SAMITHIS AND ZILLA PARISHAD ACT, 1959

SHRI ANNASAHEB P. SHINDE : On behalf of Prof. Sher Singh, I beg to lay on the Table :—

(1) A copy of the Delhi, Meerut and Bulandshahr Milk and Milk Products Control Order, 1973 (Hindi and English versions) Published in Notification No. S.O. 268 (E) in Gazette of India dated the 5th May, 1973 under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-5062/73].

(2) (a) A copy each of the following Notifications under sub-section (2) of section 69 of the Andhra Pradesh Panchayat Samithis and Zilla Parishads Act, 1959 read with clause (c) (iii) of the Proclamation dated the 18th January 1973 Issued by the President in relation to the State of Andhra Pradesh :—

(i) G.O. Ms. No. 295 published in Andhra Pradesh Gazette dated the 20th July, 1972 making certain amendment to the rules relating to the competent authority to appoint and transfer members of different cadres of Statutory Panchayat Samithis and Zilla Parishads, together with an explanatory note.

(ii) G.O. Ms. No. 296 published in Andhra Pradesh Gazette dated the 20th July, 1972 making certain

amendment to the Andhra Pradesh Panchayat Samithis and Zilla Parishads Ministerial Service rules together with an explanatory note.

(iii) G.O. Ms. No. 307 published in Andhra Pradesh Gazette dated the 13th July, 1972 making certain amendment to the Rules relating to the competent authority to appoint and transfer members of different cadres of statutory Panchayat Samithis and Zilla Parishads, together with an explanatory note.

(iv) G.O. Ms. No. 309 published in Andhra Pradesh Gazette dated the 13th July, 1972 making certain amendment to the rules relating to selection of candidates for the posts included in the District Cadre, together with an explanatory note.

(b) Four statements explaining reasons as to why the above Notifications could not be laid before the State Legislature.

(c) Four statements explaining the reasons for not laying the Hindi versions of the above Notifications. [Placed in Library. See No. LT- 5063/73]

SHRI JYOTIRMOY BOSU (Diamond Harbour) : On a point of order. Why this long delay in laying the papers on the Table of the House ?

MR. SPEAKER : When there is a long delay, for more than 15 days, it should be accompanied by some explanation.

SHRI ANNASAHEB P. SHINDE : The reasons have been laid down.

SHRI JYOTIRMOY BOSU : Not in all cases.

श्री हुकमचन्द कछवाज (मुरैना) : श्री यशदत्त शर्मा को पकड़ लिया गया है। उन से दो लाख रुपये की जमानत मांगी जा रही है। यह कोई तरीका है? उन्होंने कोई जुर्म नहीं किया है, कोई शक्ति घंटा नहीं की है

12 hrs.

अध्यक्ष महोदय : मैंने यह सोच कर इजाजत दी थी कि शायद आप जो मैटर बिफोर दि हाउस है उस के बारे में कुछ कहना चाहते हैं। यहां पर मैटर कुछ और है और माननीय सदस्य अपनी बात ले चले हैं।

(Interruptions)

MR. SPEAKER : Please sit down. Mr. Jyotirmoy Bosu had taken objection, in certain cases, to the delay and I allowed him. Not other matters

श्री मधु लिमये : आपने सब को सुना मुझे नहीं सुना।

अध्यक्ष महोदय : इन्होंने अपना एतराज मुझे लिख कर भेजा था। आपने नहीं भेजा।

श्री मधु लिमये : आपने माठे साहब को सुना, औरो को सुना ...

अध्यक्ष महोदय : जब आगया, आपको मैं मौका दूंगा।

(Interruptions)

MR. SPEAKER : I am not permitting anybody. Please sit down. If, by shouting, anything can be made stronger ? No. Please sit down.

SHRI JYOTIRMOY BOSU : I have raised the point—

MR. SPEAKER : Order, please.

(Interruptions)

MR. SPEAKER : I am getting it enquired. I am going to send it to him.

SHRI JYOTIRMOY BOSU : What is the explanation.

MR. SPEAKER : He has given the explanation.

SHRI JYOTIRMOY BOSU : He is flouting.

MR. SPEAKER : No, no. He has given the explanation. They have been given to the office. They will all be sent to you.

SHRI JYOTIRMOY BOSU : Thank you, Sir.

ANNUAL REPORTS OF I.I.T., KHARAGPUR,
NATIONAL INSTITUTE OF FOUNDRY & FORGE
TECHNOLOGY RANCHI, 1971-72 AND CERTI-
FIED ACCOUNTS OF I.I.T., KANPUR,
FOR 1970-71

THE DEPUTY MINISTER IN THE
MINISTRY OF EDUCATION AND SO-
CIAL WELFARE AND IN THE DEPART-
MENT OF CULTURE (SHRI D. P.
YADAV) : I beg to lay on the Table —

- (1) (i) A copy of the Annual Report of
the Indian Institute of Technology,
Kharagpur, for the year, 1971-72.
- (ii) A statement (Hindi and English
versions) explaining the reasons
for not laying the Hindi versions
of the above Report simultane-
ously.

[Placed in Library. See No. LT-
5064/73]

- (2) (i) A copy of the Annual Report of
the National Institute of Foundry
and Forge Technology, Ranchi,
for the the year 1971-72.

- (ii) A statement (Hindi and English
versions) explaining the reasons
for not laying the Hindi version
of the above Report simultane-
ously.

[Placed in Library. See No. LT-
5065/73].

- (3) (i) A copy of the certified Accounts
(Hindi and English versions) of
the Indian Institute of Technology,
Kanpur for the year 1970-71
along with the Audit Report
thereon, under sub-section (4)
of section 33 of the Institutes of
Technology Act, 1961.

- (ii) A statement (Hindi and English
versions) showing the reasons for
delay in laying the above accounts.
[Placed in Library. See No. LT-
5066/73]

REVIEW AND ANNUAL REPORT OF NATIONAL
INSTRUMENTS AND OPHTHALMIC GLASS LTD.,
CALCUTTA FOR 1971-72

SHRI D. P. YADAV : On behalf of Shri
Pranab Kumar Mukherjee, I beg to lay on

the Table a copy each of the following papers
(Hindi and English versions) under sub-
section (1) of section 619-A of the Companies
Act, 1956 :—

- (i) Review by the Government on the
working of the National Instruments
and Ophthalmic Glass Limited,
Calcutta, for the year 1971-72.
- (ii) Annual Report of the National In-
struments and Ophthalmic Glass Li-
mited, Calcutta for the year 1971-72
along with the Audited Accounts and
the comments of the Comptroller
and Auditor-General thereon.
[Placed in Library. See No. LT-
5067/73]

12-03 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY : Sir, I have to report
the following messages received from the
Secretary of Rajya Sabha :-

- (i) I am directed to inform the Lok
Sabha that the Rajya Sabha at its
sitting held on Friday, the 4th May,
1973, adopted the following motion
regard to the Committee on Public
Accounts :—

“That this House concurs in the
recommendation of the Lok Sabha
that the Rajya Sabha do agree to
nominate seven members from the
Rajya Sabha to associate with the
Committee on Public Accounts
of the Lok Sabha for the term
ending on the 30th April 1974,
and do proceed to elect, in such
manner as the Chairman may
direct, seven members from among
the members of the House to
serve in the said Committee”.

2. I am further to inform the Lok Sabha
that in pursuance of the above motion,
the following members of the Rajya Sabha have
been duly elected to the said Committee.

1. Shri M. Anandam
2. Shri Golap Barbora
3. Shri Bipinpal Das
4. Shri Nawal Kishore

5. Shri P. S. Patil
6. Shri Sasankasekhar Sanyal
7. Shri Sawalsingh Sisodia.

(ii) 'I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Friday, the 4th May, 1973, adopted the following motion in regard to the Committee on Public Undertakings :—

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate five members from the Rajya Sabha to associate with the Committee on Public Undertakings of the Lok Sabha for the term ending on the 30th April, 1974, and do proceed to elect, in such manner as the Chairman may direct, five members from among the members of the House to serve on the said Committee".

2. I am further to inform the Lok Sabha that in pursuance of the above motion, the following members of the Rajya Sabha have been duly elected to the said Committee :—

1. Shri M. S. Abdul Khader
2. Shri Lal K. Advani
3. Shri U. N. Mahida
4. Shrimati Purabi Mukhopadhyay
5. Shri Suraj Prasad.'

ASSENT TO BILLS

SECRETARY : Sir, I also lay on the Table following two Bills passed by the Houses of Parliament during the current session and since assented to :—

- (1) The Finance Bill, 1973.
- (2) The Orissa State Legislature (Delegation of Powers) Bills, 1973.

12-04 hrs.

LEAVE OF ABSENCE FROM SITTINGS OF THE HOUSE

MR. SPEAKER : The Committee on Absence of members from the Sittings of the House in their Tenth Report have recommended that leave of absence be
2—M416LSS/73

granted to the following Members for the periods indicated against each :

- (1) Shri Dinesh Singh— 9th to 24th April, 1973 (Seventh Session)
- (2) Shri Anant Prashad Sharma— 16th to 30 April, 1973 (Seventh Session)
- (3) Shri Tulsidas Dasappa— 14th April to 16th May, 1973 (Seventh Session)
- (4) Shri K. Gopal -- 10th April to 2nd May, 1973 (Seventh Session)
- (5) Shri Syed Ahmad Aga— 16th March to 26th April, 1973 (Seventh Session)
- (6) Shri Bishwanath Jhunjhunwala— 9th March to 6th May, 1973 (Seventh Session)

I take it that the House agrees with the recommendations of the Committee

SEVERAL HON. MEMBERS : Yes .

MR. SPEAKER : The Members will be informed accordingly.

12-05 hrs

MATTERS UNDER RULE 377

(i) RE. PAKISTAN'S APPLICATION TO THE WORLD COURT ON THE QUESTION OF THE PRISONERS OF WAR

SHRI S. M. BANERJEE (Kanpur) : With your permission, I should like to raise one issue. The Pakistan Government has moved the World Court on the question of prisoners of war. Their contention is that India should not hand over these prisoners of war who are accused of genocide, rape, arson and other crimes by Bangla Desh Governments. They are going to delay the settlement of this issue by referring this matter to the World Court. The newspaper report says .

"A statement issued by the World Court said the case concerned a number of Pakistan nationals taken prisoner by the Indian Armed Forces in 1971 and now held in India. It is said to appear from a joint statement put out on 17th April, 1973, by India and Bangla Desh that the Indian Government proposes to hand these prisoners over to the Government of Bangla Desh, and that the latter

[Shri S. M. Banerjee]

intends to try them for acts of genocide and crimes against humanity.... the statement said ; Pakistan was contending that only Pakistan had the right to exercise jurisdiction over these persons by virtue of the 1948 Geneva convention on the prevention and punishment of the crime of genocide."

The Bangla Desh Foreign Minister Dr. Kamal Hossain, according to press reports, described as the latest 'stunt' of Pakistan the application made by Islamabad to the world Court seeking to prevent the transfer of prisoners of war from India to Bangla Desh for trial. The report goes on :

"He told newsman at the Foreign Office that by doing so Pakistan was merely seeking to divert attention and heap 'those who had committed' the worst atrocities Justice would, nevertheless, take its course, he added"

I expected a statement from the hon. Minister of External Affairs. I expected him to be present because I sent a slip on Friday itself. The Minister of Parliamentary Affairs is not here. The External Affairs Minister should be asked to make a statement as early as possible, today or tomorrow. On this question under no circumstances should we be bullied by Pakistan, and Bangla Desh should be consulted in this matter.

SHRI SAMAR GUHA (Contd.) :
It is a very serious matter in the sense that it amounts to a violation of the Simla Pact. Pakistan is trying to have some kind of injection to stop us sending some persons for being tried in Bangla Desh. The Indo-Bangla Desh joint communique mentions the details about the release of prisoners of war and exchanging of civilians on both sides of Pakistan and Bangla Desh which was appreciated all over the world as a humanitarian move. What steps do the Government propose to take in this matter ? Are they also going to contest the matter in the World court ? We want the Minister of External Affairs to make a statement as early as possible clarifying the whole position and the stand of the Government of India in this matter.

(ii) HARASSMENT OF AGRICULTURISTS
BY BANKS IN TELANGANA

SHRI MALLIKARJUN (Medak) : It is extremely painful to note the conditions in Telangana. In these conditions the agriculturists have had to face unparalleled harassment by the banks. It is true that the State Bank of Hyderabad and other district co-operative banks and agricultural credit societies have been advancing loans to the agriculturists.

Now, they are pressing for the recovery. Drought conditions are prevailing; famine is prevailing and there is no drinking water. Even cattle are dying. There is no fodder available. People are moving from one village to another. Under these prevailing circumstances, why are the Banks pressing for the recovery of loans in spite of the fact that the agriculturists have made repeated representations to the Government of Andhra Pradesh. I do not know why the Advisers to the Governors are not attending to the needs of these agriculturists. Irresponsible attitude of the Advisers towards agriculturists in Telangana is highly deplorable.

I make a humble submission in this House on one more thing. Just now the Home Minister is only available. Both the Finance Minister and the Minister of State for Agriculture have left the House. I feel that these Ministers, by mutual consultation, should take some measures to instruct the Bank people in order to avoid the harassment in Telangana. After all, the agriculturists are under very heavy stresses and strains. After some time they will probably be able to pay the loan with interest. After all, these loans are given to the agriculturists for their betterment when they are in great difficulties due to famine etc. in regular way.

MR. SPEAKER : You just draw the attention of the Minister and do not make a speech. Kindly sit down.

SHRI MALLIKARJUN : Why should they press for the recovery ? They are issuing notices for the recovery of the loans and to auction their land. Is this a service to the society ? Lastly, Sir, I request the hon. Minister to instruct the two Advisers, against whom I have framed allegations for having not attended to their problems, to do the needful in the matter.

MR. SPEAKER : Shri Bosu.

(iii) REPORTED CUT IN RICE QUOTA FOR CALCUTTA, DURGAPUR, ETC.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Sir, I have given two notices. I am grateful to you for having allowed one. You have sent the other to the Minister. That is concerning...

MR. SPEAKER : Do not mention the name. I have allowed that.

(Interruptions)

MR. SPEAKER : I did not allow it. Don't do it. You can speak only on the matter which I have allowed.

SHRI JYOTIRMOY BOSU : The other one is this. According to newspaper reports (*Times of India*, New Delhi, dt. 13-5-73, page 5), the rice quota for Calcutta, Durgapur-Asansol belt, Darjeeling and other statutory rationing area, will be reduced by 150 grammes per adult per week from the third week of this month.

The cut, it has been alleged, has been necessitated by the Centre's failure to supply more than 25000 tonnes of rice a month, against the requirement of 35000 tonnes to meet the commitment in respect of statutory rationing areas. May I request your goodness to ask the hon. Minister to make a statement in regard to this?

MR. SPEAKER : Now I go over to the next business.

12.14 hrs.

RE. DISCUSSION ON PAY COMMISSION'S REPORT

SHRI S. M. BANERJEE (Kanpur) : Sir, about to-day's order paper, I have one submission to make. In to-day's order paper, the last item is half-an-hour discussion on the Pay Commission's Report.

We were told that the Finance Minister was unable to discuss that. He is not prepared to give any commitment in this regard. We request that the motion in my name as also in the names of others be extended to two hours. Let the Minister not commit himself this way or that way. Will the hon. Minister reply to this half-an-hour discussion? He may only say 'yes' or 'no' to the House.

I would only request you to make this half-an-hour discussion a two-hour discussion. We are even prepared to sit upto 8 O' clock. I would beg of you to allow two hours for the discussion so that both the motions might be discussed simultaneously.

MR. SPEAKER : I have no objection if they are prepared for the debate. But they are not prepared for it.

SHRI S. M. BANERJEE : If they are prepared for half-an-hour-discussion why are they not prepared for a full discussion? What is the logic in that?

MR. SPEAKER : He is repeating the same argument today. I have discussed this with him. As I said, I have no objection, even if it is for the whole night; if the Government agree to it.

SHRI S. M. BANERJEE : I am speaking purely logically. If the Finance Minister can reply to the half-an-hour discussion, he can reply to a full discussion.

श्री हुकम चन्द्र कछबाय (मुरेना) : ऐसा लगता है कि सरकार जानबूझ कर इस चर्चा को टालना चाहती है। पे कमीशन की रिपोर्ट के बारे में सारे देश में सरकारी कर्मचारियों में असंतोष है।

MR. SPEAKER : I want to know from the Minister of Parliamentary Affairs the position of the Government. Shri Banerjee is asking for a full debate instead of a half-an-hour discussion.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH) : I had a talk with the Finance Minister on this point. As Shri Banerjee himself stated the other day, this half-an-hour discussion is on a different aspect. It is only incidental.

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

MR. SPEAKER : On that day I gave a lot of latitude. Now all of them are standing up again.

SHRI SAMAR GUHA : Sir, on a point of order... (Interruptions)

MR. SPEAKER : If he wants to make a submission, why should he say that it is a point of order? Let him say that it is a submission... (Interruptions)

[Mr. Speaker]

मैं तो हैरान हूँ कि हाउस में सात-सात, दस-दस मेम्बर शोर करते रहें और बाकी मेम्बर मुँह देखते रहें। यह कम कब तक चलेगा ?

SHRI S. M. BANERJEE : The last item of today's order paper is half-an-hour discussion regarding request by Confederation of Central Government Officers' Association to the Prime Minister for a fair scrutiny of the Pay Commission's Report. This is exactly what we want. When the Finance Minister replies to the half-an-hour discussion he will have to say either "yes" or "no". So, why should he restrict it to half-an hour ?

MR. SPEAKER : Then why do you restrict it to two hours ? Why not ask for a full debate ?

SHRI INDRAJIT GUPTA (Alipore) : That is what he has been asking all these days.

SHRI K. RAGHU RAMAIAH : As soon as this matter arose in the BAC, I consulted the Finance Minister and I put before him the views expressed by some of the hon' Members in the Committee. The Finance Minister was of the view, as I mentioned the other day, that since Government are examining the report, it is premature to have any discussion here.

SHRI INDRAJIT GUPTA : Then how was the half-an-hour discussion allowed ?

MR. SPEAKER : It is no use insisting on it.

SHRI INDRAJIT GUPTA : If the Minister can reply to the half-an-hour discussion, he can as well reply to a two-hour debate. I do not understand what is the principle involved here.

SHRI S. M. BANERJEE : You can extend it to tomorrow by 1· hours. It is in your hands. (Interruptions)

MR. SPEAKER : Don't connect it with the Half-an-hour discussion.

श्री हुकम चंद कछवायः सरकार जानबूझ कर इस चर्चा को टालना चाहती है। सारे देश के कर्मचारियों में उत्तेजना फैल रही है। यह रिपोर्ट बिलकुल निराधार है। इस में कोई दम नहीं है . . . (व्यवधान)

MR. SPEAKER : Order, please. You believe, by shouting everything is settled. That is wrong.

SHRI PILOO MODY (Godhra) : You direct the Minister of Parliamentary Affairs to convey the feelings of the House to the Finance Minister once again and to tell him that he must accept a discussion on the Pay Commission's Report.

SHRI K. RAGHU RAMAIAH : I shall certainly convey.

SHRI SAMAR GUHA : I wanted to raise a point of order.

Just now, the hon. Minister said that this Half-an-hour Discussion is not directly on the Pay Commission's Report but it is incidental to the Report. Look at the wording of it. It says :—

"regarding request by Confederation of Central Government Officers' Association to the Prime Minister for fair scrutiny of Pay Commission's Report."

This is exactly our demand also . . .

MR. SPEAKER : This is not a point of order.

SHRI SAMAR GUHA : I have raised a very valid point

SHRI INDRAJIT GUPTA : Don't you feel that before the Government takes a final decision on the Report, the House should be allowed to express its views.

SHRI SAMAR GUHA : The Government should hear our views. That will help the Government to reach proper conclusions. Therefore, in what we demand and what the Half-an-hour Discussion is about, there is no contradiction . . .

(Interruptions)

MR. SPEAKER : I am not going to allow anybody. There is no point of order. If you think by interrupting the proceedings of the House any useful purpose is served, that is wrong. You raised it last time and you are doing it again.

SHRI SAMAR GUHA : I again humbly submit to you . . .

MR. SPEAKER : You said, it was a point of order. It is not at all a point of order. Don't misuse the right to raise a point of order. You can make a submission.

SHRI SAMAR GUHA : You have not heard me. Just now, the Minister of Parliamentary Affairs said that the Half-an-Hour Discussion is not directly on the Report but it is only incidental to it. He said that the Government is examining the Report. But the wording of the Half-an-Hour Discussion is :

"... for fair scrutiny of Pay Commission's Report."

Is it incidental to the Report? Is it not directly on the Report itself? They do not permit us to have a discussion on it because it is under examination. But here is the Half-an-Hour Discussion on the "scrutiny of Pay Commission's Report". Is there any difference between "examination" and "scrutiny"? Is not what the minister says contradictory and self-defeating?

SHRI VASANT SATHE (Akola) : What is the point of order?

MR. SPEAKER : I have not been able to follow.

12 24 hrs
 STATUTORY RESOLUTION RE:
 PROCLAMATION IN RELATION TO
 THE STATE OF MANIPUR
 AND
 MANIPUR STATE LEGISLATURAE
 (DELEGATION OF POWERS) BILL—
Contd.

MR. SPEAKER : We now take up further discussion on the Statutory Resolution and the Manipur State Legislature (Delegation of Powers) Bill.

SHRI MOHANRAJ KALINGARAYAR (pollachi) : MR. SPEAKER, Sir, the approval of this House is being sought through this Resolution for the proclamation of the President's Rule in Manipur.

I rise to express my views on the Resolution. If the Central Government takes effective and energetic steps to improve the tourist potential of Manipur, I believe that Manipur, a beautiful place, would become a second Kashmir. This is not only going to attract thousands of tourists but it

is also going to earn us a large amount of foreign exchange.

Manipur is strategically located—in the extreme corner of the eastern part of our country. And unless the Central Government makes the people of Manipur happy and contented, the people there will not have faith in the Government, and being a border State, we need the support of the people there to safeguard and defend our borders.

I would like to know the real situation obtaining in Manipur. The Manipurians are the pawns in the political game of chess in the hands of the ruling Congress party. Instead of performing the duties of a referee, the Central Government has been partisan towards the ruling Congress party. The interests of the ruling party are always kept in the forefront. The Governor, Mr. B. K. Nehru, recommended suspension of Manipur Assembly. But this recommendation was not accepted by the President. As the Orissa Assembly was dissolved a couple of days before, they never wanted the Manipur Assembly also to be dissolved. The Government was a bit scared that the public opinion would go against them; the Central Government was scared of the scathing criticism that might come from all sides of public opinion if they were to suspend the Manipur Assembly while they had dissolved the Orissa Assembly. The Home Minister has already stated in this House that the Government did so against the advice of the Manipur Governor, to put an end to all kinds of political horse trading. I would like the Minister to tell this House whether the Governor was not aware of this while recommending suspension of the Assembly. If he were to perpetuate political horse-trading by recommending suspension, he would have to be removed from the Governorship without delay. Was the Governor of Manipur ignorant of the political precedents which took place in other States like Orissa, Uttar Pradesh, Haryana, West Bengal, Rajasthan, Punjab, Madhya Pradesh and Mysore? Either he should have been ignorant of these revolting political defections or he should have been influenced by the Centre when he recommended the suspension. On both the counts his action deserves severe condemnation.

[SHRI MOHANRAJ KALINGARAYAR]

I, therefore, demand his resignation on this ground that, by recommending suspension, he wanted to serve the interests of the ruling Congress Party. The Centre also can not take shelter under the plea that they did accept the Governor's recommendation in the interests of ending defections. If the Centre was so particular about defections, why has it not brought forward the Anti-Defection Bill to this august House ?

The Centre is also aware of the various recommendations made by the Committee of Governors under more or less similar circumstances. But we see the Governors act according to their own sweet will and wish and there has been no uniformity in all these cases the underlying objective has been to serve the interests of the ruling party by encouraging directly or indirectly defections from one Party to another. That is why the Central Government are not keen to bring forward this anti-defection Bill. Even after three years of getting the report of the Committee on Defections, the Government has not taken steps to bring this anti-defection Bill.

श्री मधु लिमये (बाका) : अध्यक्ष महोदय, मुझे इस बात पर खेद है कि मणिपुर में राष्ट्रपति शासन के लागू किये जाने पर जो बहस हो रही है, उस में बहुत कम रुचि और दिलचस्पी लोग ले रहे हैं। अध्यक्ष महोदय, मणिपुर को एक अलग राज्य का दर्जा मिले, उम राज्य की जनता को लोकतन्त्र के पूरे अधिकार मिलें, इस के लिये चौथी लोक सभा में हम लोग मुस्तीदी के साथ लड़ते रहे, लेकिन खेद की बात है कि लोकतन्त्र को यह सरकार वहां चलने नहीं दे रही है।

अध्यक्ष महोदय, लोकतन्त्र के लिये जिस तरह स्वतन्त्र और निष्पक्ष चुनाव, भाषण और संगठन की स्वतन्त्रता की जरूरत होती है, उसी तरह राज्यों के जो स्वायत्त अधिकार हैं, उन के बारे में भी सरकार को इस ढंग से अपना व्यवहार करना चाहिये कि यह स्वायत्तता बनी रहे, खत्म न हो जाय। लेकिन मैं देख रहा हूँ—क्या राज्यों की स्वायत्तता, क्या स्थानीय संस्थाओं की स्वायत्तता, क्या विश्व

विद्यालयों की स्वायत्तता—एक एक को सरकार समाप्त करती चली जा रही है। शायद आप को पता नहीं होगा—हिन्दुस्तान में इस वक्त 40 के आसपास महानगरपालिकाएँ हैं, इन में से 11 महानगरपालिकाएँ इस वक्त मौजूद हैं। इस देश में इस वक्त तीन राज्यों में राष्ट्रपति शासन चल रहा है—उड़ीसा, आन्ध्र प्रदेश और मणिपुर में। अध्यक्ष महोदय, मैं जानना चाहता हूँ—मणिपुर के मामले में राष्ट्रपति जी ने अपने से कार्यवाही की है, सूप्रोमोटो कार्यवाही की है या गवर्नर की रपट पर उन की कार्यवाही आधारित है, क्योंकि संविधान की 356 धारा में दो तरह का प्रावधान है—राष्ट्रपति अपने से भी कार्यवाही कर सकते हैं और राष्ट्रपति गवर्नर की रिपोर्ट के आधार पर भी कार्यवाही कर सकते हैं।

गवर्नर की रपट को मैंने बड़े गौर से पढ़ा। घुमा-फिरा कर सारा मामला क्या है—गवर्नर साहब कहते हैं कि कुल 18 सदस्यों ने दल परिवर्तन किया है और सदन की कुल सदस्य संख्या 60 है, तो दल परिवर्तन को दण्डित करने के लिये, दल परिवर्तन करने वाले लोगों को सजा देने के लिये गवर्नर ने आप को यह सलाह दी कि राष्ट्रपति शासन को जारी किया जाये और विधान सभा को उन्होंने बरखास्त करने के लिये नहीं कहा, उन्होंने कहा कि उस को निलम्बित कर दीजिये। मैं जानना चाहता हूँ कि क्या हमारे संविधान में, क्या इस भारत के किसी भी कानून में दल-परिवर्तन कोई अपराध है ?

अध्यक्ष महोदय, यह दल परिवर्तन का मामला 1948 से इस मुल्क के समने है। जब हम समाजवादी कांग्रेस से निकले, तब हमारे कई लोग विधान सभाओं के सदस्य थे और हमारे दल में उस समय बहस चली कि हम लोगों को विधान सभा की सदस्यता से इस्तीफा देना चाहिये या नहीं। कुछ लोगों ने यह तर्क दिया—चूँकि कांग्रेस एक राष्ट्रीय संयुक्त मोर्चा है, जिस में आप लोग भी

हिस्सेदार थे, इस लिये यह मोर्चा अब आज़ादी के बाद टूट रहा है, आप को इस्तीफ़ा देने की कोई ज़रूरत नहीं है। लेकिन हमारे दल के नेता—आचार्य नरेन्द्र देव और दूसरे नेताओं ने एक सही मिसाल, एक आदर्श मुल्क के सामने पेश किया, उन्होंने विधान सभा की सदस्यता से त्यागपत्र दिया। लेकिन क्या इस का सरकारी दल पर कोई असर हुआ, क्या सरकारी दल ने इस तरह का कोई नियम बनाया कि जो भी विधान सभा या संसद् का सदस्य है, जिस टिकट पर वह जीता है, उस दर से जब त्यागपत्र देता है और सत्ता कांग्रेस में जाता है तो उस को विधान सभा या राज्य सभा या लोक सभा या विधान परिषद् जहां का भी सदस्य हो, उस को इस्तीफ़ा देना चाहिये—आप ने ऐसा नहीं किया।

एक अर्थ से दल परिवर्तन का मामला चौथी लोक सभा के सामने भी था। जब कांग्रेस से लोग टूट कर विरोधी दल में आने लगे तो दल परिवर्तन के बारे में इस सरकार को चिन्ता होने लगी। इस गवर्नर की रिपोर्ट में दल परिवर्तन को दण्डित करने का प्रयास किया गया है। मैं सरकार से कहूंगा—जब तक आप कोई ठोस कानून नहीं बनाते, कोई परिषाटी नहीं बनाते, तब तक दल परिवर्तन को लेकर विधान सभा के अधिकारों को छीनने का आप को कोई अधिकार नहीं है। इस के बारे में कोई वस्तुनिष्ठ दृष्टिकोण होना चाहिये।

अध्यक्ष महोदय, कुछ ही दिन पहले आपने अखबारों में पढ़ा होगा चन्दोली या वाराणसी—मुझे ठीक याद नहीं है, क्योंकि चन्दोली भी वाराणसी में है—दिनेश सिंह जी यहां मौजूद हैं, जरा ध्यान से सुनें, राज नारायण गुट के कुछ कार्यकर्ता इन्दिरा कांग्रेस में चले गये, उन में श्री प्रभू नारायण सिंह जी भी थे जो विधान परिषद् के सदस्य हैं.....

श्री एम० रामगोपाल रेड्डी (निजामाबाद):
नैशनल कांग्रेस कहिये।

श्री मधु लिमये : राष्ट्रीय कांग्रेस कहिये, सत्ता कांग्रेस कहिये, इन्दिरा कांग्रेस कहिये—मतलब एक ही है। प्रभू नारायण सिंह जिस दल के टिकट पर विधान परिषद् के लिये चुने गये, विधान परिषद् से इस्तीफ़ा करवाये बिना आप उन को अपनी पार्टी में लेने जा रहे हैं और उस समारोह में प्रधान मंत्री जी भी उन का स्वागत करने के लिये गई थीं और इस रिपोर्ट के अनुसार आप दल बदलुओं पर एक किस्म की पाबन्दी कहिये, दण्ड कहिये, देने जा रहे हैं। मैं जानना चाहता हूँ कि आन्ध्र प्रदेश की विधान सभा को निलम्बित क्यों रखा गया, बरखास्त क्यों नहीं किया गया। उड़ीसा में गवर्नर ने कहा था कि इन को बरखास्त करो, आप ने उस को मान लिया, लेकिन मणिपुर के मैं बारे गवर्नर ने कहा था कि इन को निलम्बित रखें, बरखास्त न करो, आपने नहीं माना क्या आप की कोई नीति है, कोई सिद्धान्त है।

दल परिवर्तन का जहां तक सवाल है, मैं यह कहना चाहता हूँ—अगर आप लोगों में हिम्मत है तो एक स्पष्ट कानून इस सदन के सामने लाइये। उस पर बहस हो। उस कानून को पास करने के बाद जो दण्ड देना हो दीजिये, लेकिन दल परिवर्तन के अकेले मुद्दे पर आप किसी भी विधान सभा को निलम्बित नहीं कर सकते, बरखास्त नहीं कर सकते। मैं यह आज कहना चाहता हूँ कि इसमें कुछ लोग कहेंगे कि विधान सभा बरखास्त करने से, जो कांग्रेस पार्टी या कम्युनिस्ट पार्टी है उनकी जो मांग थी उस मांग के विपरीत हमने काम किया लेकिन मेरा वह सवाल नहीं है, मेरा सवाल है कि राष्ट्रपति शासन के बारे में कोई सिद्धान्त होना चाहिए और उन सिद्धान्तों के ऊपर आपको हर राज्य में चलना चाहिए। ऐसा नहीं कि सत्ता कांग्रेस की अपनी राजनीति के लिए कभी मनमाने ढंग से 356 धारा का इस्तेमाल करें।

उसी तरह से संसदीय लोकतन्त्र में कई परिषाटी आईं। मुख्य मंत्रियों को बरखास्त करने का अधिकार गवर्नर को है ऐसा हमेशा कहते

[श्री मधु लिमये]

चले प्राये हैं, उत्तर प्रदेश में आपने एक मुख्य मंत्री को बर्खास्त किया, पश्चिम बंगाल में एक मुख्य मंत्री को बर्खास्त किया लेकिन मेरे जैसा आदमी कहता है आप परिपाटियों पर नहीं जाते हैं, परिपाटी यह है कि मुख्य मंत्री की जो सरकार है उसको शक्ति परीक्षा का मौका सदन में मिलना चाहिए, राज भवन में इसका निश्चय नहीं होना चाहिए, यह संसदीय परिपाटी है जिस पर अध्यक्षों की सभा में मोहर लगाई गई है लेकिन राज्यों के मामले में इस परिपाटी को आप तोड़ेंगे और जब मेरे जैसा आदमी कहता है फिर केन्द्र में यह परिपाटी क्यों चले, राष्ट्रपति, प्रधान मंत्री को भी बर्खास्त कर सकते हैं अगर संविधान की शब्दावली को लेंगे तो आप हल्ला करेंगे। इसलिए मैं कहना चाहता हूँ यह परिपाटियों, नियमों और कानूनो का मामला आपने उलझा दिया है, यदि आप इस संघ राज्य को चलाना चाहते हैं और केन्द्र की जो वायस है, तुष्णा है जो दूसरों के अधिकारों को निगलती चली आ रही है उस पर रोक लगानी पड़ेगी।

जहां तक राज्यों का मामला है वे अपने दायरे में स्वतन्त्र रहें। स्थानीय निकायों में जो महानगर पालिकायें, जिला परिषदें और ग्राम पंचायतें हैं उनकी स्वायत्तता को खतम मत करो। उनमें आपने 11-11 महानगर पालिकाओं को निलम्बित कर रखा है। ग्वालियर की महानगर पालिका को कहा गया कि कांग्रेस का मेयर बनायेंगे तो बर्खास्त नहीं करेंगे।

इसलिए मनीपुर का जो मामला है, मेरी इच्छा है कि मनीपुर हमारा सीमान्त राज्य है, मनीपुर की जनता की एक राष्ट्रीय और लोकतंत्रीय परम्परा है उनको आप लोकतन्त्रीय अधिकारों का उपभोक्त लेने दीजिए। हो सकता है वहां लोग कुछ गलती करेंगे लेकिन क्या केन्द्र में आप गलतियां नहीं करते? आप केन्द्र में बड़े पैमाने पर गलतियां करते हैं वे तो छोटे दायरे में गलतियां करते हैं। इसलिए मनीपुर की जनता के साथ इस तरह का आप व्यवहार न कीजिए और वहां पर जल्दी से

जल्दी लोकतन्त्र की प्रस्थापना हो सके, उनको अपने बुनियादी अधिकार मिल सकें, इस तरह की व्यवस्था कीजिए। और राष्ट्रपति प्रशासन के बारे में आप कोई सिद्धांत बनाइये और उसका विवरण सभा घर के सामने रखिए जिस पर यह सभा बहस कर सके।

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
K. C. PANT): Sir, I have
been listening to the debate which is a
spill-over from the last day and
I found that today's speeches are, perhaps,
wider off the mark than on the last day.
I heard both Shri Mohan Raj and
Shri Limaye very carefully and I found
that there were certain misapprehensions
in their mind which would not have arisen
if they had carefully read the Governor's
report and tried to understand the rationale
of our action.

Sir, Shri Madhu Limye, for instance,
referred to the fact the ordinarily the major-
ity of the ruling party should be determined
on the floor of the Assembly whenever
this question of alternative government
arises. Actually, if he had carefully seen the
facts of the situation in Manipur, he
would have realised that a no confidence
motion against the Ministry was being
discussed in the Assembly for several days
and in fact, when the discussion was
about to start, I think it was on the 15th,
the Speaker adjourned the Assembly saying
that there was a law and order situation
outside and, therefore, the Assembly session
could not be held. Later on, the Governor
prevailed upon the Chief Minister to convene
the Assembly once again and thereafter,
on the 22nd I think the Assembly, met
once again, and then the no-confidence
motion was discussed. But apart from the
discussion, the facts became obvious when
32 members sat on one side of the House,
and they were in the Opposition and 26
sat on the other side. I am speaking from
memory, but I think that these were the
figures, namely 32 and 26. So it
became obvious on the floor of the House,
inside the assembly, that the governing
party or group or coalition had lost its
majority, and, therefore, the Chief Minister

himself submitted the resignation of his Ministry and that led to the situation which the Governor has discussed in his report. Therefore, in this particular case, in the case of Manipur, his reference to a matter being decided on the floor of the Assembly is not quite relevant.

श्री मधु लिमये : आप मेरे मुद्दे को समझे नहीं। वैकल्पिक सरकार को भी शक्ति परीक्षा करने का मौका सदन में देना चाहिए। लेकिन वह तो आपने राज भवन में किया है।

SHRI K. C. PANT : If he had followed the Manipur episode, he would know, and I have no doubt that he knows, that the question of the formation of an alternative government would have arisen if the Central Government had accepted the advice of the Governor to suspend the Assembly. But once the Central Government decided to dissolve the Assembly, naturally, this question did not arise.

श्री मधु लिमये : क्यों किया ?

श्री कृष्ण चन्द्र पन्त : क्यों किया वह तो बाद में होगा। आप तो लाजिकली बोलते हैं। आज ऐसा बोल गए इसलिए मैं कहता हूँ।

श्री मधु लिमये : एक तर्कसंगत नीति रखिए। एक आन्ध्र के लिए, एक मनीपुर के लिए और एक उड़ीसा के लिए, ऐसा न कीजिए।

SHRI K. C. PANT : The example which he has selected I am saying, does not fit with his broader analysis or theory.

He referred to the fact the the Governor had recommended suspension, and then he goes on to attribute motives, if you like or to go into the reasons in the Governor's mind for recommending suspension of the Assembly. He says that it was just to punish the defectors that he did so. I would submit that if had carefully read the Governor's report, he would have realised that the Governor had recommended this for reasons which he has stated very clearly. He has not said that

he is going to punish the defectors, but he has pointed out that if out of 32, 18 persons had defected and redefected to one side or the other, that majority was not likely to be very stable. This is what he has pointed out, but even after that, he has not come to a decision that the Assembly should be dissolved. He has recommended suspension, although in the last sentence, he has said that it may be that the situation may ultimately force the Assembly to be dissolved. This is the way he has put his case.

Then he has talked about the budgetary deadline and the reasons for the immediate imposition of President's rule on that account. I think it is a well argued report, and the facts are very clear in the circumstances, and I do not think that the Governor can be blamed for having put forward this point of view. Therefore, I did not understand my hon. friend Shri Mohanraj Kalingarayar asking for the Governor's resignation on this account that he had recommended suspension of the Assembly. I would bring it to his notice that the President of the Manipur people's party, which was the major party in the coalition which formed the Government in Manipur had himself recommended suspension of the Assembly; the Chief Minister had recommended dissolution of Assembly, but the president of the party in his letter to the Governor had recommended suspension of the Assembly. That was his judgment of the situation. So there is no question of the interests of the ruling party being served in that matter.

He even took into account, at any rate, the advice rendered by the President of the ruling party or the majority party in the ruling group and recommended suspension. I do not see how Shri Mohan Raj can take objection to this and why he should read motives into this action on the part of the Governor. I think that was very unwarranted.

The fact of the matter, if one looks at the history of this Ministry in Manipur, is that in the course of one year it had gradually been losing support. My hon. friend from the CPI(M) who spoke, Shri Biren Dutta, as well as my hon. friend from the Jan Sangh, both tried to make out cas that

[Shri K. C. Pant
the Congress Party somehow wanted to form its own Government and, therefore brought about the downfall of the other Government. Nothing can be farther from the truth.

I would briefly like to refer to certain facts. On 20th March 1972, the Ministry headed by Shri Alimuddin was formed. It consisted of the United Legislature Party which comprised the Manipur People's Party, the Socialist Party, the United Naga Integration Committee, Congress(O) and some independents. Skipping over the detailed account of what happened. I will only refer to the fact that on 4 August 1972, within five months of the formation of the Government, the United Naga Integration Committee merged itself in the Congress. Then on 10 October, some Manipur People's Party members announced the formation of a lobby inside the United Legislature Party entitled the United Progressive Parliamentary Group. On 16 November, Shri Raj Mohan Lakshman Singh and Shri O. Tomba Singh members of the Manipur People's party forming the UPPG, resigned from that party. So the effective strength of the ruling group became 31 out of 60. In March 1973, two Ministers of the ULP coalition resigned and with them several other MLAs resigned. They formed what is known as the Progressive Independent Group and they went over to the Opposition. This led to the resignation of the Ministry on 26 March, 1973.

I am mentioning this only to show that it was a progressive weakening of the Government and its strength in the Assembly over the months that brought about this situation. I can say with all sense of responsibility—and there are two members from Manipur here who, in fact, may not have liked the Central Government's attitude in the matter—that during those twelve months or so in which this Government was in power, the Central Government was more anxious to keep them in power than it is normally with regard even to Congress Governments in other States. We have not only co-operated with this Government which was an Opposition Government, but we have been advising our own partymen all along not to create situations in which this Government falls. The reason is that

because this was the first Government formed in Manipur, we wanted the democratically elected Government to have its full chance in the State. It is in spite of our efforts to keep this Government going that it ultimately fell because it could not keep its members together. And it is thereafter that we were forced into this situation where President's rule became necessary. To suggest that we were at any stage encouraging this process would be a travesty of facts and would be utterly out of line with the actual efforts we were making from here.

Then, thereafter, the simple point is, if the Congress had again to form a Government there, what was there to prevent us—the Central Government who are today being charged with having an interest in forming a Congress Government in Manipur—from accepting the Governor's advice for suspension of the Assembly? After all, if the Assembly had been suspended, the likelihood was that the Congress would have been able to form a government along with some other parties and groups. So, by not suspending the Assembly we prevented the Congress from forming a government in Manipur; how can anybody in the face of these facts charge the Central Government with having protected the interests of the congress party there? . . .
(Interruption)

SHRI BIREN DUTTA (Tripura West) :
The Congress was weak in number.

SHRI K. C. PANT : The Congress was the largest party in Manipur after the last elections. Not the majority but the largest party. Please do not be under the illusion that the Congress is very weak. So, if we had wanted, the simplest thing would have been to accept the Governor's advice and gone ahead, but we felt that it would be only proper for the people of Manipur to have another chance to elect a government and in the light of the facts which have been explained by the Governor, we felt that the proper thing to do was to dissolve the Assembly even if it meant that the Congress could not come to power in Manipur at this stage. Therefore, I think there is absolutely no one who will accept this charge of an interested action on the part of the Central Government in this matter.

Then the question of early election was raised. We are interested in early election in Manipur, but as I have explained in respect of Orissa also in the House, after the census operations have been completed, the law requires that the delimitation of constituencies should be done and this process will have to be gone through before the elections take place in Manipur, and this will inevitably take some time.

Shri Biren Dutta asked me what would be the link between the NEC and the administration during President's rule. Actually, the link is obvious. In all such cases, the administration, namely, the Governor's administration there takes over the function of the State Government and would have the same relationship with the NEC as in other States. In this particular case, the Governor is also the Chairman of the NEC. He would also be in charge of the administration of Manipur directly, and there will be a very close link and liaison. . . .

SHRI BIREN DUTTA : You have formed an Advisory Council. Would any member of the Advisory Council, also be associated during this period with the North-Eastern Zonal Council?

SHRI K. C. PANT : No; certainly not. One redeeming feature of the debate from the point of view of the contribution of the CPM Member was that I found that he is very concerned about democracy in India and that I hope, is a change from for the past and a change for the better.

My hon. friends Shri Tombi Singh and Shri Paokai Haokip, both have made very useful speeches and many suggestions, and I have made a note of these suggestions and I will try to profit by them. In particular they both referred to the charges that have been levelled against the erstwhile ministry in Manipur, and they asked for a probe to be carried out. Sir, when I visited Manipur recently, a memorandum of charges was given to me and in all such matters the allegations have to be examined, whether there is a *prima facie* case, whether the allegations are correct, etc. Preliminary enquiries in respect of these are to be made by the Governor and we are referring the matter to him. Further action will be considered on receipt of his report.

13 hrs.

Shri Tombi Singh took objection to certain remarks by Shri Dutt and said that there should be no patronising attitude towards the North-east and there should be no feeling of we and they, that they are receiving money or we are giving them money. I entirely agree with him; I am sure that the whole House will agree with him. There is no question of having a patronising attitude towards the North-east. We have to see to it that we develop all the backward regions in the country, and we take care of their special problems. For instance in this case the problem of communications and other special problems, we have to take care of them as part of the national policy and the country has to help the North-east to the maximum extent possible to make for lost time, because time has been lost in the North-east; of that I am personally aware.

Shri Tombi Singh referred to the various acts of commissions on the part of the previous Government and certain cases of corruption and so on. He wanted the public life of Manipur and the politics of Manipur to be clean. I am completely at one with him and it will be our endeavour during President's rule to give a clean Government to Manipur.

He referred to the drought situation. Unfortunately both last year and this year there has been a shortage of rainfall in Manipur and the result has been that the crops have suffered: during the last year rains failed in almost all parts of the State. Hence the khariff crops suffered by fifty percent and the State Government took steps to launch rabi crop and double the area under paddy, but unfortunately this year during January-March rains failed once again. I am aware also of the fact that even drinking water is scarce in certain areas and this has to be tackled on an emergency basis. He made the point that the money given by the Government of India for minor irrigation had not been fully utilised. I shall have to look into this point.

About the general question of development of the region, particularly Manipur, Shri Tombi Singh made many useful suggestion and Shri Haokip also made so me

Shri K. C. PANT

suggestions. All I can say is that President's rule has been brought in at a time when the Fifth Plan is under preparation and when the Northeastern Council will also start functioning. So it will be our endeavour during President's rule to promote the long-term interests of Manipur and other areas by helping in the drawing up of projects, in the allocation of funds, in the preparation of the Fifth Plan for the region which will at least to some extent meet the requirements and needs of this area.

He referred to deer of a very rare variety which required protection in the context of tourism. I would submit—tourism or no tourism—that this is a matter which should be looked into and the deer should be given protection. I think that he has taken up the matter with the concerned ministry.

My hon. friend from the Jan Sangh made a very amazing statement. He said that the fine arts, music and cultural heritage of Manipur is not given any importance at all. Somehow he blames the Centre for this. I do not know how his mind is working in this matter. But, the fact of the matter is that Manipur has a tradition of fine arts, of songs and dances and it has a rich cultural heritage, of which we are all proud and the whole country has been supporting in its own way the growth of this culture, the growth of all the elements of culture, fine arts and dances and so on. Today, Manipuri dance is almost a household word in the whole country and the girls all over the country to-day are taught Manipuri dancing. And so, there is no question of the Centre or any part of the country not being proud of the cultural heritage of Manipur. We are proud of it and it will be our continued endeavour, here I speak not only for the Central Government but for all parts of the country also, to see that the culture of Manipur grows to its full height because, in that lies the beauty and the splendour of Indian culture as well. When all parts grow, then only the composite whole grows to its full height. Shri Jharkande Rai referred to the fact that feudal exploitation still continues in Manipur. I will only mention here that the Manipur Land Revenue and Land Reforms Amendment

Bill, 1973 is one of the legislative measure which we propose to enact as President's Act during President's Rule.

Manipur is a sensitive border area and we have to see that it is strengthened so that it can discharge its responsibility as a border State and, at the same time, we have to be aware of the problems of Manipur. In this context, you know that in some areas in the hills and in the plains, in the past, there have been youngmen who have often spoken of secession. We have taken note of this fact; the House should take note of this fact. It is fortunate that in the last so many months, there has been no perceptible activity in the plains and the activity of these elements in the hills has also been much less than in the past. But, this task still remains for us and we have to see to it that in Manipur there is full integration, between the hills and the plains and also between the rest of the country and Manipur, there is the kind of relationship which does exist for almost everyone except this small group. We should try to win over this small group also. I would submit that here is a task which is still left for us. I do not think that it is a big task. I do not want the House to get the impression that there are many such people. But, there are a few youngmen which we should accept and it should be our endeavour to win them over all to the right path.

Some hon. Members referred to the Defection Bill. My hon. friend, Shri Madhu Limaye referred to Chandusi where our Prime Minister had gone and where Shri Prabhu Narain Singh and so on has joined the Congress.

I do not know why he should be sore about it. They have parted company from him in any case.

श्री मधु लिमये : यह सबाल नहीं है। आप चाहे कितने लोगों को ले लीजिए, लेकिन उन से विधान परिषद् से इस्तीफा दिलवाइए।

SHRI K. C. PANT : He has not lost anybody to us. He had lost these people earlier. So, I do not think he should feel sore on that account.

So far as the Defections Bill is concerned, he said that we should have the courage to bring forward that bill. I am very glad

to say that Defections Bill is now ready and, as I have said on an earlier occasion, I have every hope that we shall be able to introduce the Bill in this session. We have been trying very hard to get the Bill finalised and we may have to crave your indulgence to allow us to do so without the requisite period. I hope the House would also agree with me that in regard to this measure there would be justification for waiving the notice period so that we can introduce this Bill in this session and the House will have an opportunity, the members will have an opportunity, to study this Bill during the inter-session period, till we meet again.

I think I have dealt with all the points. I thank you for giving me this opportunity.

MR. SPEAKER. The House had agreed for the discussion of both the Resolution and Bill together for which two hours were allotted. Those two hours are over. I will first put the Resolution to the vote and then the Bill without any further discussion. The question is :

"That this House approves the Proclamation issued by the President on the 28th March, 1973, under article 356 of the Constitution in relation to the State of Manipur."

The motion was adopted.

MR. SPEAKER : The question is :

"That the Bill to confer on the President the power of the Legislature of the State of Manipur to make laws, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. SPEAKER : We will take up clause, consideration. The question is :

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

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

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

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

"That the Bill be passed"

MR. SPEAKER : Motion moved :

"That the Bill be passed"

श्री मधु लिम्बे : अध्यक्ष महोदय, मैं जब बोल रहा था, तो मंत्री महोदय ने कहा कि

राज्यपाल की रपट में दल-परिवर्तन को दंडित करने की कोई बात नहीं है। मैं उन का ध्यान गवर्नर की रपट के पृष्ठ 7 की ओर दिलाना चाहता हूँ।

"It is true that in a Legislature in which 18 members have changed sides, including the 13 mentioned above, within a period of one year, there is no certainty that any Government would be stable and there is the temptation to try to clear the air by the ordering of fresh elections."

उन्होंने एक स्थायी सरकार न बनने का कारण दल-परिवर्तन ही बताया है। उन्होंने जो टेम्पटेशन की बात कही है, उस की शिकार तो केन्द्रीय सरकार ही है।

गवर्नर लोग दल-परिवर्तन के बारे में लगातार अपनी राय देते चले जा रहे हैं। उड़ीसा के गवर्नर की रपट के पृष्ठ 7 से एक वाक्य मैं मदन के सामने रखना चाहता हूँ :

"It will thus be clear that political defections by members of the Legislative Assembly in the State from time to time either for consideration of office or for personal gains has become common and has affected the political life of the State adversely. This tendency is harmful to the functioning of democracy... ."

अध्यक्ष महोदय : अब तो वह बिल आ रहा है।

श्री मधु लिम्बे : मैं कहना चाहता हूँ कि जब गवर्नरों द्वारा लगातार इस बारे में टिप्पणियाँ की जा रही हैं, तो सरकार कोई कानून बनाये, संविधान में परिवर्तन करे। वह गवर्नर को दल-परिवर्तन करने का अधिकार क्यों देती है ?

मंत्री महोदय ने उन मौजवातों के बारे में कहा है, जो मणिपुर को भारत से अलग करना चाहते हैं। जब मैं सुप्रीम कोर्ट में अपने मामले में जाता था, तो उन लड़कों से मेरी भी बात हुई। आप की मार्फत श्री पन्त से मेरी विनती

[श्री मधु लिमये]

है कि वह उदार बन कर उन नीजवालों को छोड़ दें और उन को मौका दें कि वे अपनी नीतियों और अपने रवैये पर दोबारा सोचें। मैं नक्सलवादियों के बारे में भी यह कहना चाहता हूँ कि मंत्री महोदय उदार बन कर उन को छोड़ दें। अगर वह उन को जल्दी छोड़ना नहीं चाहते हैं, तो कम से कम मुझे उन लोगों से मिलने की इजाजत दे दें।

SHRI N. TOMBI SINGH (Inner Manipur): Mr. Speaker, Sir, in the Report of the Governor, it was mentioned very prominently that the people of Manipur were already tired of President's Rule. In this case, remembering what happened during the one-year rule of ULP Ministry, the people, in spite of their tiredness of President's Rule, had some consolation that there was a change. What would have been better was to enable the party which had a commanding majority then to form a Ministry. But the Governor in his peculiar and very unique way, taking all the arguments of the people's party and then of the Chief Minister, spoke with two voices in his own report.

In the Report, he gave a very discouraging picture and the conclusion was to console the Congress group to some extent; but he also encouraged the other group by taking all the arguments from them; and then to consolidate the Congress group, he recommended a mild action. The Government of India had realised that the report was self-contradictory to some extent. I do not want to say much about what had happened.

As I have said, we are already tired of President's Rule. It should not be a repetition of the old picture. What I mean to say is that bureaucracy should behave. It is not very difficult to create division in Manipur, the valley against the hill and the hill against the valley, one party against the other and so on. We have seen during the last 25 years that officers have a very easy role to play by dividing the people in this way. During President's rule the Home Ministry should take care to see that no officer, particularly those who are high-ranking officers, Secretaries and Advisers, who supply brain to the Government, plays the role which

the Britishers had played. It is in the interest of the nation that the people of Manipur, particularly, the relationship between the hill people and the valley people should be kept up. They should not take the opportunity of playing this role, perpetuating their stay there setting one against the other. This has been our bitter experience. It is our request that the Home Ministry should take care of this particular aspect.

One more point and I am done. The ULP Ministry, forgetting the major aspects of the people's faith, spent the funds allotted by the Government so generously in some subjects for their own welfare, in the promotion of their tasks and in the maintenance of so many of their personal luxuries I have got a report that the students of Manipur are now agitating on the subject of low income scholarship. This is a very important subject concerning almost all the students, particularly of the low income group. There is no industry and the people are poor. Almost every family excepting a few falls in this group. If this issue comes, the Home Ministry, and particularly those who are concerned with education of the state, should not take this casually; they should not take merely a casual view of this but should take a permanent view and provide funds in all the budgets sufficiently for the grant of low income scholarship. I hope, particularly this year, the Home Ministry will rush and save the situation by providing necessary funds by moving Finance and other Ministries concerned, so that the students who are now agitating may be satisfied. At least, on this aspect of low income scholarship, there should be a solid policy, a permanent policy; no casual decision should be taken on this.

SHRI K. C. PANT : Mr. Madhu Limaye had referred to the Governor's report. May I also refer to the same report, page 4, para 10?

"As it had become increasingly apparent as time went on that the Government would be defeated, I have been attempting to assess whether, if I called upon the leader of the 'Progressive Democratic Alliance (PDA) Shri Daiho of the Congress party, he would be able to give to Manipur a stable and

viable Government or whether it would be necessary for you to take over the Government of Manipur, etc."

Then, later on, on page 5, under (b), he says:

"Of the 31 members of the P.D.A. no less than 13 have changed their party loyalty since they were elected. Some of them more than once."

Then, under (c), he says:

"While it is possible that to a P.D.A. Government is established, it will gather more support for the usual reasons in such circumstances, it is also possible that it will lose some members who are now supporting it when they find that their hope of office are not fulfilled."

Therefore, it is this situation that confronted the Governor, and being anxious to provide a stable Government, he naturally made this recommendation. This explains his hesitation in the matter.

About the young men, I am not very clear whether any of them is in prison now. I shall find out. But my impression is that they are not. As I said earlier, our approach is one of sympathy and of trying to win them over to the path of sanity, to a path which will enable them to give out their best for the construction of not only Manipur but the whole country.

I agree with Shri Tombi Singh that no attempt should be made to divide the hill people from the valley people. It is fortunate that Manipur has been an integrated entity for a very long time. Therefore, unlike some of the other areas on the north-east, there is integration between the hill people and the valley people to a large extent. Of course, we have to provide certain safeguards to the Hill People. That is only because of the agreement of the valley people to these safeguards and therefore, these safeguards have emerged as a result of a dialogue carried on between the Centre, hill people and the valley people and I am very glad that the leaders of the valley people themselves have suggested that certain safeguards are necessary. I certainly accept his advice and if there is any instance in which an officer carries on activities which

*Moved with the recommendation of the President.

tend to exploit this idea of dividing the valley people and the hill people or intention to divide them anyway, if he brings to our notice any such instance, we shall certainly take action in the matter.

Finally, with regard to scholarships to the low income group students, this matter is a matter which has to be discussed with the Education and Finance Ministries. I am not in possession of all the facts just now but I can assure my hon. friend, Mr Tombi Singh he knows my interest in Manipur—that I shall certainly do my level best to help him in the matter and together, we shall move the Ministries concerned.

MR SPEAKER The question is :

The motion was adopted
 "That the Bill be passed."
 13.26½ Hrs.

COAL MINES (NATIONALISATION) BILL

MR SPEAKER : Now, we take up the next Bill - Coal Mines (Nationalisation) Bill. Time not allotted.

I think two hours should be sufficient.

SHRI INDRAJIT GUPTA (Alipore): No, Sir. At least four hours are required.

MR. SPEAKER : We are at the fag end of the session. All right, you can have three hours, (Interruptions). Any way I can make marginal adjustments.

13-27 HRS. MR. DEPUTY-SPEAKER IN THE CHAIR.

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMAR-MANGALAM) : I beg to move* :

"That the Bill to provide for the acquisition and transfer of the right, title and interest of the owners in respect of the coal mines specified in the Schedule with a view to re-organising and reconstructing such coal mines so as to ensure the rational, co-ordinated and scientific development and utilisation of coal resources consistent with the growing requirements of the country, in order that the ownership and control of such resources are vested in the State and thereby so distributed as best to subserve the common good, and for matters connected therewith or incidental thereto, be taken into consideration."

[Shri S. Mohan Kumaramangalam]

It is well-known that coal is really the crucial source of mineral wealth in our country. We have in our country proved resources of somewhere in the region of 8-1/2 billion tonnes of non-coking coal and another 15 billion tonnes indicated, 5 billion tonnes of coal from captive mines, and 7-1/2 billion tonnes of inferred resources. This shows the enormous wealth of coal which we have in our country and this is apart from the metallurgical coal reserves which alone amount to somewhere in the region of 13 billion tonnes. I do not think at this stage it is necessary for me to go into a detailed discussion of the reasons which moved the Government to take over the mines in the private sector. I will content myself on this occasion by merely giving two quotations, one from the Burrow Committee report of 1937 which described the coal trade like this :

"The coal trade in India has been rather like a race in which profit has always come in first, with safety a poor second, sound methods, and 'also ran, and national welfare 'a dead horse' entered perhaps but never likely to start . . . Neither the Government nor landlords can escape responsibility for allowing this state of affairs to prevail for so long, but this does not alter the facts, nor still will it justify further inaction on the part of all concerned."

This was written in a report of a committee set up by the Government of India some 36 years ago. 17 years later, the Coal Commissioner of the Government of India gave evidence before the Estimates Committee of the Lok Sabha and he stated :

"Almost upto 1939, when regulation 77 of the Indian Coal Mines Regulation came into force, the producers of coal had an absolutely free hand in producing coal from wherever they could and in any manner they thought best. During this period of absolute *laisse faire* profit was the primary consideration, safe methods were in the picture only here and there and national interests were completely forgotten. The industry and the country are to-day paying the price for this ruthless and haphazard exploitation of this national wealth during those days . . .

Mining rules had therefore to be tightened up. Gradually controls were introduced but even then, the measures of control are only being circumvented and the owners by themselves have done very little to cooperate in the policy of greater safety in coalmines and the conservation of good quality coal.

All that the private sector of the industry asks now is : Take away the irksome controls, allow us to increase the price of coal, don't ask us to pay the labour anything more and promise that you will not take our mines away from us, and in return, we shall open mines and close them as we think best, produce coal in the manner that suits us best and give the country coal to meet the requirements of the future."

This is what the Coal Commissioner said some 20 years ago :

"If nationalisation is postponed by 25 years and the industry is given a free hand there will be little left at the end of the period for the country to take over. We will be left with a number of units which, if not affected by underground fires, and other hazardous conditions would be uneconomic to work. At that stage, the prospects of nationalised mines producing the requirements of the country at a fair cost will be remote and the chances of nationalisation not succeeding will be greater."

I request hon. Members when discussing this Bill and the performance of the Coal-mines authorities during the three months of the take-over, to keep in mind this warning of the Coal Commissioner. It is a very difficult situation which we face on the coal front. It is necessary that we should keep in mind the very serious problems which faced us ever since the take over. Sedulous and conscious attempts have been made by enemies of nationalisation to discredit the actual working of the coal-mines after nationalisation. Attempts were made to discredit them quite consciously and very recently in Delhi today as well as day-before-yesterday, they have resorted to giving facts in newspapers which are, to put it mildly, contrary to the truth

This Bill is to complete the vesting of the ownership of the mines in the Central Government. When I moved the Bill for the take over of the management a couple of months ago that was only for vesting of management. This is the Bill that really completes that process. After this Bill is passed into law in Parliament, it will mean that all the mines, the title and interest of the owners whose names are given in the Schedule, will vest in the Central Government free from all encumbrances with effect from 1-5-1973.

I do not want to go into details. But I wish to point out one or two salient points. We have stipulated that in accordance with the provision 31(2) of the Constitution payment of compensation will be made. The amount that is to be paid in cash, will be something like Rs. 30 crores. It includes whatever might be the value of the stocks on hand as well as the value of the assets. It was really a herculean task performed by officers of the Coalmines Authority and the Department of Mines to perform this task and make a correct assessment and I may say that they have made a fair and honest assessment of the value of the assets.

These 30 crores are not going to be paid out immediately to mineowners. All that we have provided in these provisions, which are of great importance, is this. All the moneys payable to owners will be deposited with the Commissioner of Payments, who is responsible for disbursing these amounts payable to each owner. Before disbursing he will first consider all the claims made by creditors against the owners of these coalmines and only after the claims of these persons and liabilities are satisfied will be disburse these to the owners.

We have said that as far as workers are concerned, highest priority, even over secured, creditors, is being given in respect of certain categories of workmen's dues, that is to say provident fund dues on the one hand and arrears of wages on the other. These dues will be recovered in the first instance from the amounts specified in the schedule against the owner of the coal mines. Then comes the secured creditors the amounts advanced by the Central Government and dues in respect of royalty etc. Finally, will come the unsecured creditors who have no real prior claim on this money.

The general scheme so far as payment of compensation is concerned is : Firstly, the amount has been computed really taking into relation the value of the assets on the one hand and the value of the stocks on the other. Secondly, that against this amount of compensation the dues of the workers' provident fund and wages will receive first priority; then comes secured creditors and finally after the amounts advanced by the Central Government during the period of management and the State Governments will come the unsecured creditors. I think this is a fair method of disposing of the matter.

Hon. Members will appreciate that we have been having during this period of three months, that is to say, since January 30, an organisation called the Coal Mines Authority headed by a Custodian General and assisted by Additional and Deputy Custodian Generals and other officers who have been running these taken-over mines. Most of these officers are from the National Coal Development Corporation or Bharat Coking Coal and some of them are from Coal Board and the Directorate General Mines Safety. Qualified mining engineers have been in position as Managers. Some of them are from the private sector but the supervision is in the hands of the officers who have come from these different public sector organisations or government organisations.

After the Bill is passed into Law we propose to have a different structure because no longer will the question be one of certain officers operating on behalf of the government and using powers of management that have been vested in government but it will be a question of setting up a permanent organisation that will exercise the rights of ownership and control of the government and see to it that coal production is developed effectively.

The position as it stands today we have three public sector organisations in existence—the National Coal Development Corporation which produced 16 million tonnes of coal in 1972-73 and employes about 60,000 workers; The Bharat Coking Coal produced 12.72 m. tonnes and employes 1,26,000 and finally Singareni collieries which produced 5 m. tonnes and employes 32,700 workers.

[Shri S. Mohan Kumaramangalam]

Our assessment is the coal production of the mines which are included in what is called Coal Mines Authority is about 40 million tonnes and the number of employees will be in the region of 2 lakhs. The idea is set-up a unified organisation leaving aside Bharat Coking Coal on the one hand because it is closely linked to Steel plants and Singareni Collieries on the other. Singareni Collieries is an organisation in which the Andhra Government has got the major share-holding and which covers the collieries only in that area. So far as the rest of the country is concerned we intend to have a separate Corporation probably it will be called Coal Mines Authority Ltd. which will include within it the National Coal Development Corporation as a separate subsidiary of the Coal Mines Authority. This Coal Mines Authority will really cover the coal mines in Assam—which will be put under a separate General Manager; then the Raniganj-Asansol area, the Bihar area, which together with Talecherin Orissa and Singrauli coal fields will be under the National Coal Development Corporation then finally the Madhya Pradesh and Maharashtra area. This is broadly that division that we want to bring about when we set up the new organisation after this Bill becomes law.

Naturally, the responsibilities of the new Coal Mines Authority when it is set up will be very important and we shall have to see that adequate power is granted to the authority to enable it to discharge its responsibilities. Briefly, the objectives before this authority would be : to formulate and recommend to Government a national policy for the conservation, development and scientific utilisation of the coal resources of the country; to act as the entrepreneur on behalf of the State in respect of the coal industry and plan and organise the production of coal; to operate on sound commercial principles and ensure utilisation of capacity in the various projects; to see that the price is reasonable both from the point of view of the consumer as well as from the point of view of the producer; and then to function as an employer who is really able to make up for all the sins that have been committed against the workers in the coal-mining area over a these years. These briefly are the main objectives which we

shall be putting forward before the Coal Mines Authority.

Our idea is that the headquarters of the Coal Mines Authority will be located in Calcutta. I want to make this quite clear right now, because here has been a lot of demand from different States where coal happens to be mined that the headquarters should be in this State or that State. But I think hon. Members here will be able to take a much broader view of the whole position and appreciate that since coal is being mined on a substantial scale in seven different States, although the main ones are really three, that is to say, Bengal, Bihar and Madhya Pradesh, Calcutta is the commercial centre from which coal-mining companies have operated before, where accessibility from the point of view of the coal mines is the maximum, and in addition a large number of the employees who were working in the head offices of the different coal-mining concerns also are working in Calcutta. So, from every point of view, I think it is the proper place where the headquarters of the Coal Mining Authority should be.

Of course, the headquarters of the NCDC which after this Bill is passed into law and the new company has been set up which will be a subsidiary of the Coal Mining Authority, will continue to be at Ranchi, and we shall have the headquarters of the eastern division, that is to say, the division which looks after the Raniganj coalfields, very likely in the Raniganj coalfields themselves, and the headquarters, so far as the western division is concerned, namely the Madhya Pradesh-Maharashtra area, somewhere in that area. We have not yet taken a final decision about the actual location of these, what may be called, divisional headquarters.

It is the intention to provide to the maximum extent decentralisation and delegation of powers so that in effect these different divisional headquarters including the NCDC will operate like subsidiary companies of a big holding company. But the real objective in all these cases is to give maximum initiative to the divisional organisations so as to enable them to build up coal production as rapidly as possible in the coming period.

Hon. Members are aware of the fact that we have got a stupendous task on the coal front before us, and we have got to build up the production from something like

70 million tonnes as it was in 1971-72 and 75 to 76 million tonnes as we expect it to be in 1972-73, and we have got to take it up to over 140 million tonnes or probably 141 to 142 million tonnes in 1978-79. A particularly rapid increase that we have to aim at is in the Central India coalfields and the Singrauli Coalfields and the western belt of Bihar, if one may so call it, because of the enormous pressure on rail traffic in the Bengal-Bihar area, so that what we shall ultimately hope is that we shall be able to, while increasing rapidly the production in the Bengal-Bihar area itself very substantially in this period, have an even more rapid increase in this area.

For this purpose, it will obviously be quite impossible for us to be able to move forward if we do not give adequate authority to the local management of each division, the area management of each division, to enable them to exercise initiative and push up production fast.

I would like, before I sit down, to take a couple of minutes on the present performance of the Coal Mines Authority. During 1972-73, we expect that the total production of coal will reach the all-time record of somewhere in the region of 76 to 76.5 million tonnes, surpassing the previous record of 75.7 million tonnes in 1969-70. The tempo of production after the takeover has not only been maintained, but has actually improved. In February, the total production of the Coal Mines Authority was 3.45 million tonnes and in March 3.73 million tonnes, as against 3.01 million tonnes in February 1972 and 3.24 million tonnes in March, 1972. In April 1973, unfortunately, production has dropped a little compared to March to 3.42 million tonnes. But this is, to a considerable extent, due to frequent power cuts that have taken place on that area holding up work in the mines. We have had as much as 20 to 22 trippings on a single day and occasionally we have had even a whole shift not being able to operate due to difficulties in relation to power.

But with all that, I have no doubt that the actual production of coal during the last three months has not gone down. What has been reported in some sections of the press is motivated and is not correct. We have had difficulties in a number of areas, particularly on the question of transport from some of the more remote areas where

transport facilities are not as good as they might be. That is why sometimes we have had a certain shortage. But I would like to mention, particularly because I think it is much better to deal with concrete things rather than in general, that recently there has been a spate of information supplied in the press which does not actually relate to facts at all. Today, for instance, we have a headline in one of the leading newspapers in Delhi that 20 thermal power stations have been hit by shortage of coal. Now out of the power stations that are mentioned, it is incorrect to mention four at all. There was no closure in four of them for want of coal. I can give the names: Trombay, Parli, Puray and Bho-saval. One unit of the Nasik power station was closed for one day in view of shortage of coal. If you add the total production of all the other power stations mentioned—I have not had time to check up on all these—it comes to an installed capacity of 57 MW in a total installed thermal capacity in the country of about 9,000 MW, namely half percent of the total production. The coal requirements of these small power stations is in the region of about 0.1 million tonnes out of the total requirements of all thermal power plants of 20 million tonnes. As a matter of fact, between 1971-72 and 1972-73, we have increased the delivery to thermal power stations, and therefore, their consumption from 17 million tonnes to 19 million tonnes, that is to say, by about 20 million tonnes compared to 1971-72.

So it is not true really to say that there has been any serious crisis of any sort in relation to power stations. No doubt on occasions there have been certain difficulties in power stations. That is to a considerable extent due to dislocation of rail movement, probably because of diversion for other purposes of the use of wagons, strikes that have taken place on certain occasions; as for example, in Ratlam where there was a strike which dislocated the delivery of coal to the Rajasthan power stations and so on.

But I would like to emphasise that we are fully aware of the importance of adequate supplies of coal being rushed to all thermal power stations, particularly because we know that shortage of hydro-electric power generation has hit the country hard. In fact, a Standing Linkage Committee within

[Shri S Mohan Kumaramangalam]

the Joint Secretary in the Department of Mines in charge of coal as the Chairman has been set up, with the Member, Thermal Power of the CWPC, the Director of Traffic, Ministry of Railways as well as officers from coal producing organisations, as members. What the Committee does is not merely to fix up linkages but also to draw up monthly programmes for each power station in the country. A control room has been set up in the Ministry of Railways where we are in a position really to answer questions daily how much is the stock in every power station. As a result, to a large extent we were able to meet the demands of the power stations. For instance, though a very lurid picture has been given again in the report in the press this morning, about the position regarding the Ennore and Basin Bridge power stations, I think hon. Members would be interested to know that the present coal stock in Ennore is sufficient for seven days and in Basin Bridge, 25 days. There is no question of any danger of these power stations in any way closing down despite the fact that—and I would like to emphasise this—in Ennore, the coal required is substantially more than last year, now, a third. 110 mw station is being commissioned this month and the coal requirement has now gone up nearly twice, to 1,10,000 tonnes a month. Still we should be able to manage it and we will manage it because we are conscious of the importance that is there and how important it is for the south.

I can give another example. Take, for instance Nasik. Nasik, last year, by the ordinary installed capacity norms of 280 mw station, needed about 70,000 tonnes a month. But because of drought in that area it has stepped up its production and is consuming at the rate of 90,000 tonnes a month and would like to have some more if we can give it. Naturally, we have difficulties in being able to push up beyond that, because we have planned on the basis of being able to deliver 70,000 tonnes a month. So, even when we are faced with these difficulties, I think the coal mining authority and the railways have done a good job in attempting to solve the crisis that has been repeatedly facing us in this area.

Then one final mention may be made. Hon. Members I think will appreciate this

fact also. We had in another newspaper, just a couple of days ago, a three-column headline saying "Delhi heading for a big power crisis", and a sub-headline, "Dwindling coal supply may hit generating Units." Immediately, I investigated the position and the next day, therefore, comes, not of course in a prominent place because that would not serve the purpose of those who like to portray this entire affair as they like, another headline saying "no danger of power crisis in the capital," and adding that "the Delhi Electric Supply Undertaking has ten days' coal supply in hand and there is no danger of any immediate power crisis, according to Mr. B. C. Cariappa, General Manager of the Delhi Electric Supply Undertaking." He says "that the generating Units are already functioning normally and only one of them, in Rajkot, has been shut down for inspection and periodical overhaul, and Indraprastha was a little low due to shortage of Grade II or Grade III coal and so on and the Bhatat Coal Mine may make up, etc." I am only bringing this to the notice of the hon. Members because it is my belief that there is quite a conscious propaganda, sedulously cultivated propaganda to discredit the decision of Government in taking over the coal mines three months ago. Otherwise we will not get these big headlines which seem to portray that there is a major coal crisis in the country due to the lack of coal. Of course what else would it be due to? And yet, when we investigate the fact in these allegations,—and to use words with all the sobriety at my command we find that they are actually false, and that there is no truth in them at all. There is some truth in some facts, there is no truth in many facts and this I think, the hon. Members will bear with me when I defend the action of the coal mining authority in the mine. I have done.

Now I will say a few words about difficulties, particularly in relation to the domestic consumers on the one hand, and the brick burning on the other. This is a difficulty of what may be called the low priority sectors on the one hand and secondly, in the distribution system itself we are having so many problems. The dealer is not playing fair because in an atmosphere of scarcity he wants to make the maximum money that he can. But we are attempting to see how soon we can get over it.

I would only bring hon. Members back to the warning given by the Coal Commissioner nearly 20 years ago that when you do nationalise you are going to face a great number of problems and probably problems which you will not be able to tackle at all. That was the gloomy Cassandra-like prophecy made so long ago. I can only claim, I think, that it has not been as bad as that. But we have had difficulties and we are going to have them. But I would ask for the co-operation of all hon. Members of all parties in seeing to it that we are able to solve these problems as they come up one after the other.

The problems are not easy problems but they are problems that can be solved. I think that if we give our full support to the organisation, to the managers and the workers we shall be able to go ahead with them.

It will take us sometime to make the organisation settle down. After all we are taking over at one stroke something like 600 coal mines and trying to bring them under a single organisation with a single leadership. There are problems in doing this. I have seen in organisations like the Indian Airlines where you had different units, far fewer in number, when they were being brought together it took time because they had their different traditions, different methods of work, different practices and so on. Here we have got far larger number of companies working in different ways. Hon. Members are aware that the morals of many of these erstwhile mine owners were not of the best and therefore the morals of some of the persons who worked under them were not also of the best. To be able to clear up all these and set up a really good, first-class organisation committed to the public sector and to the development of coal production in the country in the manner in which I indicated earlier is no easy task. We need co-operation and,—may I use the word, friendly criticism, even correction of all hon. Members and of people in the country at large. But we do need also a certain amount of sympathy and friendly approach and more than anything else a refusal to believe a number of false statements that are being circulated in order to discredit the position of the Government, of which only one

criticism, if at all, can be made, that it came something like a quarter of a century too late. I would commend this Bill to the House that it be adopted.

MR. DEPUTY-SPEAKER : Motion moved :

“That the Bill to provide for the acquisition and transfer of the right, title and interest of the owners in respect of the coal mines specified in the Schedule with a view to re-organising and reconstructing such coal mines so as to ensure the rational, co-ordinated and scientific development and utilisation of coal resources consistent with the growing requirements of the country, in order that the ownership and control of such resources are vested in the State and thereby so distributed as best to subserve the common good, and for matters connected therewith or indicated thereto, be taken into consideration.” (*incidental*)

SHRI ROBIN SEN (Asansol) : Sir, I consider this Bill to be inadequate to meet the purpose of nationalisation unless some basic changes are made in it, the Bill, as it is, may prove to be self-defeating. Despite official propaganda eulogising the measure as a big step towards socialism, the Bill merely seeks to protect the interests of the former coal mine owners, even at the cost of the national interest, not to speak of the right of the workers, which the Bill fails to protect. The former coalmine-owners in the past had resorted to slaughter of mining by which these valuable resources were wasted. The mine-owners were interested only in earning profit and making money. They swindled the provident fund of the workers to the extent of Rs. 10 crores and other dues to the extent of Rs. 30 crores in West Bengal alone. They also did not pay royalty and taxes to the Government of West Bengal to the tune of Rs. 24 crores. Just before take-over, these mine-owners shifted valuable properties and equipments from the coal mines to some other places. They closed down at least forty collieries in the Ranigang-Asansol coal belt and rendered at least forty thousand workers unemployed.

Before closing down these mines, the owners did not pay the workers their dues—their earned wages and their bonus, etc., etc.

[Shri Robin Sen]

14 hrs.

In spite of these crimes, the Government is proposing in this Bill to pay a handsome compensation to these mine-owners to the extent of Rs. 35.36 crores—a prize for all their misdeeds! I am sure that the burden of this compensation will fall upon the people. Sir, I strongly oppose the section which provides compensation to the mine-owners. I suggest that this section should be deleted and substituted by a new provision in the Bill that no compensation will be paid to the former mine-owners who were unscrupulous.

It is true that there is a section in the Bill, that is, Section 20, I think, wherein it is provided that the workers can go to the court for realising their legal dues. But, Shri Kumaramangalam knows, as I said before, prior to takeover at least forty collieries had been closed down by these mine-owners and they did not pay the legal dues to the workers before closing down the mines. At least 40,000 workers are unemployed for the last one year or so. Is it possible for them to go to the court to seek remedy? Therefore, I propose that Government should take direct responsibility for recovering these legal dues of the workers. This Government can do very well by providing a section in the Bill. The Government can deduct the dues payable to the workers from the compensation or they can recover it from the personal properties and assets of these mineowners.

In the Bill, the Government has further given up the responsibility to provide jobs to all workers employed in the coalmines prior to their takeover. It is an admitted fact that the former mineowners tempered with the records and included the names of many anti-social elements on the muster rolls. They used them against trade union movements. But they removed the names of the genuine workers from the muster rolls. It is also an admitted fact that at least 5,000 workers, during the last one year, have been evicted from the collieries in the Asansol-Raniganj Coal belt by the armed gangsters in collusion with the former mineworkers. These workers were not only evicted but they were also thrown out of employment. There is not a single word in this Bill with regard to these affected workers. I feel that these evicted workers should be taken back.

It is also an admitted fact that just after the take-over, many casual workers, temporary workers and the workers employed under the contractor have been thrown out of their employment, because, their names were not found on the muster rolls. I demand that these workers should be taken back and they should be made permanent.

The new custodians were senior officials under the former mine-owners. Some of the custodians of collieries are tampering with the assets and fund of the mines. Those officials who were previously responsible for several bungling in the affairs of the coal mines are now being given new status with arbitrary powers. When they attack every right of the workers the Coal Mining Authority is just behaving like a silent spectator. I know, for instance, that a senior official of *Bengal Coal Company*, who has been given an important post in the Coal Mining Authority, has been playing havoc with the workers. He has been creating trouble even in the affairs of Coal Mining Authority. I demand that there should be a provision in the Bill to punish these officers.

If the Government want the efficient functioning of the mines, the co-operation of the workers is a must. Even now in many collieries, normal trade union activities are not possible due to terror, repression and indiscriminate use of MISA. For instance, in Surakachar there was a strike in the month of May. Section 144 was promulgated and 14 workers were arrested. Those workers belonged to CITU. In order to ensure the smooth running of the mines I demand that terrorisation should stop immediately. The CMA should be democratised and there should be an advisory committee with representatives of Central trade unions.

Lastly, I demand that all the casual and badli workers and contract workers should be made permanent. The contractors may create trouble in the colliery and they may also sabotage production, if this system is continued.

In conclusion, I would like to know from Shri Mohan Kumaramangalam why the coal-mines under the Tatas are not being nationalised. I demand strongly that these coal-mines should also be nationalised without any compensation.

MR. DEPUTY-SPEAKER : I know it is an important Bill. But I do not know how to manage within the time the House has allotted. Worked out on the basis of two and a half hours for general discussion and half an hour for clause by clause consideration, each Member will have 6 minutes, 5 minutes, 4 minutes, 3 minutes and even 2 minutes. I really do not know what they are going to say. Anyway, it is up to the House. The Government has given notice of certain amendments. They will be circulated.

SHRI S. MOHAN KUMARAMANGALAM: They are very minor amendments. They will not take much time. They are merely to correct mistakes which crept in the Schedule.

MR. DEPUTY-SPEAKER : I do not want to fight with the Members each time. Anyway, it is for the House to decide. I am putting it to the House. I am myself in difficulty. How can a Member make his submission in 2 minutes?

SOME HON MEMBERS : The time may be extended

MR. DEPUTY-SPEAKER : It is up to the House. The Minister of Parliamentary Affairs is not here. We will wait for him; this will be conveyed to him

SHRI K. D. MALAVIYA :

SHRI K. D. MALAVIYA (Domariaganj): Mr. Deputy-Speaker, Sir, I rise to extend my heartiest support to the Bill which seeks to complete the process of nationalisation of the coal mines by providing for the acquisition by the Central Government and transfer of the right, title and interest of the owners thereof.

I think, the Bill contains the clauses that are needed to complete the task that is set before us. There are, however, a few general points which have to be considered if one has to consider the perspective of entire programme of production of coal and to consider specially that coal should form the basis of our production programme of our country.

First of all, I feel that our targets of production are not commensurate with the real need that faces us, specially to make us self-reliant. If I remember aright,

perhaps, in the Third Plan, the target of production of coal was brought down from 102 million tonnes to 96 million tonnes. In spite of my efforts at that time, I could not succeed in taking it up further beyond 102 million tonnes, but at any rate it should certainly have gone beyond 96 million tonnes of production in the fourth Plan period.

Most unfortunately, the attention of the economic Ministries of the Government did not go to a basic appraisal that coal is the raw material mostly available to us for generating energy. Even the programme of washeries has been neglected almost cruelly. I know that the quality of coal in our country is not very satisfactory. But that is not a very relevant point when there is nothing else for us to fall back upon, if we had succeeded in searching for more oil which unfortunately we did not do, and we should have put in more efforts to search oil—I have no doubt we could have got some more oil; adequately or not, I am not here to say. Our efforts to increase the production of coal certainly should have been much more than what it is.

Now, our target is 141 or 142 million tonnes of coal in 1978-79.

This is not sufficient. I do hope that Government will raise its target of production and will do some re-thinking as to what is to be done if we fail to get oil from outside world. It is really very difficult for us to find foreign money to import as much oil as we are accustomed now to use even for generating power.

The Dhwaran Power Station in Gujarat is being run on gas as fuel which, in my opinion, should never be done because the gas of Cambay could have been diverted to much more purposeful uses. But my hon. friend sitting on my right insisted on using gas and now I am told that there is no intention of the Gujarat Government even to think of switching over from this costly raw material and coming back to coal. Even if coal is more costly to transport—and it becomes a little costly at Dhwaran—, it does not matter because we have plenty of coal. After all, the Tata Thermal Power Station is run on coal. What is the difficulty in Government subsidising the transport to Dhwaran or to many other places where coal could substitute this rather costly

[Shri K. D. Malaviya]

material which we have to import every year by paying through our nose? Therefore, I would suggest to the Minister that his scheme of reorganizing production mechanism and distribution mechanism perhaps needs to be linked to higher production.

The amalgamation of coal-mines is an urgent problem facing us. We can do it now more smoothly on the question of compensation also., there is a group of coal mines which, in my opinion, did not even deserve any compensation. There might be others which were run efficiently, for which Government could perhaps think as to how best we could seek their cooperation in order to increase quickly the production targets, and also whether it is possible to find out any means of seeking cooperation from those who have experience in the private sector.

On the question of conservation also, I think that we have to pay attention as to how best we could formulate a policy for conservation and to switch over from oil to coal to make our entire scheme of power generation based on a policy of self-reliance. Production of coal certainly requires a colossal amount of capital money and therefore it was all the more necessary that Government should have taken over the production of coal-mines. Besides production, I do hope that the Minister will now consider as to how best he can improve the distribution mechanism. There is a lot to be done, I am not very happy at the way the distribution system is receiving attention from the Government both in the Railway Ministry as well as in his Ministry. The Railways are trying their very best no doubt and I am glad that the Railway Board have recently decided to move food and coal even at the cost of stopping or suspending passenger trains. I think this is a good idea and we should try to educate our minds that at this critical time movement of essential items is much more important than movement of men. This scheme, I hope, should give a little more facility for the movement of coal.

The organisation that is being contemplated for production of coal perhaps needs to be further decentralised. We are producing coal in Andhra Pradesh, Madhya Pradesh Bihar and Bengal. Perhaps it will be much better to create regional organisations and

then connect them all at the top by a holding company. Even where there is intensive production going on like Bengal and Bihar we should go down further and have independent small units of coalmines, not caring for the increase in the numbers of the mining units. I personally feel that even if we have 100 such units, coal production will increase and efficiency will increase. Expenses are not likely to increase if we simplify the process.

On the question of distribution, there are already established systems like the railways, transport, etc. which could undertake on behalf of Government authority the work of distribution. The railways have a network of organisation and stations. They have other facilities. Perhaps they could take a good part of the distribution task from the Ministry.

The generation of power has to be more and more progressively based on coal. That can be done only if we plan for a higher tonnage of production and I suggest that we move the Planning Commission to set a target of 225 million tonnes of coal by the end of the Fifth Plan period. We should now start planning to produce 225 million tonnes during the Fifth Plan period. If we could do it from now and create organisations, perhaps we may be able to exceed the production at the end of the Fifth Plan. But if we plan a production of 142 million tonnes by 1978-79, then, you will delay in more exercises by which time a lot of other problems may crop up. Therefore, it is much better if we start planning from right now, for a production of 225 million tonnes by the end of the Fifth Plan. I hope these larger objectives are kept in mind, that is of higher production, of decentralisation, to create more units at the State levels and also to entrust the task of distribution to the already existing organisation of the Government such as transport and the railways. Our production and distribution with increase.

This is what all I wanted to say.

SHRI INDRAJIT GUPTA (Alipore) :
The general principle behind this Bill is one which should be supported wholeheartedly, by all sections of the House.

However, I would say, there is an unnecessary attempt made by the Government, though the Minister is not guilty of it, to pass this off as a great measure of socialism. Mr. Robin Sen pointed this out that this is being tom-tommed as a big measure of socialism. There is nothing of that kind at all. In developed capitalist countries like Great Britain coalmines were nationalised 30 years ago. That does not mean Britain is a socialist country at all. The Minister said this is something overdue. In any country trying to develop along lines of planned economy, nationalisation of its coal resources is basic to the entire economic development. I therefore welcome this Bill.

Having said this I would also remind the Minister that workers of the mines have played a substantial part to bring about nationalisation. Workers have not carried on the entire trade union movement over the years simply for their own economic development; they have consistently been asking and pressing Government for nationalisation. As the Minister knows, all the Central Trade Union Organisations a few months ago carried out one-day token strike on countrywide scale on the demand for nationalisation. Naturally we welcome the step taken. There are one or two main points which arise out of this, which I would like to put before the Minister.

Regarding this amount of Rs. 30-35 crores which is being provided for as compensation, I would like to know, how this amount has been calculated. There is a strong contradiction here. It has been admitted that the mineowners in the past had indulged in slaughtering of mines, went in for easy profits, quick profits, and they subordinated everything else to that one consideration and in the process have ruined a substantial part of the assets. The Statement of Objects and Reasons has stated:

"The Colliery-owners' sole object was to earn quick profits without any regard to the conservation and safety of mines or to meet their obligation to the workers. This resulted in the stagnation of production in many collieries and closure of many others."

The description of what was going on was reinforced by the Minister's own reference to the reports of the Durrows Committee

and the Coal Commissioner's evidence many years ago, where it has been stated that if nationalisation is further delayed, there will be nothing left to take over. It is in this background that I wish to post this question. What is this amount of Rs. 30-35 crores being paid for? Is it the compensation to them for having ruined the mines? Is it for the slaughtering of mines which they have resorted to? We need fuller explanation. The Minister may seek some refuge behind the legal argument that some amount had to be paid as per the Constitution as it stands today. The hon. Supreme Court judges who have recently given 11 or 13 judgments, I forget the number, in their judgments, some of them have laid down that the amount to be given must bear some reasonable proportion or ratio, some reasonable relevance, to the property which is being taken over. All right. But within the framework of these constitutional limitations, I think, the Minister and the government owe it to the House to explain how this amount has been calculated?

Secondly, even though it is not perhaps precisely within the province of this Bill, if this nationalisation measure is to succeed as we all want it to succeed, then it can not be possible without taking over the whole mechanism of distribution and pricing. If it is not done it will fail and result in imbalances in the economy which are often utilised by those elements who are against the every basic principle of nationalisation. Therefore, I hope the Minister will assure the House that they will not stop at the nationalisation of production of coal but will takeover the whole comprehensive scheme of production, distribution and pricing. Unless it is operated properly this scheme will not yield the results which it is meant to yield.

I am glad the Minister has made a considerable reference to the responsibility of this nationalised coal industry to see that timely and adequate supplies of coal reach the power stations all over the country. The whole fate of the Plan is hanging on this question of power crisis but that is a big problem which he will have to deal with in coordination with railways. But I would like to draw his attention to the fact that timely and adequate supplies of coal is not the only thing

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but quality is equally important. A large number of thermal stations have either got closed or do not function to their full capacity because it is alleged the coal that is being supplied to them is such that it has a high ashcontent and damages the boilers and so on. Now, that the government has taken over the entire production of coal in its own hands it will be one of its main responsibilities to see that power stations get adequate supplies of quality coal so that the power crisis could be partly alleviated.

Another point to which I would like to draw his attention is the coal bill—the coal bill of the railways. I have not got the figures but it runs into many crores of rupees and the rising cost of coal in the past as supplied to the railways has been cited year after year by the Railway Minister at the time of submitting his Budget as a justification for putting up fares or freights. Here again the question arises that now there can be no excuse in future for a situation in which every six months the coal owners used to demand price hike. I know two years back certain trains had to be cancelled because coal mineowners had asked for a price hike. By stopping the supply the coal mineowners were blackmailing the railways into paying a higher price. Now, there is no more scope for that kind of thing, and, there should be proper coordination between the Coal Mines Authority and the Ministry of Railways to see that at least on this one major item of expenditure of the railways, that is, coal, there will be stability of prices in future, and this at least will not be introduced as an element for hiking up fares and freights.

Now, there is an opportunity to do something about that bit scandal, unresolved scandal, which my hon. friend Shri K. D. Malaviya knows very well about, namely of that faulty alignment of the Haldia-Barauni oil pipe line over the coal-mining areas of West Bengal. You know, Sir, that that matter is still being gone into by the Takru Commission after all the findings of the Public Undertakings Committee. At least 25 mines are affected by the fact that that strategic oil pipeline was laid through that area where these coal-bearing mines are situated. The so-called foreign experts and consultants ninted lakhs of rupees out of that

and disappeared, and went back to their country leaving us to hold the baby. There was a recommendation that that pipeline must be realigned so that there is no danger to these coal mines and to the pipeline itself. But that realignment has not been done to this day, and the decision to realign that pipeline is being obstructed and held up by various quarters. I would now request the hon. Minister, since he is now the sole owner of the coal mines to see to it, in cooperation with his colleagues in the Ministry of Petroleum and Chemicals, that these coal mines are not endangered any further by this criminally wrong alignment of the Haldia-Barauni pipeline and the work of realignment of that pipeline is taken in hand.

SHRI K. D. MALAVIYA : The problem will not be that easy to handle.

SHRI INDRAJIT GUPTA : That is why I am raising this problem. It should theoretically at least be much easier to solve it now.

Now, I come to a few points regarding the problems and the rights of the workers, because without enlisting their wholehearted cooperation, I doubt very much whether we shall be able to boost coal production to the extent that is desired.

Firstly, I am told that in some meetings which the Minister had with the different trade unions soon after the ordinance was promulgated, an assurance was given that many of the top officials of the old management who were notorious for their anti-labour activities and who were notorious for maintaining private armies of goondas and rowdies in order to intimidate workers and forcibly evict them from their quarters and break up the trade unions and so on would be screened and weeded out and they would not be given positions of responsibility in the nationalised set up. I am informed that in this matter the progress is totally unsatisfactory, and some thoroughly notorious people are now being given high posts of official responsibility in the nationalised sector. I want to mention just one or two names in this connection.

There is an ex-general manager of Birlas' Moira colliery, by the name of Mr. Bideswariya, a notorious gentleman, and this gentleman has given some important

post. Then, there is one Mr. J. Sahani, who was a general manager of the East Nimcha colliery. I am told that he is being sent as deputy Custodian-general to Madhya Pradesh. Then there is a gentleman called Mr. T. P. Singh, who was not the manager but the owner of the Samla Vaidyanandapur colliery. I am only mentioning these few names, but there are many others who have got a stinking record of colluding with all sorts of gangster elements. How can the hon. Minister hope that such people will have a commitment to the public sector? At least it defies my understanding.

People who all their lives have tried to destroy the coal mines in this country for the sake of their profits are now going to have a commitment to the public sector overnight! They should be absolutely ruthlessly weeded out. There is no question of their remaining.

Then I regret also to say that police intervention in the trade union movement in the coal mines is still continuing despite nationalisation. The Minister knows very well that the workers and their Unions have wholeheartedly co-operated in this matter of takeover and they have welcomed it and strengthened the hands of Government. But the police should not now be utilised to interfere in bonafide trade union disputes.

Then there is also a somewhat disruptive attitude, I should say - I hope some friends on that side will not misunderstand me - on the part of some trade union leaders, not all by any means. There are some very eminent leaders sitting there from whom I have respect. But there are some others who claim to belong to the INTUC. There is a lady who was being very active in the Central Hall during the last week, who, I am told, is a big INTUC leader, the Secretary of the Colliery Mazdoor Sangh, Mrs. Ramanika Gupta, MLC, Bihar. I do not know who she was, but I found her very active. Mr. Birla's paper, the *Hindustan Times*, has given her good publicity. She has issued a statement in which she has accused the CPI of subverting the coalmines takeover. So we are subverting the coalmines takeover and Mrs. Ramanika Gupta and others like her who have been hand in

glove with some of these mine owners all these years, are coming forward as the great champions of nationalisation! She says, if I may quote one sentence from her statement:

"The contractors and traditional goondas hired by them having become unemployed after nationalisation have joined the CPI which is giving them shelter and encouragement".

I do not know what is the motive behind this kind of fantastic statement, but certainly the idea is to create some sort of friction, some conflict, some disruption, some rivalry, so that the working class cannot unitedly do the job of making the nationalised sector work.

He will also tell us something about the wage negotiating machinery which is proposed to be set up, I hope for the industry as a whole. What is the scheme, if any, for workers participation in management of these nationalised coal mines?

Shri Robin Sen raised the point of workers who used to be on the muster rolls being forcibly driven out under the pain of physical duress. Will they be taken back? Contrarily, spurious workers who were taken on to the muster rolls by the employers just before the nationalisation, who are not workers at all, who are taken on to perform other duties - will they be weeded out or not? They were nothing but private goondas of those employers.

Finally I hope you will not mind because due to some engagement I will not be able to be present at the time of his reply - I hope he will answer my points. One is that I would like a statement from him regarding the position of many of the small mines who seem to be in a position of great uncertainty. Forty or fifty have been left out on the plea that they are very small situated in distant areas and so on. In the case of mines excluded from the purview of nationalisation, has Government any alternative scheme to help them to carry on? Otherwise, they will go into liquidation, will close down, workers will be unemployed and so on. If Tata's mines have been excluded on the ground that they are captive mines supplying coal only to TISCO, how is it that in Asansol where the Singhanias

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have captive mines supplying coal only to their plant at J. K. Nagar, these have been taken over? If these could be taken over, there seems to be no reason why Tata's mines could not be. If they are captive mines, so were the J. K. Nagar captive mines. This is a contradiction which he should explain.

I would suggest that in the case of very small mines which have been disposing of their production locally in the region round about, specially to brick fields and small industrial units and so on, who do not have to transport their coal to great distances, the position may be gone into carefully so that in such cases viable units can be left out if they are very small. But for those which are not viable, some method should be thought of to see that they do not go into liquidation thereby adding to the difficulties which are being faced by the small mines.

श्री दामोदर पांडे (हजारीबाग) : उपाध्यक्ष महोदय, मैं इस बिल का हार्दिक स्वागत करता हूँ। मैं यह मानता हूँ कि समाजवादी ममाज की स्थापना की दिशा में जो हमारा लक्ष्य है, जिसका बायदा हमने 1971 में एनेक्शन में किया था, उसको पूरा करने में एक बड़ा कदम उठाया गया है। कुछ भाइयों को यह मानने में हिचक हो सकती है लेकिन इसमें हिचक का कोई कारण नहीं है क्योंकि जो काम वर्षों से नहीं हुआ, आजादी के बाद 25 मालों में नहीं हुआ वह काम आज करके दिखाया गया। यह एक बहुत बड़ा काम है और हिन्दुस्तान के कोयला खदानों में काम करने वाले 4 लाख मजदूर काम से काम इससे बहुत खुश हैं और वे मानते हैं कि सरकार का यह समाजवादी कदम एक बहुत सुन्दर कदम है। अभी जो कुछ कहा गया प्रोडक्शन के टारगेट के बारे में या और भी कुछ विषयों पर जैसे डिस्ट्रीब्यूशन के बारे में उसके सम्बन्ध में मैं चन्द शब्द कह देना चाहता हूँ।

थर्ड फाइव ईयर प्लान में जो टारगेट बनाया गया था 102 मिलियन टन का उसे कम करके 96 मिलियन टन पर रखा गया था, और भी कुछ ऊर्जाजन किस्म की बातें हुईं जिसका

नतीजा हुआ कि राष्ट्रीय विकास कोयला निगम को वर्षों तक घाटे का सामना करना पड़ा। इसलिए मैं माननीय मन्त्री जी से आग्रह करना चाहता हूँ कि वे जो भी टारगेट रखना चाहते हैं रखें, 145 मिलियन टन का टारगेट रखना चाहते हैं तो उस पर कोई एतराज नहीं है उसको रखा जाये लेकिन जो भी रखना है उसको सोच-समझ कर रखा जाये। थर्ड प्लान में एन० सी० डी० सी० को कहा गया 31 मिलियन टन टारगेट का प्रोडक्शन का रहेगा, उसके लिए कैपेसिटी तैयार की गई, कोलरीज खोली गई, बहुत सी जगहों पर बड़े सुन्दर महान बगैरह बनाए गए, फग्गेडों रुपया हर कोनरी में खर्च हुआ लेकिन तीन साल के बाद सब बन्द कर दिया गया। आज मध्य प्रदेश में कम में कम 4-5 कोलरीज ऐसी हैं जिन पर करोड़ों रुपया खर्च हुआ लेकिन आज वे बन्द हैं। इसी तरह से बिहार में रामगढ़ प्रोजेक्ट की बात हुई, डेड करोड़ रुपया खर्च हुआ, मकानात बनाये गए लेकिन मकाना के दरवाजे ढो ढो ढग लोंग लिए जा रहे हैं, कोई देखने वाला नहीं है। तो इस तरह का प्रोग्राम न बनाया जाये जिससे देश का एक दिन फिर रुकने का मौका मिले कि चूँकि अब हमारा मोनोपली बिजनेस है इसलिए, जिन तरह से भी चाहे कर सकते हैं। इस तरह से देश की सम्पत्ति को मर्यादाश नहीं करना चाहिए।

साथ ही साथ वाशरी के बारे में कहा गया कि इस दिशा में तमाम अच्छे कदम उठाए गए लेकिन इनका अच्छा कदम उठाया गया कि तीस करोड़ रुपये पर ताला बन्द करके रखा है। एक डीडो की वाशरी बनी 10 करोड़ की जिसका कोई कन्व्यूमर नहीं है, तीन साल से वाशरी बन्द करके रखी है, एक छटाक कोयला नहीं निकलता है। इस तरह से दस करोड़ पर ताला बन्द है। उसी तरह में कठारा और करगली की दाशरीज हैं जिनका कोई व्यावहारिक मद्युयोग नहीं हो रहा है। इसलिए आप सोच समझ कर इस देश की एकोनामी को बढाने के लिए सचेत कदम

उठाये क्योंकि जैसे ही हमारे देश की अर्थ-व्यवस्था में तरक्की होगी, देश का औद्योगिकरण होगा तो कोयले का उपयोग बढ़ेगा, उसकी डिमाण्ड बढ़ेगी और उसके लिए हमको तैयार रहना चाहिए अधिक कोयला पैदा करने के लिए लेकिन साथ साथ नोट ब्राफ काशन होना चाहिए और इस दिशा में फूक फूक कर कदम रखने चाहिए ताकि पिछली बार हमने जो गलत कदम उठाए उस तरह के कदम न उठाये जाये। डिस्ट्रीब्यूशन की जो हालत है उन के बारे में हम को नये ढंग में सोचना पड़ेगा। कोल का राष्ट्रीयकरण हो गया। हर जगह की रिपोर्ट यह कहती है कि देश में अब भी इतना कोयला है कि वह देश भर की जरूरतों को पूरा कर सकता है। हम इतना कोयला पैदा करते हैं कि देश के किसी भी हिस्से में जितने कोयले की आवश्यकता है उसे पूरा कर के दिखा सकते हैं। हम नये कुछ करने के लिये तैयार हैं। लेकिन डम के बावजूद जा डिस्ट्रीब्यूशन का यन्त्र था, कोयले के बटवारे के मिलमिल में जो देश के कोने-कोने में कोयला पहुंचाना था, इस का काम करने वाले जो कोल-मैन थे, कोल सर्वेन्ट थे, वह आज उस तरह की बात कर रहे हैं कि जिन की वजह से देश के हर हिस्से में आज कायले का अभाव है गया है। यहाँ तक कि नम्र प्रान्त में कारले को खदानों की भग्मार है, जेमें बिहार है, उनमें भी कायला नहीं मिल पाया है। यह इफान ताजुथ को बात है? मैं मंत्री महोदय से जगह करना चाहता ह कि राष्ट्रीयकरण की दिशा में जो ठास कदम उठाया गया, आ गजबूत कदम उठाया गया, वह मंत्री दिशा में एक कदम है, लेकिन डिस्ट्रीब्यूशन की दिशा में भी अगर वह उस तरह का ठोस कदम नहीं उठायेगे तो हमारे मारे किये धरे पर पानी फिर जायेगा और देशवासियों से हम ने जो वादा किया है कि राष्ट्रीयकरण के बाद हम कोयला सब को पहुंचा सकेंगे, वह पूरा नहीं होगा। इस लिए डिस्ट्रीब्यूशन के बारे में भी हम लोग ठोस और कारगर कदम उठाये।

अभी मंत्री महोदय ने अपने भाषण में कहा कि जिन कोयला खदानों का राष्ट्रीयकरण किया गया है उन का हेड आफिस कलकत्ता में रहेगा और अलग-अलग प्रान्तों में ब्रांचें बनाई जायेगी। एक राची में रहेगी, एक मध्य प्रदेश में रहेगी और एक बंगाल में रहेगी। मैं कहना चाहता ह कि किसी को कोई ऐतराज नहीं होगा आप उस का हेड आफिस कहीं भी रखे।

1452 hrs

[SHRI K N TIWARI : in the Chair]

दिल्ली, कलकत्ता, मद्रास या कहीं भी रखे, भले ही जबलपुर में रखे, लेकिन दिक्कत क्या होती है वह मैं आप के सामने रखना चाहता ह। अभी जो कोल-माइन्स अथॉरिटी बनी उस के सम्बन्ध में जब मंत्री महोदय हर जगह की कोयला खदानों को देखने गए थे तो वहाँ उन्होंने कहा कि हमारी जरूरत के मुताबिक कोयला खदानों में काम करने वाले जैसे लोगों की जरूरत होगी वैसे लोगों को हम नौकरी देंगे। लेकिन शायद कलकत्ता आफिस में कोई दूसरी बात हुई है। वहाँ उन्होंने कहा कि जितने लोग कायला खदानों में थे या किसी कम्पनी में काम करते थे मर्मा को नौकरी दी गई है। यदि इस तरह का कोई बयान दिया गया है या दिया जाता है तो फिर एक बात मरी समझ में नहीं आती। हमारे यहाँ कानून में एक किरानी का ट्रामफर किया गया है जिसकी तनख्वाह 900 रु० है। अगर उस तरह में किया जायेगा तो स्थानीय लोगों पर क्या जगर पड़ेगा, आप इस का अन्दाजा लगा सकते हैं।

एक स्थानीय सदस्य : सब को 900 देगे।

श्री वामोदर पांडे : हमारे इलाके में चाहें वितनी भी लक्ष्मी नौकरी किसी की हो, कोई किरानी 700 या 750 रु० से ज्यादा नहीं पाता है। अगर वहाँ पर 900 रु० पाने वाला किरानी बहाल किया जायेगा, या बहाल न सही, ट्रामफर किया जायेगा तो स्थानीय लोगों पर बड़ा खराब असर पड़ेगा। बिहार में जो कोयला पैदा होता है उस का जब डिस्ट्रीब्यूशन

[श्री दाबोवर षाडे]

होगा है तो सेल्स आर्गेनाइजेशन में और पर्चेज आर्गेनाइजेशन में स्थानीय लोगों को प्राथमिकता होगी है। एन० सी० डी० सी० के सेल्स आर्गेनाइजेशन में और पर्चेज आर्गेनाइजेशन में इस तरह की बात कहने का मौका नहीं था क्योंकि कुछ स्थानीय लोग अपने-आपने विकास के काम में लगे हुए थे, लेकिन चूंकि नयी काम अब सेन्ट्रलाइज हो गया है इसलिए रीजनल इम्प्लेस की ओर भी ध्यान देना पड़ेगा। कलकत्ता आफिस में जो लोग काम करते थे, धनबाद, झरिया या हजारीबाग हेड आफिस में जो लोग काम करते थे, उन सब को काम पर रखने की व्यवस्था करनी पड़ेगी। इसलिए मैं कहना चाहता हूँ कि आप हेड आफिस नहीं भी रखें, इसमें हमें कोई ऐतराज नहीं है, लेकिन काम के सिलसिले में यह निश्चित हो जाना चाहिए कि जिस-जिस रीजन में कोयले का उत्पादन होता है, उस सम्बन्ध में सभी लोगों को नोकरी मिलनी चाहिए। जो भी योग्य लोग हो उन को लिया ही जाना चाहिए। मैं कोई मेक्टेरियन एन्ट्रिडूड नहीं रखना चाहता लेकिन मेरा निश्चित मत है कि जिस क्षेत्र में आफिस हो वहाँ के लोगों को ही प्राथमिकता दी जाय। उन्हीं को तरजीह दी जाये। अगर ऐसा नहीं किया गया तो इस बात से लोगों में गलतफहमी पैदा होगी। यह गलतफहमी पैदा न हो सके इसके लिए उपाय किया जाना चाहिए।

अभी माननीय सदस्य श्री इन्द्रजीत गुप्त कह रहे थे अगर वह ऐतराज न करे तो मैं कहूँ कि हम लोगों पर कटाक्ष कर के कह रहे थे कि हमारे साथ ऐसे लोग हैं जो कहते हैं कि ए० आई० टी० य० सी० वाले रोडे अटकाते हैं। हम ए० आई० टी० य० सी० के बारे में कहते हैं कि नेशलाइजेशन के माध्यम में इन्होंने रोडे अटकाए। लेकिन बात ऐसी नहीं है कि पूरे ए० आई० टी० य० सी० के रोडे अटकाव है और न यह किसी के कहने की मंशा है।

लेकिन एक बात सही है कि ए० आई० टी० य० सी० के कुछ लोग जो सी० पी० आई० से सम्बन्धित हैं, उन्होंने जिन तरीके से कुछ इलाकों में काम करना शुरू किया उस की वजह से कुछ गलतफहमी पैदा हुई है। गलतफहमी कहा नहीं है, यह मैं आप को बतलाना चाहता हूँ। अपने भाषण में श्री इन्द्रजीत गुप्त ने बिक्र किया कि वह आइसोलेटेड केम्प है। हम उस को आइसोलेटेड मानने के लिए तैयार हैं। मैं यह नहीं कहता कि पूरे दल की हैमियन से इस तरह का कदम उठाया गया है, लेकिन मैं बतलाना चाहता हूँ कि लड़यो और पिन्डा कोलियरीज में क्या हुआ। वहाँ पर जिन लोगों की दरकार थी उन को तो रख लिया गया और जिन की दरकार नहीं थी उन में से कुछ को निकाल दिया गया। हम तब जो वहाँ के ठेकेदार थे या जो वास्तव में उन के मालिक थे वह सी० पी० आई० का झंडा लेकर खड़े हो गये और स्थानीय लोग थे उन में मिला कर वहाँ पर हड़ताल करा दी। मैं उन हाउस में खुले आम यह कह रहा हूँ, अगर कोई माननीय सदस्य चाहे तो वह मेरे खिलाफ प्रिविलेज मोशन ला सकते हैं। मैं आप में कहना चाहता हूँ कि इस तरह की कोई बात नहीं है कि दल की हैमियन में लोग ऐसा कर रहे हैं, लेकिन कुछ स्वार्थी लोग, अपने निहित स्वार्थ, छोटे से स्वार्थ की बात मोचते हैं, और वह सी० पी० आई० का झंडा उठाकर चढ़ते जाते हैं। जो लोग इस तरह में खड़े हो जाते हैं अगर उन को प्रोत्साहन दिया जायेगा तो उस में स्थिति बिगड़ेगी ही। मैं चाहता हूँ कि इस बात को स्पष्ट किया जाये कि इस तरह के लोगों के कारण गलतफहमी पैदा हुई है। अगर इस तरह के लोग हैं तो मैं निवेदन करूँगा कि आप उन को सलाह दीजिए कि इस तरह की बातें करने से कोई लाभ नहीं है। अगर आप उचित सलाह देंगे तो मैं मानता हूँ कि वह उस को मान कर चलेंगे। आखिर उन को भी पार्लियामेंट में रहना है तो डिस्टिप्लिन मान कर चलना होगा।

मैं एक और बात कहना चाहता हूँ, मजदूरों की तनख्वाह बढ़ाने के बारे में। 1967 के बाद बहुत दिन हो चुके हैं जब से मजदूरों की तनख्वाह का रिवीजन नहीं हुआ है। जो कोयला खदानों में काम करने वाले मजदूर हैं उन के बारे में जो दस साला योजना है उस को बदला जाये। कोयला खदानों का राष्ट्रीयकरण करने के बाद 1957 में उनका वेज रिवीजन हुआ था, उस के बाद 1967 में हुआ। अगर मंत्री महोदय दस साला योजना की कल्पना करते हैं और 1977 तक इन्तजार करते हैं तो मैं समझता हूँ कि मजदूर बेसब्र हो जायेंगे। मजदूरों को यह बर्दाशत नहीं होगा। मैं चाहता हूँ कि बिना विलम्ब किये हुए मजदूरों की तनख्वाहों में सुधार के लिए एक समिति बनाई जाये और वह उन की सारी स्थिति की जांच करे और देखे कि उन की क्या हालत है और माननीय अधिकार पाने के लिए, एक आदर्शी की तरह जिन्दा रहने के लिए, कम से कम अपने बाल-बच्चों का भरण पोषण कर सकें, अपने परिवार की गुजर बसर कर सकें, इस के लिये उन की क्या आवश्यकता है। इस सम्बन्ध में कम से कम यह ऐश्वर्य किया जाये कि उन की नीडवेस्ट मिनिमम वेज क्या हो सकती है, इसका पता लगाने के लिये कोई समय निर्धारित किया जाये और कहा जाय कि इतने समय के अन्दर हम मजदूरों को राहत देंगे। इसके बारे में सोचने का वक्त अब आ गया है। हम लोगों ने काफी दिन सब्र किया। अब आपको सारे शासन तन्त्र को सुधारने का मौका मिला है। मैं चाहता हूँ कि आप इस दिशा में ठोस कदम उठायें जिससे मजदूर लोग राहत की सांस ले सकें।

15 hrs.

कम्पेंसेशन के सम्बन्ध में मुझे यह कहना है कि जो कम्पेंसेशन आपने रखा है वह हमारी समझ में नहीं आया है। किसी के फिक्स्ड ऐसेट्स अगर 77 लाख के हैं तो उसको 96 लाख रुपया कम्पेंसेशन का दिया जा रहा है और किसी के अगर 60 लाख के हैं तो उसको

75 लाख दिया जा रहा है और किसी के अगर पन्द्रह लाख के हैं तो (इंटरप्शन) हम पूरा कागज पत्र नहीं जानते हैं। जो जानकारी हमें है उसके आधार पर ही हम कह रहे हैं। अगर आपको कम्पेंसेशन देना ही हो तो इतना ही दें जिससे हमारा जो प्रोविडेंट फंड का पैसा है वह मिल जाये, तनख्वाह मिल जाये और उसके बाद जो बैंक वगैरह के सिक्वोर्ड लॉज हैं वे चुका दिये जायें। अगर आप फिक्स्ड ऐसेट्स से भी ज्यादा कम्पेंसेशन देंगे तो इससे गलतफहमी पैदा होगी। अगर आपको जल्दबाजी न करनी हो तो आप इस बिल को सिलैक्ट कमेटी में भेज दें जहां इन सारे मामलों की छानबीन हो सके और एक भी पैसा फालतू किसी को न दिया जाए। जो समाज को इतने दिनों तक लूटते रहे उनको इस लूट का आप कम्पेंसेशन देना चाहते हैं? यह बात हमारी समझ में नहीं आती है। मैं चाहता हूँ कि इस पर आप फिर से विचार करें और कम्पेंसेशन वाली आइटम आफ फिर से डाउनवर्ड रिवाइज करें।

SHRI MOHANRAJ KALING-ARAYAR (Pollachi) : Mr. Chairman, while speaking on the Coal Nationalisation Bill, I would like to support this Bill on behalf of my party. So far these coal mines were in private hands. Now that Government have taken over them by nationalising all coal mines. The main problem before the Ministry and the very able Minister is to maintain the price level, ensure proper distribution and extract as much coal as possible from the coal mines.

So far the primary object and motivation of the mine owners was to grab the maximum profit. The safety measures were completely forgotten and the national interests were given the go-by. The mine-owners did not think that they were in any way responsible for the labour welfare. Now by the passing of this bill the management of 711 coal mines will vest in the Central Government from 1-5-73.

[Shri Mohanraj Kalingarayar]

While supporting this Bill, I have to mention one point. There is a provision in this Bill for the payment of Rs. 30 crores as compensation to the former mine-owners. The Minister in the course of this speech said that the moral standard of some of these mine-owners was not good.

When the Minister says that the moral standard of some of the mine owners is not good, why do you pay compensation of Rs. 30 crores? When most of the big companies are being nationalised, why do we bow down to these mine owners? Till now, most of the mine owners have minted money. They have completely sucked out the coal extract and some of the mines are in a very poor condition, and if the Government wants to take over these mines, they will not only have to spend something on them but they are going to show a loss in the beginning soon after the take over.

The Minister also said that the P. F. dues and the arrears of wages were first charged on the compensation amount to be paid to the owners. But out of 711 coal mines how many of them are alive, how many of them are on death bed and how many require further investment on the part of the Central Government?

The Minister also said that about Rs. 100 crores are to be invested in the coal mines to meet the increasing demand of 10 million tonnes by 1978-79. I want to know where have the Government located these mines. Which are these mines? If the compensation is going to be paid to the mine-owners whose mines are going to be revived and brought back to life by the Government after investments, then I will have to condemn Government's action in deciding to pay compensation. The Government takes over completely ruined mines and it spends crores of rupees and after reviving it, bringing it back to life, still pays compensation to mine-owners. I think it is wrong and I am opposed to it.

Minister also said that Ennore Power Plant and Basin Bridge Power Plant have 25 days' and 7 days' requirement of coal respectively. It is all right, but what about the requirement of coal for these two plants after this period? Do we have to keep our fingers crossed?

The Minister stated in his speech that there is some truth in some newspapers' write-ups about the shortage of coal. He took pains to explain the false version of some of the Press-Reporters but not some truth in some newspaper report. What is the truth I would like to know, and to do justice to the Fourth Estate of democracy, the Minister must explain this.

Before I conclude, I fully support this nationalisation of the Coal Mines Bill but the compensation which is due to these mine-owners should be seriously thought of before it is paid.

श्री जगन्नाथ मिश्र (मधुवनी) : खदानों की हालत दिन प्रति दिन बिगड़ रही थी। उत्पादन में ह्रास हो रहा था। मजदूरों की दशा दयनीय हो रही थी। सारे देश में यह मांग होने लगी थी कि सरकार नानकोकिंग कोल का राष्ट्रीयकरण कर ले। मैं समझता हूँ कि सरकार ने वस्तुतः इस बिल को लाने में देरी की है फिर भी यह कहा जा सकता है कि ब्रैटर लेट दैन नेवर। इस बिल के आने से हर जगह प्रसन्नता है और मैं भी इस बिल का स्वागत करता हूँ। कुछ स्वार्थी लोग हैं जो अनुचित लाभ उठाते थे और उनको अवश्य सदमा पहुँचा है। लेकिन हमें उनको परवाह नहीं करनी है। हमें आशा करनी चाहिये कि जिस उद्देश्य विशेष को लेकर राष्ट्रीयकरण हम करने जा रहे हैं उसकी पूर्ति होगी। इस वास्ते मैं इसका स्वागत करता हूँ। साथ ही मैं सरकार को सावधान भी करना चाहता हूँ और सुझाव भी देना चाहता हूँ कि पहले जब किसी उद्योग का राष्ट्रीयकरण हुआ है तो उत्पादन में या तो ह्रास हो गया है या वह वस्तु दुष्प्राप्य हो गई है या उस वस्तु के मूल्य आकाश को छूने लग गया है। नान कोकिंग कोल की भी यही राम कहानी है। या तो कोयले के उत्पादन में ह्रास हुआ है और अगर नहीं तो यह क्यों दुष्प्राप्य हो रहा है और इसके मूल्य क्यों आकाश को छू रहे हैं? यह एक विचारणीय प्रश्न है। हो सकता है कि वैगन की कमी के कारण कोयले के आने जाने में बाधा होती हो।

लेकिन यह बात नहीं है। मैं विश्वासपूर्वक कह सकता हूँ कि जहाँ भी सेलिंग सैटर्ज हैं, वहाँ कोयले की कमी नहीं है। स्थिति यह है कि अनियमितताओं, भ्रष्टाचार और बर्गलिंग के द्वारा साफ्ट कोक और दूसरी प्रभृति के कोयले गुम कर दिये जाते हैं और इस प्रकार कृत्रिम महंगाई पैदा कर दी जाती है। इसलिए मैं सरकार से आग्रह करूँगा कि वह इस बर्गलिंग और व्यूरोक्रेसी के कारनामों को नियंत्रण में लाने की कोशिश करे।

मुझे विश्वास सूत्र में पता चला है कि दिल्ली के लिए जो कोयला दिया जाता है, वह बाहर भेज दिया जाता है। दिल्ली में फर्जी और काल्पनिक नामा पर लाइसेंस दिये गये हैं और कोयले का ब्लैक-मार्केटिंग होता है। इन कारणों से कोयले के मिलने में बड़ी कठिनाई होती है और कोयले का अकाल बना हुआ है। सरकार को इन सब बातों की ओर ध्यान देना चाहिए।

जब टेक-ओवर हुआ, तो कस्टोडियन जेनेरल ने वह ऐलान किया कि खदानों में जो कैंजुअल लैबरजं हैं, उनको परमानेंट कर दिया जायेगा। लेकिन मैं जानता हूँ कि वे लोग उन लोगों को जो फायदे होने चाहिए, इस तरह वे उन फायदों से वंचित रखे जाते हैं। यह अनुचित है और अन्याय है। इस बारे में शीघ्र कार्यवाही की जानी चाहिए।

खदानों में कैंजुअल लेबरजं को हटा कर बाहर के लोग धोप दिये गये हैं और यह वाम विशेष रूप से बगाल में हुआ है, जिससे बिहार और यू० पी० के लोग ज्यादातर प्रभावित हुए हैं। मैं सरकार से आग्रह करूँगा कि वह इसकी जांच करे और अगर यह बात सत्य है, तो वह इस बारे में आवश्यक कदम उठाए।

टेक-ओवर के बाद खदानों की व्यवस्था, मैनेजमेंट के लिए कस्टोडियन नियुक्त किये गये। उनमें बड़े कुशल कस्टोडियन भी हैं, लेकिन कुछ ऐसे कस्टोडियन्स के बारे में मुझे जानकारी मिली है, जिन्होंने ज्यादाती की है। खदानों के मालिकों के साथ बहुत

ज्यादती की गई, उन के निजी मकानों पर छाबा बोला गया और उन की निजी कारें भी जब्त कर ली गईं, जिस से उनको बड़ी असुविधा हुई। सरकार द्वारा कस्टोडियन्स को बहुत ज्यादा पावर दी गई है और यह ठीक भी है, क्योंकि उस के बिना ये काम नहीं चला पायेंगे, लेकिन किसी के साथ ज्यादाती नहीं होनी चाहिए। मैं सरकार से अपील करूँगा कि कस्टोडियन्स की नियुक्ति में बड़ी सावधानी बरती जाये। इन पदों पर बड़े कुशल, दक्ष और ईमानदार अफसर नियुक्त किये जाये, ताकि वे ईमानदारी और दक्षता से अपना काम करें और किसी को उन से शिकायत न हो।

जहाँ तक कम्पेन्सेशन का सम्बन्ध है, मैं यह नहीं कहूँगा कि सरकार कम्पेन्सेशन दे या न दे, क्योंकि इस का फैसला हो चुका है। इसलिए सरकार को कम्पेन्सेशन देना ही है। अगर देना ही है, तो मैं सिर्फ इतना ही अर्ज करूँगा कि सरकार इसमें विलम्ब न करे। कम्पेन्सेशन देने से मालिकों के हृदय में जो दुःख और सदमा है, वह दूर हो जायेगा और वे किसी अन्य धंधे में लग जायेंगे। वे अवाञ्छनीय तत्वों से मिलकर खदानों में जो अशान्ति पैदा करने की चेष्टा करते हैं, उस से भी छुटकारा मिल जायेगा।

बिहार में कोयला खदानों की कमी नहीं है, लेकिन नियुक्तियों के मामले में वहाँ के लोगों को उचित इन्साफ नहीं दिया जा रहा है। मैं यह बात प्रान्तीयता की भावना से प्रेरित होकर नहीं कह रहा हूँ। उम प्रान्त में जो गरीबी है, उस का दृष्टि में रख कर मैं कहना चाहता हूँ कि वहाँ के लोगों को नौकरियों में अवसर दिया जाये। खाम तौर से इस कारण वहाँ दुर्भिक्ष की विकट स्थिति है और लोग भूख के कगार पर खड़े हैं। इसलिए नियुक्तियों के मामले में प्राथमिकता दी जाये।

मन्त्री महोदय ने अपने बयान में कहा है कि प्राधिकरण का हँड आफिस कलकत्ता में ही रहे। उन्होंने इस के पक्ष में जो लाजिक

[श्री जगन्नाथ मिश्र]

और फिलासफी की बात कही है, मैं उस से सहमत नहीं हूँ। जहाँ इतनी बड़ी सख्या में कोयला खदानें हैं, वहाँ हेड आफिस न बना कर कहीं और बनाया जाये, मुझे यह उचित नहीं मालूम होता है। अगर कनकता आज एक व्यावसायिक केन्द्र है, तो उस को ऐसा बनाया गया है। किसी भी स्थान को ऐसा महत्व दिया जा सकता है और उस स्थिति में लाया जा सकता है। इसलिए मेरा निवेदन है कि हर क्षेत्र को अपना हक मिलना चाहिए।

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

SHRI P. M. MEHTA (Bhavnagar) : Mr. Chairman, Sir, during the course of the debate on Coking Coal Mines (Nationalisation) Bill, 1972, welcoming the Bill, I had said in this House :

“There is a provision for payment of compensation to the owners of the mines and to the owners of the Coke-oven plants. I think they would have taken out by way of return all these years much more than the capital employed by them in these. Therefore, there is absolutely no necessity to provide compensation to these owners. When Government decide to pay such huge amounts to owners, naturally it will be a wrong start or a bad start for such public undertakings.”

Sir, I hold these views. There is nothing wrong if no amount is paid to those who have made big fortunes from the ownership of this industry. But one aspect which has been lost sight of is compensation to the small investors who have invested their life-earnings in the form of shares in the collieries.

I have received representations from the shareholders of some of the collieries and I think, the hon. Minister has also received some representations from the shareholders of some of the collieries. It is general complaint that they are small investors and they were getting regular dividends; now after the take-over of the management by the Government of all the coalmines, they will not get an adequate

return on their investment. Not only that they are also afraid whether they would get even their investment back. So, this is a point which I bring to the notice of the hon. Minister to consider...

SHRI S. MOHAN KUMARAMANG-LAM : On a point of information. Will the hon. Member make it clear whether he is for payment or against payment of compensation.

SHRI P. M. MEHTA : The hon. Minister was not in his seat when I quoted what I had said in this House during the course of the debate on the Coking Coal Mines (Nationalisation) Bill, 1972. I quote it again now. Welcoming that Bill, I had said :

“There is a provision for payment of compensation to the owners of the mines and to the owners of the coke-oven plants. I think they would have taken out by way of return all these years much more than the capital employed by them in these. Therefore, there is absolutely no necessity to provide compensation to these owners. When Government decide to pay such huge amounts to owners, naturally it will be a wrong start or a bad start for such public undertakings.”

Therefore, I have made out my point.

The question is about compensation to small investors. There is a provision under Chapter III of the present Bill for the payment of amount to owners of the coal mines and the amount is shown in the Schedule appended to the Bill.

But I could not see anywhere in the bill anything about the basis for the fixation of these amounts. It appears that the Schedule prepared is of a discriminatory nature. I would like to point out the discriminatory nature by giving some figures, and I would like to cite them for the information of the House also. Amalgamated Coal Fields Ltd. paid up capital Rs. 51 lakhs—total compensation—Rs. 94.04 lakhs. Karanpura Collieries Ltd.—paid up capital Rs. 59 lakhs—compensation—Rs. 77.70 lakhs. Parasea Coal Fields—Rs. 28.70 lakhs paid up capital and compensation—Rs. 30.37 lakhs. In the same way, Western Bengal Coal Fields Ltd.—Rs. 114.95 lakhs paid up capital

against which the compensation paid is Rs. 113.84 lakhs. Bengal Coal Cos. Ltd.—Rs. 140 lakhs paid up capital and compensation Rs. 424.55 lakhs.

Now, it appears that the Government has given a big amount to the foreign-dominated companies and they have not adopted fair and just basis for calculating this amount. I hope the Minister will clarify.

The other aspect of fixing up the amount without any scientific basis or formula will result in an adverse climate of investing small savings by the middle class and lower middle class people. I would, therefore, appeal to the Minister to come out with an explanation as to how the calculation for fixing the amount has been made and on what principle and on what basis it was made. He should take the House into confidence and assure us that the amount fixed is not arbitrary and detrimental to the interests of small investors. That is the one point that I want to make, that in the democratic set-up it is not appropriate or fair to have arbitrary decisions which will shake the confidence of the people from the doctrine of nationalisation. I believe that the Government, because of the massive majority, is completely blind to this aspect.

It is the impression of the people that this Government has been adopting nationalisation for the sake of nationalisation alone, just to achieve cheap political popularity. This attitude has destroyed the confidence of the people in nationalisation. People expect that after nationalisation of any industry, they will get better quality, sufficient quantity at a cheaper rate, but the case is otherwise here. After nationalisation of coal mines, there is a fall in production, rise in the prices and shortage of the commodity. In a planned economy, economy should be controlled by the State. There is no doubt about it but it should result into betterment of the industry, cheap prices and in the better living conditions of the community. Now, this Government because of its inefficiency and unimaginative policies, has failed to achieve these objectives of nationalisation.

With your permission, I will take two minutes more—regarding the labour policy in these nationalised coal mines. It has appeared in the Press today that the HMS

Secretary blames the Centre for unrest in the coalmines. This is the report :

"He said that the management of the Bharat Coking Coal Ltd., certain faction leaders of the INTUC and contractors were perpetrating their hegemony over the coalfields irrespective of the adverse impact on the production of nationalised coalmines."

Further :—

"Mr. Desai charged that petty contracts were still being given to vested interests despite extension of the public sector in the coalmines management."

This Government is talking too much about labour, but the Government, in their own nationalised undertakings, is adopting an anti-labour policy. Clause 14(5) states :

Where, under the terms of any contract of service or otherwise, any person whose services become terminated or whose services become transferred to the Central Government or a Govt. Company by reason of the provisions of this Act is entitled to any payment by way of gratuity or retirement benefits or for any leave not availed of, or any other benefits, such persons may enforce their claim against the owner of the coalmine but not against the Central Govt. or the Government Company.

I wish that the hon. Minister should give clarification on all the points whether a person who has retired or whose services are terminated will get his legitimate dues from the Commissioner or the Government or not. I appeal to the hon. Minister to look into the labour policy as well as the production side, the rate, and the easy availability of the commodity to the consumer. With these words I close.

सभापति महोदय : एक बात आप लोगों से निवेदन करनी है, अभी बोलने वाले बारह तेरह हैं और सवा चार बजे मुझे मिनिस्टर साहब को काल करना है ताकि साढ़े पांच बजे तक यह खत्म हो जाये। इसलिए आप लोग मेहरबानी करके पांच सात मिनट से ज्यादा बकत मत लीजिए।

श्री राम सिंह भाई बर्मा (इंबोर) : सभापति महोदय, आपके द्वारा मैं मंत्री महोदय को मुबारकबाद देना चाहता हूँ जो वह कोल माइन्स का राष्ट्रीयकरण करने जा रहे हैं। इन माइन्स को टेक-ओवर किए शायद अभी दो महीने ही हुए हैं और जितनी तेजी से और स्फूर्ति से यह राष्ट्रीयकरण किया जा रहा है उसके लिए धन्यवाद देने के सिवाय और चारा ही क्या है? समय की और श्रम सगठनों की भाग के आधार पर शासन ने राष्ट्रीयकरण किया। कोल माइन्स का यह राष्ट्रीयकरण कोई मामूली बात नहीं है और मैं मानता हूँ कि जिन श्रम सगठनों ने राष्ट्रीयकरण की हिमायत की है उनका भी यह धर्म हो जाता है कि इस उद्योग को सफल बनाने में सब सहयोग दे।

श्री ओंकार लाल बरबा : लेकर बूँगे।

श्री राम सिंह भाई बर्मा : देखिए यह मगज में से निकाल दीजिए। थोड़ा समझ सकते हो तो ऐसी बात कहनी चाहिए और समझ ही नहीं सकते तो ऐसी बात कहने में फायदा क्या है?

मैं मानता हूँ कि जो कदम उठाया जा रहा है वह बहुत ही अच्छा कदम है। लेकिन मैं एक निवेदन करना चाहता हूँ कि जो टेक-ओवर का कानून बना उसके बजाय राष्ट्रीयकरण का ही बनाते तो मैं मानता हूँ बीच में जा मुआवजा दिया गया वह देना नहीं पड़ता। वह मुआवजा देने के बाद अब और दूसरे मुआवजे की जो बात है वह भी किस आधार पर दिया जा रहा है, समझ में नहीं आ रहा है। मैं यह विश्वास करता हूँ कि जो मुआवजे की रकम ठहराई है वह गैर-बाजिब तो नहीं ठहराई गई होगी। जिन उद्योग का हम राष्ट्रीयकरण करने जा रहे हैं, आखें बन्द करके तो मुआवजा नहीं दिया जा सकता और न ही दिया है। लेकिन इसमें केवल छतना दक्षिण कि मुआवजा देने का आधार यह है तो मैं मानता हूँ कि किसी को नुकतापीनी

करने की आवश्यकता नहीं होती। आपने मुआवजा देने में चार हजार से लेकर 3 करोड़ से ऊपर तक की रकम दी है। तो क्या यह उचित नहीं होता कि एक छोटा-सा नोट डालने में कि मुआवजा देने का आधार यह है।

इसके साथ मैं श्रमिकों के सबध में एक निवेदन करना चाहता हूँ। बुनिया के देशों में मैं भी घूमा हूँ और इंडस्ट्रीज भी देखी हैं, कोल माइन्स भी देखी हैं। मैं अपने अनुभव से यह कह सकता हूँ कि कोल माइन्स में काम करने वाले श्रमिकों के वेतन दूसरी इंडस्ट्रीज में काम करने वाले श्रमिकों से दूसरे देशों में और रशिया तक में ज्यादा है। क्या कारण है कि हिन्दुस्तान के अंदर कोल माइन्स जैसी हैवी इंडस्ट्री के श्रमिकों का वेतन लाइट इंडस्ट्री के श्रमिकों से भी कम है और वकिंग कंडीशंस इतनी खराब है कि जब श्रमिक सुबह घर से काम पर जाते हैं तो उनके बाल बच्चे यह सोचते हैं कि वापस भी आएंगे या नहीं?

मैं श्रीमन् यही निवेदन करना चाहता हूँ कि इस बात पर भी विचार करे। जो कोल माइन्स में बदतर हालत में काम करते हैं, उन्हें वेतन कम मिले, उन की जिन्दगी तो बैसे ही कम हो जाती है। आज झरिया के अन्दर एक मजदूर को औसतन 234 रुपये मिलते हैं, रानी गज में 246 रुपये क करीब मिलते हैं, जब कि टैक्सटाइल इण्डस्ट्री में, जो कि एक साइड इण्डस्ट्री है, सीधा-साधा काम है, औसतन 270 रुपये मिलते हैं—यह कहा का न्याय है। जो आदमी सुबह से शाम तक जमीन में सैकड़ों फुट नीचे काम करता है और किन खराब हालतों में काम करता है, उस की तरफ आप को सहानुभूति के साथ विचार करना चाहिये। मैं चाहता हूँ कि इनका वेतन-स्टैंडर्ड हैवी-इण्डस्ट्रीज या आपके स्टील प्लांट के वेतन-स्टैंडर्ड के अनुसार होना चाहिये।

मैं उन बातों को दोहराना नहीं चाहता जो अन्य माननीय सदस्य कह चुके हैं। मैं सब से पहले आप के समझ एक बात रखना

चाहता हूँ—कोल माइन्ज की वर्किंग कन्डी-
शन्ज बहुत खराब है, जिसके कारण बहुत
सी कोल माइन्ज बन्द हो गई हैं।
श्रमिक जिन हालतों में बहा काम करता है,
उसको दृष्टि में रखते हुए यदि आप वेतन के
साथ साथ बहा की वर्किंग कन्डीशन्ज को
सुधारेगे तो आपको ज्यादा प्रोडक्शन मिल
सकता है। आप चाहे जितना पैसा चारों
तरफ खर्च कीजिये, लेकिन वर्किंग कन्डीशन्ज
अच्छी नहीं होगी तो प्रोडक्शन भी अच्छा
नहीं मिल सकता है। वर्किंग कन्डीशन,
वर्कलौड और वेतन तीनों का सबध साथ है।
बहा वेन्टीलेशन्ज का कोई ठीक इन्तजाम नहीं
है। जब लिफ्ट के द्वारा श्रमिक नीचे खदान
में जाते हैं, 1000 फुट नीचे उतरते हैं तो
कोई ठीक हवा बहा उनको नहीं मिलती,
कितनी गरमी होती है, इसका आप अनुमान
लगा सकते हैं। जिम समय वे कोयला खोदते
हैं, इतनी कोल डस्ट उड़ती है कि पास में खड़ा
हुआ आदमी भी दिखाई नहीं देता। दूसरी
तरफ इन प्राइवेट सैक्टरवालों ने कोल माइन्ज
की यह हालत कर दी है कि रूफ का प्रोटेक्शन
भी ठीक नहीं मिलता। एक्सीडेंट्स की
क्या हालत है? दूसरी इण्डस्ट्रीज में भी
एक्सीडेंट्स होते हैं, लेकिन यहाँ उनमें दो-
चार गुना ज्यादा ही होते हैं। मैं आपसे जानना
चाहता हूँ कि इसके बारे में आपने क्या जाच
की है, कितनी रिपोर्टें आपके पास आई हैं
और उसकी देख रेख के लिये आपने क्या
व्यवस्था की है। कोल माइन्ज का श्रमिक
हर समय कुदरत के विरुद्ध खतरों से जूझता
रहता है, जिन कन्डीशन्ज में वह काम करता
है, उसकी तरफ ध्यान देना चाहिये, और ऐसा
प्रयत्न करना चाहिये, जिससे उनकी आर्थिक
उन्नति के साथ-साथ स्वास्थ्य एव प्राणों की
रक्षा हो।

आपने यह बहुत अच्छा काम किया है कि
उनके वेतन और प्राविडेंट फण्ड की रकम
मुजाबजे में से बसूल की जायेगी। लेकिन मैं
एक निवेदन करना चाहता हूँ—आपने उस

में एक शर्त रखी है कि जो श्रमिक उसके लिये
क्लेम करेगा उसको मिलेगा। इसमें एक
कठिनाई है—कोल माइन्ज के वर्कर्स का जो
प्राविडेंट फण्ड काटा जाता है, दूसरी इण्डस्ट्रीज
में तो उन्हें प्राविडेंट फण्ड की सेविंग्स-बुक
ही जाती है, जिससे पता चलता है कि 12 महीने
के अन्दर कितना जमा हुआ, उसका ब्याज
कितना होता है, लेकिन कोल माइन्ज में काम
करने वालों के पास ऐसी कोई प्राविडेंट फण्ड
सेविंग्स बुक नहीं है। श्रमिक को यह
पता नहीं है कि उसका कितना प्राविडेंट फण्ड
का पैसा निकलता है। आपको यह करना
होगा कि प्राविडेंट फण्ड कमिश्नर की मदद ले
कर यह मालूम करे कि कितनी रकम काटी
गई है, कितनी एम्प्लायर्स से मिली है और उस
का कितना ब्याज होता है। यह आपको
प्राविडेंट फण्ड कमिश्नर से मागना और क्लेम
करवाना चाहिये।

श्री अँकार लाल बेरवा (कोटा) सभापति
महोदय, हर चीज का राष्ट्रीयकरण ही कोई
रामबाण दवा नहीं है। हमने देख लिया और
हर तरह से देख रहे हैं—दाने-दाने को दुनिया
मोहताज हो रही है, लेकिन फिर भी राष्ट्री-
करण का डण्डा ले कर यह सरकार जनता के
सिर पर सवार बैठी है। राष्ट्रीकरणवालों
जरा दुनिया में देखो—जिन्होंने राष्ट्रीयकरण
की प्रथा चलाई है, वे भी आज इसे छोड़ते
जा रहे हैं और भोगते जा रहे हैं, लेकिन
हिन्दुस्तान में आ कर यहाँ शरण ले कर हमारी
भूमि पर छा रहे हैं और हमारा भाई उनका
गुण गा रहे हैं कि एकमात्र रामबाण दवा राष्ट्री-
करण है। हमने सीमेन्ट का राष्ट्रीयकरण
किया, शक्कर का किया, चीनी मिलों का
राष्ट्रीयकरण किया, 70 परसेन्ट ले लेते हैं,
30 परसेन्ट तो लेवी है। गेहूँ का राष्ट्रीयकरण
किया। मैं चाहता हूँ दो किलो गेहूँ तो ले
आईये—यह क्या राष्ट्रीयकरण है। जनता
हमारा मुँह ताक रही है, राष्ट्रीयकरण ही मया
है—रेडियो रात-दिन गूजता रहता है कि
यह रामबाण दवा है। लेकिन जिस-जिस चीज

[श्री अंकारलाख बेरवा]

का राष्ट्रीयकरण किया, वह बुनिया से नदारद, गारद होती जा रही है, शहरों में तो मिलती ही नहीं है।

आपने बीमार कपड़ा मिलों को अपने हाथ में लिया, कपड़े का भाव बढ़ा दिया। अब कोयला खानों का राष्ट्रीयकरण करने जा रहे हैं तो मजदूरों का सत्यानाश हो जायेगा और जो कांग्रेस में बैठे हुए हैं—हमारे रामगढ़वाले ठेकेदार, जिन पर करोड़ों रुपया इन्कम टैक्स का बाकी है—उनका कुछ नहीं होगा। दो साल पहले सफेद टोपी लगा कर कांग्रेस में जा कर बैठ गये, मैं पूछता हूँ उनसे करोड़ों रुपया क्यों वसूल नहीं किया, क्योंकि वे कांग्रेस का झण्डा हाथ में लेकर और सफेद टोपी लगा कर बैठ गये। तीन करोड़ रुपये की डिग्री आई, उसको वापस कर दिया, इसलिए कि सफेद टोपी लगा कर बैठे हैं। गरीबों का खून चूस-चूस कर सफेद टोपी लगा कर कांग्रेसिये बन गये। सब से पहले तो उन पूँजीपतियों का जो सफेद टोपी लगा कर उधर बैठे हुए हैं, करोड़ों रुपया इन्कम टैक्स का बकाया है, उन कोयला खानों से वह पैसा वसूल किया जाय। दूसरी बात मैं मुआवजे की रकम के बारे में कहना चाहता हूँ। जो बड़े-बड़े खान-मालिक हैं, जिनके हाथ में डण्डा है, उनको तो ठीक दिया जा रहा है, लेकिन जो गरीब हैं, छोटे-छोटे ठेकेदार हैं, जिनके हाथ में डण्डा नहीं है, उन को दो सौ, चार सौ और छः सौ रुपये में ही टालना चाहते हैं। मैं पूछता हूँ—आप राजाओं का मुआवजा तय क्यों नहीं करते, आज तक उनका मामला लटका हुआ है? सीलिंग का कानून पास किया है, आपने क्या कार्यवाही की, ये लोग गरीब हैं, इसलिए गरीबों को मारने के लिए राष्ट्रीयकरण किया जा रहा है।

मैं श्री कुमारमंगलम माहय से पूछना चाहता हूँ—जो मजदूर दो सौ फुट नीचे जा कर काम करता है और दुर्घटना हो जाये तो उसको आप क्या देते हैं। पार्लियामेंट में आ कर कह देते हैं कि थोड़ा मौन धारण कर

लो, फर्मा कोयला खान में इतने-आवनी मर गये। लेकिन उनको देते क्या हैं—200 रुपये यानी उनकी कीमत दो सौ रुपये हैं। लेकिन अगर हमारे किसी मंत्री का एक्सीडेंट हो जाये, पैर की हड्डी टूट जाये तो उसे 10 हजार रुपये मिलते हैं—आखिर दोनों में एक सी जान होती है, इतना फर्क क्यों?

कोयला खान के मजदूरों के बोट से आप चुन कर आते हैं—लेकिन उनके लिए क्या कर रहे हैं। मजदूर आज इस तरफ देखता है कि राष्ट्रीयकरण के बाद क्या होगा, लेकिन यहाँ तो राष्ट्रीयकरण के पहले ही कोयला गायब हो जाता है। जो सी क्लास का कोयला है, वह वी क्लास में बेचा जायेगा, जो वी क्लास का कोयला है, वह ए क्लास में बेचा जायेगा—इस तरह से भाव ऊँचे हो जायेगे।

मिलावट भी इस राष्ट्रीयकरण के द्वारा आई है। बाजार से वे सारी चीजे गायब हो गईं, कोयले की कमी क्यों आई है? जब बीमार मिलों को सरकार ने अपने हाथ में लिया तो क्या कपड़ा ज्यादा पैदा होने लगा, कपड़े का भाव बढ़ गया। इसी तरह से कोयला का भाव बढ़ना आवश्यक है, भाव बढ़ेगा और अभी से बाजार से गायब होने लगा है।

मैं आपसे निवेदन करना चाहता हूँ—उनको जो कम मुआवजा दिया जा रहा है, वह पर्याप्त मात्रा में दिया जाय। दूसरे राष्ट्रीयकरण जो हर चीज की रामबाण दवा है, उस को खत्म किया जाय। तीमरे—जरा आखे खोल कर वनों, इन इन्फ्यूनिस्टों के पीछे मत चलो, डूब जाओगे, ये तुम्हें मसदार में छोड़ देंगे। राष्ट्रीयकरण का नाम लेना छोड़ दो। बाजार से जैस गेहूँ गाया है, वैसे ही कोयला भी गायब हो जायगा।

श्री राम नारायण शर्मा (घनवाद) : सभापति जी, मैं इस राष्ट्रीयकरण के बिल का स्वागत करता हूँ और यह महसूस करता हूँ कि 711 कोयला खदानों का राष्ट्रीयकरण करके सरकार ने, जो 1937 से कमेटिया

रिक्वेन्ड करती रही है कोयला खदानों को राष्ट्रीयकरण के लिए, उनकी सिफारिश पर जाज जा करके अमल किया है और वह भी तब जब कि कोयला खदानों में काम करने वाले 4 लाख मजदूरों ने 15 जनवरी, 1973 को आम हड़ताल करके यह माग किया कि खदानों का अविलम्ब राष्ट्रीयकरण होना चाहिए। हमारे कुछ भाई तो इस तरह के भी निकल पड़ते हैं जो समझते हैं कि उससे कोयला खदानों के मजदूरों का मत्यानाश हो जायेगा, लेकिन वास्तव में मजदूरों को मत्यानाश से बचाने के लिए और कोयला खदानों को मत्यानाश से बचाने के लिए ही यह विधेयक लाया गया है। सी० पी० एम० के एक माननीय सदस्य ने तो यहाँ तक कह दिया, जो कि सबसे पहले बक्ता थे, कि मालिकों की रक्षा के लिए ही राष्ट्रीयकरण हुआ है। हमारे वे साथी मजदूरों के क्षेत्र में काम करते हैं, किम तरह से उनको यह दिखाई पडा कि मालिकों की रक्षा और सुरक्षा के लिए राष्ट्रीयकरण किया जा रहा है? पता नहीं वे किस दृष्टि से इस चीज को देखते हैं। साथ ही साथ हमने यह कंट्राडिक्शन भी पाया, जब वे बोल रहे थे कि स्टेट गनरमेंट की रायल्टी के इतना करोड है, प्राविडेंट फंड का एरियर इतना करोड है और वेजेज ड्यू इतनी हैं, कुल इतने करोड का बताया है और यह उन मालिकों से वसूल करना चाहिए। एक तरफ वे कहते हैं कम्पेन्सेशन नहीं देना चाहिए जो वह सम्पत्ति ली गई है और दूसरी तरफ इन सारी चीजों को वसूल करना चाहिए तो यह जो कंट्राडिक्शन है उसको वे साथ लेकर चलते हैं। मेरी समझ में नहीं आता वे किम दिशा में जा रहे हैं।

अभी सरकार ने बताया है कि पिछले दिनों 11 67 करोड प्राविडेंट फंड का एरियर 30 सितम्बर, 1972 तक था और सरकार ने राष्ट्रीयकरण करके अपने पाम स्थानस्था ली है उसके पहले के चार महीने और हुए और उन चार महीनों में भी कनिब एक करोड और बैठ गया होगा क्योंकि किसी मालिक ने

दिया नहीं है जबसे कोकिंग कोल का राष्ट्रीयकरण हुआ नान-कोकिंग कोल वाले किसी ने प्राविडेंट फंड का कोई पैसा जमा नहीं किया तो इस तरह से 12 करोड से अधिक का प्राविडेंट फंड में एरियर है। और सरकार ने इस बिल में जो प्राविजन किया है उसमें कहा है कि मजदूर अपने क्लेम का दावा कम्पेन्सेशन कमिश्नर के यहाँ जाकर के वरेंगे। जैसा कि अभी भाई राम सिंह जी बतला रहे थे, मजदूरों के पाम कोई एकाउंट है ही नहीं, प्राविडेंट फंड आर्गनाइजेशन ने कोई हिसाब दिशा नहीं तब फिर उनमें कैम आशा की जाती है कि वे जाकर के कम्पेन्सेशन कमिश्नर के सामने अपना दावा वरेंगे कि उनमें प्राविडेंट फंड का इतना बताया है। इसलिए आप वेजेज का मामला छोड़ दीजिए, लेकिन ग्रैच्युटी और प्राविडेंट फंड के मामले में, जिसमें पेंसिली पेशन भी इन्क्लूडेड है कम में कम सरकार को ही कदम उठाने चाहिए, और प्राविडेंट फंड कमिशन को इसके लिए अधिकार देना चाहिए कि मजदूरों की तरफ में वे सारी की सारी रकम का दावा क्लेम कमिश्नर के यहाँ करे और क्लेम कमिश्नर को उन दावों को एन्टरटेन करना चाहिए क्योंकि अगर यह प्राविजन नहीं रखा जाता है तो मैं यह समझता हूँ फिर भी क्लेम कमिश्नर के यहाँ काफी रकम रह जायेगी, मजदूरों के प्राविडेंट फंड की व्यवस्था उस विधेयक में रखने के बावजूद भी मजदूरों को राहत नहीं मिलेगी और मजदूर अपने हक में अधिन हो जायेंगे। धुरी कोलरी में यह हुआ, 268 आदमी मरे, जो कम्पेन्सेशन ऐक्ट है जिसमें लगभग 25 लाख रुपया ड्यू होगा उससे साथ अगर वह मारी चीजे उन पर छोड़ दी जाए तो वे बहुत तरन में समर्थ होंगे। इसलिए सरकार जो इस तरह की व्यवस्था करनी होगी, चाहे लेजर डिपार्टमेंट के द्वारा ही और चाहे माइन डिपार्टमेंट के द्वारा ही, लेकिन इस तरह की व्यवस्था करनी होगी, बिल में इस तरह का प्राविजन करना होगा जिसमें कि सारे दावे मजदूरों के बिहाफ पर किए जाएँ और कम्पेन्सेशन की जो रकम

[श्री राम नारायण शर्मा]

है वह बसूल की जाए। आप देखेंगे कि 30 35 करोड़ का जो प्रविजन कम्पेन्सेशन के लिए किया गया है इस रकम से अधिक सरकारी ढाबे होंगे, उससे अधिक मजदूरों के ढाबे होंगे और कुल मिलाकर आप पाएंगे कि वह रकम यथेष्ट नहीं है जिससे कि उनको मारा पैसा मिल सके।

अभी श्री के० डी० मालवीय जोकि पहले माइन्स मिनिस्टर रहे हैं वे बतला रहे थे कि बर्ड प्लान का टारगेट 100 मिलियन टन कोयले के प्रोडक्शन का था, वह नहीं है उसे रिवाइज करके उन्होंने 97 मिलियन टन किया और कोयला 70 मिलियन टन हुआ जिसकी खपत भी नहीं हो सकी। अब 142 और 143 जो फिफथ प्लान में मिनिस्टर साहब बतलाते हैं उसको यथेष्ट नहीं मानते हैं और 6ठे प्लान के लिए उन्होंने मवा दो सौ मिलियन टन कहा कि सरकार को उसका उत्पादन करना होगा लेकिन उत्पादन की स्थिति यह है कि रेलवे विभाग जो है वह कहता है कि हम पूरे बैंगन देते हैं लेकिन यह लोग कोयले का उत्पादन नहीं करने हैं जबकि यह लोग कहते हैं कि हम कोयले का उत्पादन करते हैं रेलवे से हमें डिब्बे नहीं मिलते हैं इसलिए कोयला पहुंच नहीं पाता है। आज परिस्थिति यह है कि रेलवे और कोयले वालों के चक्कर में बिजली का भी उत्पादन नहीं हो रहा है। दामोदर वैली कार्पोरेशन जो प्ररिया फील्ड में 130 मेगावाट बिजली देता था उसने अपनी बिजली सप्लाई को घटाकर 65 मेगावाट कर दिया है। ऐसी हालत में जो एक विशेष सर्किल तैयार हो रहा है वह हमारे उद्योगों पर असर डालने वाला है। बिजली के लिए अगर कोयला नहीं मिलेगा तो बिजली का उत्पादन नहीं होगा, बिजली नहीं मिलेगी तो कोयला नहीं होगा और कोयला नहीं होगा तो रेल नहीं चलेगी। रेल नहीं चलेगी तो कोयला नहीं डोया जाएगा। इस तरह से तीनों का जो विशेष सर्किल बनने जा रहा है वह हमारे उद्योगों को चौपट करेगा। इसलिए आज सबसे

बड़ी समस्या यह है कि तीनों मिनिस्ट्रीज के लोग बैठ करके इस समस्या का हल निकालें जिससे कि उद्योग में जो अभावित फैलने वाली है और कोयला, बिजली, रेल के डिब्बों के अभाव में सारे देश में जो इन्फ्लेशन हो रहा है उन सारे अभावों को दूर किया जा सके, इस प्रकार की व्यवस्था होनी चाहिए।

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

SHRI H M PATEL (Dhaidhakt) Mr Chairman, Sir, I found that the last speaker was saying that he was supporting the Bill and had everything to say against it. He thought how there will now be ensured a vicious circle in which power stations, railways and coalmines will each go into difficulties because of the inadequacy. However, I do not wish to go into it. But one thing that it does point to is this. On such an important Bill of this nature why did the Minister not consider it advisable to refer it to a Select Committee, what was the desperate hurry in this? Is it not necessary that a Bill of this importance is given the fullest consideration so that not only those who are opposed to it but those who are in favour of it do not also have to criticise as violently and viciously as they had done today?

It has been pointed out without any hesitation, curiously enough on the congress side as also, of course, in certain other sides that the compensation that is being paid is excessive, and no indication has been given about the basis on which compensation has been arrived at. Therefore, they themselves ask that the Bill should be referred to a Select Committee. I, of course, consider that the compensation is grossly inadequate. It is inadequate, quite patently. For instance, the value of stores, stocks and so on, has been estimated at about Rs 15 crores so that the compensation that is really being paid to the 711 mines is 15 crores odd. Is that adequate? Is that adequate when you yourself consider that to establish fresh production you will require something over Rs 100 crores per tonne? What could be the value, on that basis, of the mines that you have taken over? It may be that the mineowners

have been improvident and have only looked to their profit. Should that, however, be the only consideration when you take over these mines.

Mr Indrajit Gupta referred to the coal nationalisation in Great Britain 20 odd years ago. It is perfectly true that they did nationalise, but did they nationalise and not give compensation on such basis that you impoverish not just the mineowners who managed the coal mines but also the share-holders? A reference to share-holders is generally disregarded as if it is of no importance. But most share-holders are not really as affluent or really have made large sums of money as is being suggested, they have not fattened as a result of whatever exploitation there may have been. I think there is no doubt at all that this compensation is extremely inadequate. Of course, my saying this has no particular significance and I know that I speak to a close mined so far as this matter is concerned. Nevertheless, I think it is desirable that the point should be made, that you are not being fair. In spite of all your persuasiveness, this you cannot establish. Being as persuasive as you are, you are, with your power of persuasion, I think you might have risked a reference to the Select Committee which it, is not even now too late for you to consider, because, there, you could have convinced everybody of the soundness of the reasons, not for nationalisation—because that is done—but for the compensation that you are giving, for the arrangements that you are making for the subsequent satisfactory operations of the nationalised mines.

The Minister suggested that there was a conspiracy of misrepresentation in regard to the nationalisation. I do not know of conspiracy, but there is no doubt as speaker after speaker has pointed out, shortage of coal exists today.

There are complaints from many quarters. It may be that coal does not get its destination as a result of the railways inadequacy. Power stations are also complaining about the shortage of coal. That is also true. Do they carry the amount of coal they should in stock so that they do not have to be anxious in regard to keeping the power stations running continuously? I feel that that one great mistake that has been made, is not referring it to the Select Committee

Because it is there that he could have satisfied all the different shades of opinions about the method of compensation, the method of nationalisation and the method of subsequent operation that is proposed to be adopted.

That is all I have to say, except to emphasise once again that the compensation that they have paid is inadequate. May I again say that it was on that side of the House that it was pointed out how the compensation given is more than the fixed capital, more than the paid up capital and that, therefore, it means they are favouring the foreign companies and so on. There must be sound reasons why those companies have been given the compensation that they have been given. Not all companies were unscientifically run. There must be companies which were run as scientifically as you propose to run and I will be very glad if the Minister would be fair enough to point out that among the 711 mines that he took over there was a good number which were soundly and well run.

समाधि महोदय : मेरा सदन से एक निवेदन है। अभी बोलने वाले हैं। कांग्रेस दल के भी काफी सदस्य हैं। इसलिए मेरा अनुरोध है कि कोई सदस्य राब टाइट से अधिक न ले ताकि मैं सबको अक्रोनाइड कर सकूँ।

श्री सुखदेव प्रसाद बर्मा (नवादा) : सभापति महोदय, मैं कोयला खान (राष्ट्रीयकरण) विधेयक का समर्थन करता हूँ। इसमें कोई सन्देह नहीं कि समाजवादी व्यवस्था के अन्दर राष्ट्रीयकरण का भी एक कार्यक्रम था और उसको पूरा करना था। वह किया गया और समय पर किया गया, लेकिन सब से ज्यादा जरूरी देखने की बात यह है कि देश में कोयले की जितनी आवश्यकता है उतने उत्पादन की क्षमता जो कोयले के प्राइवेट मालिक हैं उनके नीचे रह कर पूरी नहीं हो रही थी और खाने बग़ाव हो रही थी। जितन दिन तक उन्हें ले चलना था उतना वह नहीं चला सकते थे, वैज्ञानिक ढंग से कोयले का जितना ज्यादा उत्पादन होना चाहिए था वह नहीं कर सकते थे।

[श्री सुखदेव प्रसाद वर्मा]

16 hrs.

देश की कोयले की आवश्यकता की पूर्ति के साथ-साथ और व्यक्तिगत पूंजी अधिक न बढ़े, जो विषमता चन रही है उसको रोका जाय इसके साथ-साथ यह भी आवश्यक था कि देश की आवश्यकता की जो पूर्ति करनी है उसको नियन्त्रित मूल्य पर किया जाय और समय पर किया जाए। साथ ही साथ एक ऐसा वातावरण देश में पैदा किया जाए इस राष्ट्रीयकरण के माध्यम से कि लोगों के हृदय में विश्वास हो कि समाजवाद के रास्ते पर चलने के लिए, राष्ट्रीयकरण के सिवा, खानों और कारखानों को सरकारी नियन्त्रण में लेने के सिवा दूसरा कोई रास्ता नहीं है और यह देश हित में हो रहा है। लेकिन मंत्री महोदय ने बहुत दृढ़ता और तेजी के साथ इस कार्यक्रम को लागू किया है। बहुत से माननीय सदस्यों ने कहा है और मैं भी कहना चाहता हूँ कि आपूर्ति का जहाँ तक सवाल है, फिर चाहे सर्वेसाधारण के लिए हो या बिजली घरों के लिए हो या कारखानों के लिए हो या उद्योगों के लिए हो, उसमें बहुत ज्यादा बाधा आई है। आज विचार करने की आवश्यकता है कि यह कमी क्यों आई है? मैं नहीं मानता और मैं विश्वास भी नहीं करता हूँ कि हमारे मंत्री महोदय इस बात को कहें कि रेलवे ने बैंगन सप्लाई नहीं किये हैं और रेल मंत्रीजी यह कहें कि हमारे रैक जाते हैं लेकिन उनको कोयला नहीं मिलता है। मैं समझता हूँ कि इसमें बाद-विवाद को कोई बात नहीं होनी चाहिए। जो मूल कारण है उसकी ओर मंत्री महोदय का ध्यान जाना चाहिए। मूल कारण यह है कि कोयला खानों में जिस तरह से सरकारी यंत्र डीला-डाला होता है, सरकारी प्रशासन डीला-डाला होता है, या भ्रष्ट प्रशासन होता है उसका असर कोयला खानों में भी पड़ा है और उस कारण से भी बहुत ज्यादा खराबी पैदा हुई है। कोकिंग कोल का जब आपने राष्ट्रीयकरण किया था तब आपने कहा था कि खान मालिकों के जो पुराने कर्मचारी हैं उन्हीं को लिया जायेगा। तब असली काम करने वाले

जो कर्मचारी पहले थे उनको हटा करके मालिकों ने अपने एजेंट उनमें घुसेड़ करके उनको नियुक्त करवा लिया, जिसके कारण बहुत गड़बड़ी हुई। इससे आपने सबक नहीं लिया। यहां पर भी आपने निर्णय लिया कि कोयले की खानों में जो काम करने वाले कर्मचारी हैं, मालिकों के जो पुराने कर्मचारी हैं, उन्हीं को लिया जायेगा। असली काम करने वाले जो कर्मचारी पहले से थे उनको हटा करके खान मालिकों ने अपने एजेंट कर्मचारियों में घुसेड़ करके नियुक्त करवा लिए। इसलिए आज भी इंडियन कोयल में ये खानें उन मालिकों के नियन्त्रण में ही हैं। इस ओर आपका विशेष ध्यान जाना चाहिए। आपकी मशीनरी और आपके प्रशासनिक यंत्र, दोनों को मिल करके इस बात पर विचार करना चाहिए कि अभाव की स्थिति पैदा क्यों हुई है देश में और उसके कारण जो गड़बड़ी चल रही है उससे किस तरह से निपटना है। आज देश में कोयले को लेकर हाहाकार मचा हुआ है। उद्योग बन्द हो रहे हैं। टाइम्स आफ इंडिया में जो निकला है उसके सम्बन्ध में आपने वक्तव्य दिया है। जो समाचार प्रकाशित हुआ है उसमें कहा गया है कि थर्मल पावर स्टेशनज की कितनी कोयले की आवश्यकता थी और आपने कितना सप्लाई किया। सब आकड़े उसमें दिये हुये हैं। अगर ये आकड़े गलत हैं तो आपको सिद्ध करना चाहिए कि ये गलत हैं और बताना चाहिए कि थर्मल पावर स्टेशनज के वास्तु इतने कोयले की आवश्यकता थी और हमने इतना कोयला सप्लाई किया। तब यह जो समाचार छपा है इसको मैं गलत मान सकता था।

जब कोकिंग कोल के राष्ट्रीयकरण का बिल आया था उस वक्त कंसल्टेंटिव फमेटी में बात हुई थी कि चूकि बिहार में कोयले की खानें सबसे ज्यादा हैं इसलिए इसका हूड आफिस बिहार में बनना चाहिए। इसके सम्बन्ध में मंत्री महोदय का जो वक्तव्य आया है उसको पढ़ कर हम लोगों को बड़ा कष्ट हुआ है। मैं चाहता हूँ कि कि मंत्री महोदय ने जो

दुकता तब दिखाई थी वही दुकता वह अब भी दिखाएँ और जिस तरह से तब उन्होंने कहा था कि उसका हेड आफिस बिहार में धनबाद में रहेगा उसी तरह से अब भी यह कहें कि इसका भी हेड आफिस बिहार में धनबाद के अन्दर रहेगा। मैं चाहता हूँ कि मंत्री सौदेय इस पर पुन विचार करें। हिन्दुस्तान भर में बिहार के अन्दर सब में अधिक धन की खदानें हैं।

हमारे मित्रों ने मुझसे कहा है और उनके मुझसे के साथ मैं अपना मुझसे भी मिलाता चाहता हूँ कि आज कोयले का जो अभाव है और उसके मन्थ वड़े हैं, और उसको लेकर जो फायदा मचा है और बहुत से लोग बेकार हो गए हैं उनके सम्बन्ध में आप और रेल मन्त्रालय और साथ ही साथ कोयला खानों में लगी हुई सरकारी मशीनरी मिल बैठ कर इसका कोई हल निकाले, रास्ता निकाले। अगर ऐसा नहीं होता है तो राष्ट्रीयकरण आवश्यक होते हुए भी इसके प्रति जो लोगों की बुरी भावनाये पैदा हो रही है उनको आप रोक नहीं सकेंगे। कोयले की पूर्ति निरन्तर रूप से भागे देश में होती रहनी चाहिए और उसके वाम्ने समुचित व्यवस्था आपको करनी चाहिए ताकि राष्ट्रीयकरण के प्रति लोगों के दिमाग में गलत धारणाये न बनें। रेलों के माथ-माथ राज्य सरकारों पर दोष देकर आप बरी नहीं हो सकते हैं। हर रेलवे स्टेशन पर, बड़े-बड़े शहरों में, मडियों में, ग्रामीण क्षेत्र में आप बैंगनों में ट्रकों आदि से जो कोयला पड़ा हुआ है उन्को पहचानने की चेष्टा करें और उनकी आवश्यकताओं की पूर्ति करें। जल्दो से जल्दी आप ऐसा नहीं करेंगे तो लोगो के दिमागों में गलत भावनाये होगी।

श्री धनशाह प्रधान (मंडाव) : कायला खान राष्ट्रीयकरण विधेयक पर चर्चा हो रही है। इस विधेयक का मैं स्वागत करता हूँ। किन्तु मैं चाहता हूँ कि मजदूरों को इसका पूरा-पूरा लाभ मिले। ऐसा होगा सभी कोयला खानों का राष्ट्रीयकरण करना

ठीक सिद्ध होगा। तीस-तीस साल से मजदूर खदानों के नीचे पंद्रह हजार फुट नीचे जाते हैं, जहाँ पर हवा आदि का कोई प्रबन्ध नहीं है और वहाँ से कोयला निकाल कर लाते हैं। बड़ी बोगी में से 520 किलोग्राम और छोटी बोगी में से 440 किलोग्राम काटकर के एक हजार किलोग्राम के तीन रूपए अल्सीपैसे हिन्दाब में उनको दिये जाते हैं। वेज बोर्ड की जो रिपोर्ट है उसमें तोल मशीन का कही उल्लेख नहीं है। कही नहीं कहा गया है कि इसकी फिट किया जाए। यह फिट वहाँ नहीं होनी चाहिए। जिला शहडोल में बिरखानपुर नोरोजाबाद आदि में मालिकों ने अपने स्वार्थ मित्रों के लिये मशीने फिट कर रखी हैं। पिछले मार्च में मैंने सवाग किया था जिस का उत्तर मुझे जी नहीं और प्रश्न नहीं उठना देकर टाल दिया गया था। एक मजदूर को तीन रूपया अस्मी पैसे मजदूरी के मिलते हैं। जहाँ और जिस खान में वह काम करता है वहाँ हवा पानी का प्रबन्ध नहीं होता है। बाहर आए तो उसके खाने पीने का समुचित प्रबन्ध नहीं होता है। मजदूरों का शोषण हो रहा है। यह बन्द होना चाहिए। और इन बातों की ओर आपका ध्यान जाना चाहिए।

मन्त्री महोदय ने कहा है कि कलकत्ता में इसका हेड आफिस वह खान में जा रहे हैं। मैं चाहता हूँ कि शहडोल जिले में जहाँ चाँदह कोयला खदानें हैं, साडा फँकरी हैं, विजली का कारखाना है, वहाँ भी उमगा हेड आफिस आप खोलें। मैं प्रार्थना करता हूँ कि इस ओर आप ध्यान दें।

ठेकेदारों को मजदूरों को तीन रुपये और चार रुपये राज देने हैं और उनसे काम करवाने हैं। वे उनका शोषण करते हैं। इस वाम्ने यह ठेकेदारी प्रथा समाप्त होनी चाहिए।

वेज बोर्ड न जा महंगाई भत्ता दिया था राष्ट्रीयकरण के बाद उस पर पुन विचार था को करना चाहिए।

[श्री धनशाह प्रधान]

जहां और जिन क्षेत्रों तथा कोयला खानों में वेट मशीनें फिट हैं उनको हटाया जाए।

रेलवे बैंगल की भी यहां बहुत चर्चा हुई है। जहां भी लोडिंग साइड है वहां पर गाड़ी बराबर खाली खड़ी रहती है किन्तु स्टेशन मास्टर आदि कोई अपनी यह जिम्मेदारी नहीं समझता है कि उसको वह दे। पहले जो मैनेजमेंट हुआ करता था वह बर्षों से देकर अपना काम निकलवा लेता था। अब रेलवे स्टाफ को क्या गर्ज पड़ी है कि वह गाड़िया दें। नतीजा यह होता है कि कोयले का स्टॉक जमा हो जाता है। यह जो चीज है इस और भी आपका ध्यान जाना चाहिए।

इन सी० डी० सी० में राष्ट्रीयकरण के पहले जो मजदूरों को मजदूरी दी जाती थी वही अब भी दी जा रही है। वह बहुत कम है। वहां अभी भी टैम्पोरेरी और कैज्युल मजदूरों के तौर पर उन से काम लिया जाता है। पीने के पानी की उनके वास्ते व्यवस्था नहीं है। मजदूरों की सुविधा के लिए मैनेजमेंट ने जो सोसाइटीज आदि बना रखी थी वे भी बन्द सी हो गई हैं। और मजदूरों को कोई सुविधायें प्राप्त नहीं हो रही हैं।

पुराने मैनेजमेंटों ने अपने निहित स्वार्थ के लिए वेज बोर्ड की सिफारिशों के अनुसार वेतनमान निर्धारित नहीं किये और आज मजदूरों को उसी आधार पर पेमेंट हो रही है। इस लिए यह आवश्यक है कि कोयला खदानों के मजदूरों के लिए सही वेतनमान निर्धारित करके उनको उचित मजदूरी देने की व्यवस्था की जाय, ताकि कोयला उत्पादन में वृद्धि हो।

SHRI S. N. MISRA (Kannauj) : Mr. Chairman, I rise to support the Coal Nationalisation Bill. But I would like to put certain facts before the hon. Minister so that the doubt that has been caused due to the action of the Government as regards nationalisation of the coal may be cleared, if the Government has to take the responsi-

bility and have to take into confidence the people of the country and to show that they are doing something good for the country.

A statement was made on the 23rd of November, 1971 in this very House that they had no intention of taking over the other coal. This statement was made after the nationalisation of the non-coking coal. Unfortunately, it was on the 30th of January, a few weeks thereafter, when the Parliament was to meet within a few weeks, that this coal was also taken over. The House had not been taken into confidence. I do not think that these are matters which go favourably with the actions of the Government. It is my wish, my prayer, my request, to the hon. Minister that there are certain things which he must clear in his statement so that the cloud that has been created on account of the nationalisation, on account of the action taken by the Government and on account of the lapses of the Government may be cleared.

May I bring, to the notice of the hon. Minister, through you, that after the nationalisation of the coal has taken place, the coal has completely disappeared from the market. The assertion that had been made by the hon. Minister was that the coal was being taken over for the purpose of the benefit of the country and the people. Is it not a fact that the benefit has not come to-day to the poorer section and that every household is complaining that they are not getting coal and coal is not available even at double the price? Not only the householders, we had on the record that 67 trains had been cancelled. It is in to-day's newspaper which has tried to explain away that 20 generating stations are not getting adequate supply of coal.

SHRI S. MOHAN KUMARAMANGALAM: In fact, I explained this in my statement; probably, you were not here.

SHRI S. N. MISRA : It is not for one day that it has come in the newspaper in fact, we have been receiving complaints that there is cut in electricity. The cut has cost us several thousand crores of rupees. I will tell you one more thing which the hon. Minister may take into consideration. I have report which may be right or wrong Unfortunately, for the coal at the coal pits,

when loaded in the trucks (I have personal information in my custody), Rs. 10 or Rs. 20/- is being charged, and it is said that Rs. 10 or Rs. 20/- per tonne is needed for contribution to a particular party. I do not know which party gets it. It inflates the pockets of those who raise the slogan of *garibi hatao*.

I have been a Member of the Bar. I still feel that one the Supreme Court has given that the compensation should be adequate, that should be considered. My submission before the House, through you, is this. When, according to their own rates the N.C.D.C. works out Rs. 125 to Rs. 160 per tonne, what is the compensation that they are contemplating to give to the coal mine owners? It will work out at Rs. 4 per tonne. People have said rightly or wrongly—I do not know what are the motives of their saying so—that no compensation should be paid. I will be happy if no compensation is paid. According to the Constitution and to accord protection we nationalise everything existing on the earth, but so long as we have to pay compensation, the basis on which the compensation should have been calculated, the criteria, have been given in the Act itself. That has not been given. As has been mentioned in this very House, they have been overpaid, more than the paid-up capital. There must have been some criteria on which compensation is payable.

Now, look at the difficulties that will be created by the payment of compensation. A part of it will go and the labourers will suffer. The first charge is that the labourers have to be paid. Secondly, the small coal suppliers of coal mines will not be paid. They have lost everything. Thirdly, the financial commitments have been made by the nationalised banks. The loans and advances have been made by the nationalised banks. With the poor amount of compensation that you are proposing to pay, it will not be possible to meet the financial obligations.

The people are not bound to pay because, on account of this measure, the Government taking it over, there will be no liability. You have taken the entire stock; you have taken the entire coal mines. The

financial losses will be incurred by the banks and these will recoil upon every poor depositor in the banks.

My submission is that the hon. Minister should make it clear as to what is the justification of hurrying through this measure. On 23rd November, they made a statement, that they had no intention of taking over other section of coal producers and on 30th January, just when the House was to meet in February, a measure of this nature was taken and everything was taken over. Even atrocities have been committed in respect of those who have been the owners of the coal mines.

I am concluding with the request that if the Government has to take any action, it has to do so honestly and it must appear to be honest to the people that they are doing in the larger interest of the country. Please come forward with an honest move and do it honestly. Do not adopt back door methods. The hon. Minister has in command the entire planning of the country, the entire resources of the country. Let him make a statement that we will not have any difficulty about coal within three months. And we shall be all happy.

With these words, I thank you and still support it.

श्री राम बेब सिंह (महाराजगंज): सभापति महोदय, कोयला, खदान (राष्ट्रीय करण) बिल को कुछ लोगों ने समाजवादी प्रोग्राम बताया है और कुछ लोगों ने उम का विरोध किया है। मैं समझता हूँ कि कोई भी जनता की सरकार कोयले जैसी जीवन की आवश्यक वस्तु को कुछ मुट्ठीभर कोयलाखान-मालिकों के हाथ में नहीं छोड़ सकती कि वे लोग जैसे चाहें, उम का उत्पादन बढ़ायें या घटायें और मुनाफा कमायें। सरकार ने कोयलाखानों को ले लिया, वह ठीक किया। लेकिन मैं जानना चाहता हूँ कि क्या सरकार के पास कोयला खानों को संभालने और चलाने की शक्ति है। क्या उसने सोचा है कि वह जिन व्यवसायों को अपने हाथ में ले रही है, उन को किस एजेंसी के माध्यम से चलाया जाये? सरकार ने इस समाजवादी और

[श्री रामदेव सिंह]

जनोपयोगी कार्यक्रम को चलाने के लिए व्यूरोक्रेसी को चुना है। वह आज भी यह सोचने के लिए तैयार नहीं है कि अग्रेजों ने प्रशासन को चलाने के लिए जिन व्यूरोक्रेसी को वापस किया था, यह उस व्यूरोक्रेसी को दिन-प्रतिदिन और मजबूत बनाती जा रही है। वह चाहती है कि भिन्न-भिन्न काम व्यूरोक्रेट्स के माध्यम से किये जायें, लेकिन वह कर नहीं पाती है।

वह व्यूरोक्रेसी और व्यूरोक्रेट्स जन-उपयोगी कार्यक्रम कुछ कर नहीं पाते हैं। वह निकम्मे हैं, भ्रष्ट हैं। जहाँ उनके कदम पड़ते हैं वही मारी बीजों में गोलमाल और गड़बड़ होने लगती है। यह कोयले की व्यवस्था जो है, मंत्री जी कहते हैं कि हमारा उत्पादन बढ़ा है लेकिन सभापति जी, आप बिहार से आते हैं, जहाँ यह कोल फील्ड है, आज बिहार की स्थिति क्या है? आज पटना जैसे शहर में दस रुपये मन भी कोयला उपलब्ध नहीं हो रहा है। सारे लोग कोयले के लिए हाहाकार कर रहे हैं। कुमारमंगलम् साहब कहते हैं कि उत्पादन बढ़ा रहे हैं। कहीं बिजली घर बन्द हो रहे हैं, लोगों को जलाने के लिए कोयला नहीं मिल रहा है, सारी स्थिति बिगड़ रही है। आपका कार्यक्रम अच्छा होने हुए भी अगर आप में शक्ति नहीं है, ठीक व्यवस्था नहीं कर सकते, प्लानिंग ठीक तरह से नहीं कर सकते तो ऐसे क्रान्तिकारी कदम की उठा कर आप उसे घिनीला मत बनाइए। अगर आप नहीं चला सकते हैं तो आप इसको लोगों की नजर में क्रिटिसिज्म के लिए मत रखिये। (व्यवधान) हम क्रिटिसिज्म इसलिए करते हैं कि आपकी व्यवस्था ऐसी है कि मेरा आपने हाथ डाला कोयले पर डाला तो कोयला गायब, गेहूँ के थोक व्यापार पर डाला तो गेहूँ गायब। आपके चरण ऐसे हैं कि जहाँ पड़ जाते हैं वही चीजें धस जाती हैं।

जैहि गिरि चरण देइ हनुमन्ता ।

सो चलि जाय पाताल तुरन्ता ॥

वह बीज पाताल में चली जाती है।

तो सभापति महादय, मैं चाहता हूँ कि सरकार इस व्यूरोक्रेसी पर से विश्वास उठा कर न जन शक्ति को और जन-एजेन्सियों को बनाने के प्रागे बढ़ाए और और उनके हाथ में इस तरह की व्यवस्था को दे।

मैं यह जानना चाहता था कि अब यह मुभावजा देने की बात कहा से उठती है? जिन्होंने करोड़ों करोड़ कमाया, जिन्होंने मजदूरों का शोषण किया उनको आप यह और मुनाफा देने जा रहे हैं। इस तरह की मुभावजा देने की बात मत कीजिए। मुभावजे को समाप्त कीजिए। और जो मजदूरों के पैसे बाकी पड़े हैं पुराने खान मालिकों के पास वह मजदूरों का पैसा दिलाने की व्यवस्था कीजिए। मजदूरों और जनता के बीच से लोगों को लेकर जहग-जहग एजेन्सिया बनाइए और उन के सुपुर्द उत्पादन और वितरण की व्यवस्था को रखिए। यही मेरा निवेदन है।

SHRI CHAPALENDU BHATTACHARYYA (Girdih) Mr Chairman, Sir, the hon Member naturally had most of his say I come from the coal region and I thought that if only I could read out the points—that is the most I can do in the time that is allotted to me—it would be helpful I will not go into the clauses of the Bill In fact, we do not like the state of things as they are at present We have to look ahead and that is why I would like to suggest these points

First, I would suggest that all the local reserves be re-assessed colliery by colliery.

Secondly, there should be a crash programme for putting up captive thermal power plants. Otherwise, the shortage of power has been and will be a limiting factor in the progress of mechanisation and

ultimately, in the output of coal and also in increasing the hazards of coal mining. We do not want, in future, the coal-mining industry to take a gory path which it has trodden in Chinakuri, Dhori and recently in Jitpur and sometimes ago in Giridi itself. For that, we must have methano-meters and automatic recording monitors; they must be imported to save the people from the hazards to which the miners are exposed.

Thirdly, I would like enormous expansion—it does not really exist there now—of design, research and development wing where they will not only prepare the layout but also design equipment like excavators, conveyer belts and coal cutters etc. which are suited to Indian conditions of mining.

Then, all the colliery regions should be linked up with micro-wave links.

I would also suggest standardisation of equipment and spares. This facilitates training, providing of spares and quality of maintenance itself. There is nothing as preventive maintenance in the coal field, which is a must and which should be introduced.

I would also suggest having a few pilot mines to try out new methods and machines, which come in handy for training the workers in the problem of mechanisation.

Then, there is the question of industrial psychology. If there is greater freedom and less strict supervision, there is contentment and increase in productivity. For workers, we have prepared a scheme for 50,000 houses in Mohuda. That is gone. We prepared a scheme under the Coal Mines Welfare Fund that 50,000 houses should come up in Mohuda but it was shelved. It would be taken up and implemented and the workers should also be enabled to own their own houses. That they will have that quality in their existence which does not exist to-day. Because of the logistics and because we are planning for a larger movement of coal and steel, there has to be maximum co-ordination between the Ministries of Railways, Steel and Mines, Irrigation and Power which does not exist.

The entire area should be covered by a network of micro-wave and wireless communication system as we have in the Neyveli lignite mines and this is a must in our coal mines.

Information regarding output, weighments, wagon allotments and power position and labour relations must be sent daily to the C.M.A. headquarters and some high official should be there to collate and study and not merely file it. That way they will not move from crisis to crisis but will keep abreast of events.

श्री चन्द्रिका प्रसाद (बलिया) : सभापति, महोदय, कोयले का जो राष्ट्रीयकरण हुआ यह बहुत सराहनीय कार्य है, इसमें कोई दो राय नहीं हो सकती और इसका मैं समर्थन करता हूँ। लेकिन जिन लोगों के स्वार्थों को धक्का लगा है, मंत्री जी ने ठीक ही कहा है कि उनका इतना तेजी से प्रचार किया गया है कि देश भर में कोयले की कमी मालूम पड़ती है क्योंकि सारे अखबार उनके हैं। सारे काम उनके ऐसे ही हो रहे हैं जिससे गवर्नमेंट के इस कार्य में बाधा पड़े। कोयले की कमी तो नहीं है जैसा कि मंत्री जी ने स्टेटमेंट दिया। लेकिन अब जो मशीनरी है सरकार की वह ठीक नहीं है। जिस तरह से उनके स्वार्थों को धक्का लगा है और जिस तरह से वह उस का प्रचार कर रहे हैं और सरकार के इस काम को रोकना चाहते हैं उनसे हमारी मशीनरी पूरी तरह से लड़ने में समर्थ नहीं है या हमारे यहाँ कोई कमी है जिससे ऐसा हो रहा है। इसको मंत्री जी को ठीक करना चाहिए। राष्ट्रीयकरण के नाम पर हम काम कर रहे हैं तो लोगो को कोयला ठीक तरह से मिले, सस्ता मिले और आसानी से मिले, इसके लिए आप कह रहे हैं कि दो तीन महीने के बंदर कोयले की कमी कोहम दूर कर लेंगे, लेकिन जो यह प्रचार हो रहा है उसको काटने के लिए जहाँ कोयले की मांग है, वहाँ कोयला पहुँचाने की व्यवस्था होनी चाहिए।

[श्री चन्द्रिका प्रसाद]

अभी उत्तर प्रदेश के छाद्य मंत्री आए थे तो वह यू० पी० के एम०पीज० से कह रहे थे कि उत्तर प्रदेश में कोयले की बहुत कमी है और आप लोग कुछ कर नहीं रहे हैं। उन्होंने पब्लिक स्टेटमेंट भी दिया है। तो आपकी वितरण प्रणाली ऐसी बननी चाहिए कि जो बड़ा स्टेट है जितनी उसकी आबादी है उसके मुताबिक उसको कोयला दिया जाये। विशेषकर जो उपेक्षित एरिया है जो प्लड अफैक्टड एरिया है जैसे ईस्टर्न यू० पी० जहाँ कोयला ही एकमात्र साधन है वहाँ कोयले की विशेष व्यवस्था करनी चाहिए। नियुक्ति के मामले में भी यू० पी० और बिहार के लोगों की उसमें उपेक्षा की गई है, यह शिकायत उनको है। तो उनको भी उसमें नियुक्ति मिलनी चाहिए।

हर जिले में कुछ छोटे गरीब लोग होते हैं जो एजेंट का काम करते थे। उनकी उससे रोजी रोटी चलती थी। लेकिन अब जो व्यवस्था की गई है उसमें उनके लिए कोई व्यवस्था नहीं रखी गई है। वह छोटे-छोटे लोग होते थे जो कोयला ले आते थे उनके नाम स बिल्टी आ जाती थी, बाद में बेच कर के वह उम का पैसा दे आते थे। इसमें हर जिले में दस पाच गरीब परिवारों की गंजी रोटी चलती थी। अब जो व्यवस्था आपने की उसमें रफ़्तक पहन जमा करन की कुछ व्यवस्था है। मरा निवेदा है कि उनके लिए कोई ऐसी व्यवस्था बननी चाहिए जिससे रफ़्तक पहन जमा करन के सामने न आए और वह अपना काम जैसे पहले करते थे वैसे ही कर सकें।

इसका हैड क्वार्टर कलकत्ते में नहीं बनना चाहिए बल्कि बिहार में जहाँ यह कोयला निकलता है वही उसका हैड क्वार्टर बनाया जाना चाहिए। कलकत्ते बम्बई, मद्रास और दिल्ली जैसे बड़े शहरों में ही जहाँ हर तरह की कठिनाइयाँ

एम्पलाईज को होती है वही ये हैड क्वार्टर बनते रहेंगे तो नतीजा यह होगा कि जो नेगलेक्टेड एरिया है, वह नेगलेक्टेड ही रहेंगे। इसलिए जहाँ कोयला निकलता है शहरिया, धनबाद वही इस का हैड क्वार्टर बनाया जाय।

MR CHAIRMAN The hon Minister SHRI S MOHAN KUMARAMAN-GALAM I am grateful to the hon Members who have

SHRI MOHANRAJ KALINGARAYAR Just one minute before the Minister begins to reply

MR CHAIRMAN If the Minister yields I have no objection

SHRI MOHANRAJ KALINGARAYAR I would like the Minister to tell us whether some of the top officials of the erstwhile private collieries are still being employed in the nationalised units and they are hand-in-glove with the old management

SHRI S MOHAN KUMARAMAN GALAM This is the point raised by Mr Indrajit Gupta also

I am grateful to all the hon Members who have supported this Bill, of course with some exceptions like Mr H M Patel who makes no secret of his views and Mr S N Misra who puts on one coat but operates in another way

SHRI S N MISRA But he speaks honestly

SHRI S MOHAN KUMARAMAN GALAM I felt ill the time that the support you are giving me is just like the support which the noose gives the hangman (Interup ms)

So this is the future of the coal mine industry is concerned—unfortunately Mr Malviya is not here—he raised very rightly the importance of having a perspective beyond the Fifth Five Year Plan. I can only assure him that we do have it in mind. I do not say that 22½ million tonnes will be the target at the end of the Sixth Five Year Plan. If we keep 142 million tonnes for the Fifth Plan, we should be able to reach it. It is wrong for me to commit myself to it but as Mr Bhattacharyya has said, we certainly have to plan much more in terms of speedy

development of mechanised methods without leading to any sort of unemployment and we should be able to build up our coal production in such a way that we can deal with the biggest problem facing this country, namely, the problem of expansion of power. I would certainly assure hon. Members that at the moment we have got this in mind and we are certainly working on it.

Some hon. Members also drew the Government's attention to the serious position in regard to the distribution of coal today. I do not deny that the position is serious. We do certainly face difficulties. Certain difficulties are being created by people making false statements. The false statement gets three-banner headline whereas the denial is consigned to some back page where nobody, including an assiduous reader like Mr. Mishra, will notice it. I gave certain figures in the course of my opening remarks regarding the production of coal.

DR. RANEN SEN (Barasat) : Good quality coal is not being sent to power houses.

SHRI S. MOHAN KUMARAMAN-GALAM : That is not entirely correct. The quality of coal has substantially improved. In some of the private collieries they have got crushers which crushed shale but have now outlived their use and now those crushers are not being used for the purpose any more. We have improved the quality and the supply of coal. Shri Indrajit Gupta pointed out that we do have high quality of coal in many areas. Serious attempt is being made by C.M.A. to work towards improving the quality of coal. My friends forget how bad the mine owners had been. When the Coal Commissioner spoke in 1954-55, he did not speak humourously. He said that when you take over 25 years hence you will find yourself in difficulty. He never knew that we are going to do it right now, in 1973. While Mr. Chandrika Prasad spoke about coal for U.P. Mr. Jagannath Mishra, whom I do not find here, spoke about coal supply to Delhi. We see that distribution is made with assistance of State Governments. There have been cases where in respect of coal distribution in Calcutta, the private distributors tries to make maximum money. In some

States the local State Governments fixed the price, like for example, at Patna, Ranchi, etc. That is having a salutary effect for the last few months and the price has come down. I would request hon. Members to cooperate and help us to the maximum. If they come from the coalmining areas, I would request them to cooperate with the Coalmining authorities and develop consumer resistance if they can do so ; but it will take us a little time to bring our coal distribution to the local areas effectively under control.

Then let me go to the question of compensation. The hon. Members have asked what is the basis for compensation. Some figures have been given, and names of four companies have been mentioned where the amount of compensation has no relationship to the paid-up capital. We have not proceeded on the basis of paid-up capital. We have proceeded exactly on the same basis as was done in the case of Coking Coal Mines take-over. We have proceeded on the value of the assets, that is to say, a physical valuation being made, the value of the stocks—that is also on physical valuation being made—and the value of the stores. Taking these things into consideration we have put down a schedule which has been honestly estimated, and I would like to take advantage of this opportunity to pay tributes to all the officers who have worked so hard—sixteen to eighteen hours a day—so that within three months we have been able to come out with the figures.

The hon. Member, Shri H. M. Patel, pleaded that this matter should be referred to a select committee. I can appreciate his feelings in the matter, but my difficulty is that we are really in a hurry. The reason why we are in a hurry is if we are not able to have a unified organisational structure for the operation of these coal mines as a whole we cannot also have a unified distribution structure. We cannot do all this unless we are able to have a unified organisational structure. If we refer it to a select committee it will take time, maybe three months or so. As such, we have come with this Bill. You may accuse us of coming in a hurry, but the reason is we cannot just afford to wait. The hon. Members will appreciate that we took over mines on 30th January and within 90 days we completed the valuation of the assets of all the mines. We have not done it in a loose

[Shri S. Mohan Kumaramangalam]

way. We have done it with many of the officers working over-time and I would like the hon. Members to accept my assurance that we have been genuine in assessing the valuation. Naturally, the relationship between paid-up capital and the actual value of the assets varies, because in a very well-organised concern the value of the assets will be more, and in a badly organised concern the value of the assets will be less, related to paid-up capital. If you look into the relationship between paid-up capital on the one hand and the compensation on the other, you will find that where it is a well-organised concern, that is, there is lot of land, buildings, the value of the assets will be more, whereas in a badly organised industry it will be less. This explains mainly the anomalies when you compare these companies. I would like to assure the hon. Member that we have proceeded on the basis of valuation of assets and the valuation has been conducted by a team of officers of Coal Mines Authority. Other hon. Members, of course, have criticised us for giving any compensation at all. But apart from the fact that under the law and Constitution we are bound to give compensation, apart from the fact that we are still living in a mixed economy and, therefore, there is no question of acting in such a way, one may also appreciate that most of the compensation ultimately will go to cover the dues of the workers, that is, provident fund dues, wages, royalty, sales-tax etc. My hon. friend, Shri Patel, I think, is not very familiar with the coal-mine owners. Because, then he would not be shedding any tears for those gentlemen. Because, those gentlemen do not really deserve any sympathy.

Those who have operated their mines well, those who have paid their provident fund, those who have paid royalty and those who have paid according to wage board awards will get additional compensation. Because they have, at least, comparatively speaking, behaved like decent men. But, I can assure you they are very few. The vast majority of them did not do so and, therefore, we have protected fully the interests of the workers—more even than we did in the Coking Coal Bill—this time by actually pushing them a priority above the secured creditors. I am surprised that all the hon. Members who criticised us so

vigorously could not even give us a little word of appreciation for this change we have brought about. And, I am surprised, more than anything else, at the speech of Shri Robin Sen, who remembering his old text books on Marxism, that he has been reading for many years, could only repeat that this Bill was brought forward only in the interests of mine-owners. I do not know from what spectacles he looks at it. He must be looking at it from the wrong end of the telescope. That is so far as compensation is concerned.

Now, may I just go over for a minute to the question of head office. I am sorry, my friend, Shri Jagannath Mishra, is not here. I do not know why he raised the question so strongly if he did not want to get an explanation from me. Evidently, he just raised it for the sake of raising it. But, perhaps, Shri Damodar Pandey will be kind enough to communicate my answer to him, because it is an important question. Why is it that we have chosen Calcutta as the headquarters of the Coal mines Authority? Not because I happen to be related to Calcutta in any way, as was said by Shri Satyanarayana in relation to the appointment of the Chief Justice; not because of that, but for very valid reasons. Let us take the production. Now, what is the production? Assam produces 5 million tonnes, Bengal 18.8 million tonnes, Bihar 9.3 million tonnes, Madhya Pradesh 14.4 million tonnes, Maharashtra 2.6 million tonnes, Orissa 1.6 million tonnes and Andhra Pradesh 5 million tonnes. Forget Andhra Pradesh, that is, Singareni. Now, if I say Bihar must have it, on what basis can I justify it? I can justify Calcutta on the ground that production in Bengal is twice that of Bihar and the production in Madhya Pradesh 50 per cent more than Bihar. I am excluding coking coal. Because, the headquarters of the Coking Coal Organisation is in Bihar, that is, in Dhanbad. Though the headquarters of most of the organisations producing coking coal were in Calcutta, we located the headquarters of the coking coal organisation in Bihar. We do not look at these things through Provincial or narrow spectacles. We look at them from the point of view of the interests of the country. And, looking at it from the point of view of the interests of the country, how can it be denied that this is the proper place? If hon. Members

of this House are not prepared to take an objective, fair and an honest approach to matters like this, then how can we convince people? The hon Member, Shri Jagannath Mishra, seems to think that the production in Bihar is the maximum. He does not know the facts and, not knowing the facts, he makes these speeches. Naturally when he goes back to his constituency and tells the people that the production in Bihar is maximum in India and it is an outrage that is being committed in setting up the office in Calcutta, the people will naturally be misled. Assuming that they may not be misled, is that the way in which we are going to build up the unity of the country? This is a very very serious matter and I would beg of hon Members to have an objective, sober attitude to this question. Because, we today in the Parliament of India have to decide things in terms of India, what is best for India and not what is best for this part or that part, but what is best for India as a whole.

Coal is the most important mineral so far as India is concerned. So, I would beg of hon Members to please look at it objectively. Please appreciate that when we choose Calcutta as the headquarters of the Coalmines Authority it is not just because 18.8 million tonnes of coal is being produced in Bengal but also because Calcutta from the point of view of controlling of these coal fields is the most centrally located and most accessible place from the point of view of transport. In addition, head offices of many private collieries are in Calcutta. We are not shifting the headquarters of the National Coal Development Corporation, N.C.D.C. and the Central Design Institute would probably remain in Ranchi. So, no harm is going to be caused to Bihar. B.C.C. headquarters will remain in Bihar. N.C.D.C. headquarters will be in Bihar. The Design Institute of the C.M.A. is probably likely to be in Bihar.

I would beg of the hon Members that a lot of difficulty is being caused to us by passions being roused on the basis that we are not paying attention to Bihar or that we are neglecting Bihar. It is not so.

We are fair, we are honest and we try to take into consideration those things that are proper in order to decide this matter.

Shri Damodar Pande, Shri Indrajit Gupta and Shri Jagannath Mishra had raised the question of the position regarding workers. I do appreciate that the wages paid to coal mines workers are not up to the level of the wages, say, of the steel workers, or the wages of the railway workers and so on. But I think we should appreciate one thing. Coal is a very labour-intensive industry—60 per cent or so, if I am not wrong, of the cost of raising coal is the cost of payment of labour. So, if we are going to raise the wages of labour, undoubtedly I do not see how we have any alternative but to do it, though we may be doing it in stages—undoubtedly this is also going to lead to pressure for increase of price. Otherwise, we shall just take it out of the general budget and say that the public sector is inefficient and is not running its work properly. Even the genuineness with which we have paid labour since we took over on 30th January has led to higher expenditure so far as the Coal Mines Authority is concerned. Therefore, hon Members must be quite clear that if we are going to have a wage revision—I do not see how we can avoid it, knowing the level of wages of the coal mines workers—undoubtedly we shall have to think of some increase in price, because it is not possible to do the one without the other.

SHRI DAMODAR PANDE: Is it not a fact that all over the world, the coal mines workers are the highest paid industrial workers, whereas in our country they are the lowest paid workers at present?

SHRI S. MOHAN KUMARAMANGALAM: I have made my position clear and I would not follow it up any further.

Shri Jagannath Mishra had raised the question of the provident fund scheme. Let me assure him that the provident fund claims will be met on behalf of the workers by the Commissioner of coal mines Provident Funds himself. Whatever is due to the provident fund, that is, the coal mines provident fund, on behalf of the workers will be recovered by the commissioner; the individual workers would not have to do it. But so far as Shri Robin Sen's point that 'You are pushing us into litigation and so on' is concerned, well, there is the difficulty undoubtedly I know that the workers will be put to difficulty so far as the making of the claims is concerned...

SHRI DINEN BHATTACHARYYA (Serampore) : That question has to be settled...

SHRI S. MOHAN KUMARAMANGALAM : I have not much time left, and, so, I am not yielding. I am not just making a speech as my hon. friends do, but I am giving facts.

So far as the question of making claims is concerned, I would suggest that the unions should take it up very seriously, and whatever help they want from the Coal Mines Authority in relation to this, certainly we are bound to give. But it is not possible for the Coal Mines Authority to take on itself the burden of trying to find out what exactly are the claims of the workers. It is extremely difficult, and we shall get involved into some work which we are really not capable of doing.

So far as officers are concerned, Shri Indrajit Gupta had raised the question of dishonest officers being continued, and Shri Mohanraj Kalingarayar also chipped in at the last moment to have his word. Shri Indrajit Gupta is not correct in saying that any such persons have been put into very high positions as Deputy Custodian-General and so on. In fact, the persons whom he has mentioned have been appointed either as colliery agent, additional chief mechanical engineer, deputy chief engineer or to posts of that character. Our difficulty is that we cannot dismiss at one stroke all those whom either Shri Indrajit Gupta or Shri Mohanraj Kalingarayar or any of other friends anywhere in this House challenge as being corrupt, anti-people, anti-worker and so on. There are certain persons who have such a reputation. But one cannot go by reputation alone. Therefore what we have decided is that we cannot investigate into very allegation in the past of everyone. So, what we have done is to grade each one of these former officials of the private sector according to their skill, their experience, and our assessment of their integrity.

But we have also decided that we shall not post them in the same place where they were working earlier, that is, in a sense, we shall uproot them and put them in some other place, so that even if any of them has been dishonest—and some have been,

there is no doubt—it will be difficult for them to continue their dishonesty in the same way, because in regard to the unhealthy practices which they have been indulging in, some of them at least, we shall be able to check them, if we are able to transfer them to other places, and then we shall judge them carefully by their performance and deal with them on the basis of their performance.

This is the broad approach we have made and I think it is a fair approach. I think if we try to single out A as bad, B as good and C as bad, if we go on like that, we will get into difficulties. If I satisfy one hon. member, I may dissatisfy another hon. member. So better let us keep away from that and judge them broadly as we have done, on the basis of strict selection, put them in places and then watch them and see how they work.

Let me go on to the next point. I have dealt with the question of the head office. Shri P. M. Mehta is here. He raised the question whether a person who has retired or whose services have been terminated could proceed against Government or not. The position is this. So far as the ordinary worker is concerned, we are definitely trying to see that anybody who has a right to be a permanent worker will continue to remain a permanent worker. If he is retired because he is past the retiring age, we will see that he gets his gratuity; the Coal Mines Authority itself will see that he gets his gratuity.

So far as the officers whose services have been terminated are concerned, there are very few, may be not even in double figures. Their services have been terminated also because of misconduct committed after the take over. They certainly can have no sympathy from us. I am not going to see that they are protected because their very terminations in relation to misconduct and nothing else. So far as others are concerned, we shall try to see that no injustice is done.

Shri Ramsinghbai Verma very rightly raised the question of accidents in coalmines. It is true accidents in coalmines have taken place too often in the recent past. We have made special efforts now, particularly after the Jitpur colliery accident, to pull up people. It is our responsibility and we shall

try our best to see that we discharge our responsibility properly and see that accidents are reduced to the minimum because we cannot say that they will not take place at all. But we shall see that all that is necessary in the interest of safety is done.

SHRI CHAPALENDU BHATTACHARYYA : Why not import automatic monitoring system ?

SHRI S. MOHAN KUMARAMANGALAM : You made a good speech with many good suggestions; do not spoil it by pressing your point. We have taken note of all that and we will do our best. It is not use going into all those details now. I won't be able to improve the suggestions by repeating them. As I said, you have made a very constructive speech and made some good points, permit me to leave your speech there in all its goodness and not spoil it by touching it.

So far as the speech of Shri Onkajal Berwa is concerned—he is not here even to listen to what I have to say—I must say that it was a very good maiden oration because he covered everything except the points involved in the Bill. Therefore, it possibly does not require any reply. Of course, he waxed eloquent against nationalisation, the only natural colleague of his being Shri H. M. Patel of the Swatantra Party. How often the Swatantra and the Jan Sangh go hand in hand nowadays and that probably is the justification for the eloquence which he used, unfortunately mistakenly against nationalisation.

I would like persons not to make general charges about Congressmen making money, about their party making money and so on. If they have got a specific charge, let them make it. What is the point in making general charges. Each one can bandy words like that all the time. I thought we were members of a serious assembly doing serious work. If they have charges, let them be specific and let them be categorical and then they can be met. But where do general charges take us I do not think they either help this House or elucidate problems faced in the Bill.

Finally, if I might just refer to the question of the Haldia-Barauni pipeline raised by my hon. friend, Shri Indrajit Gupta

according to our understanding, there is no question of the coal mines being affected by the pipeline. A suitable formula is being worked out in consultation with the Ministry of Petroleum and Chemicals so that coal is extracted with the maximum of safety and pumping of oil is not disrupted. We do not want to consider the question of shifting it because it will involve enormous expenditure. We think we shall be able to manage the exploitation of our coal reserves without doing any harm so far as the location of the pipeline is concerned. I do not say it is a definitive final decision. I say this our approach and we would like to be able to manage without having to shift it because it means extra expenditure.

DR. RANEN SEN : Only two crores of rupees are involved....

SHRI S. MOHAN KUMARAMANGALAM : Let him keep it to himself. We have got our assessment of the situation and we have proceeded on the basis of assessment made by technical officers who have no particular axe to grind in this matter. I have no doubt that whatever decision we have come to will be one which will safeguard both the passage of the oil through the pipeline on the one hand and the maximum optimum exploitation of the coal reserves on the other.

I think I have covered all the points that have been raised by the hon. Members, and I have tried to reply them. Even if I have failed to, I can assure them that all the points will be taken in to consideration and whatever steps that we have to take on the basis will be taken and we will certainly implement them.

With these words, I commend the Bill to the House.

MR. CHAIRMAN : The question is : "That the Bill to provide for the acquisition and transfer of the right, title and interest of the owners in respect of the coal mines specified in the Schedule with a view to reorganising and reconstructing such coal mines so as to ensure the rational co-ordinated and scientific development and utilisation of coal resources consistent with the growing requirements of the country, in order that the ownership and control of such resources are vested

in the State and thereby so distributed as best to subserve the common good, and for matters connected therewith incidental thereto, be taken into consideration".

The motion was adopted.

MR. CHAIRMAN : There are no amendments to clauses 2 to 35, I shall put them to the House. The question is :

"That clauses 2 to 35 stand part of the Bill."

The motion was adopted.

Clauses 2 to 35 were added to the Bill.

The Schedule

MR. CHAIRMAN : There are amendments to the Schedule.

SHRI S. MOHAN KUMARAMANGA-LAM : I am moving all the six amendments.

Page 25, line 40, in column 4, against serial No. 300, —

for "(Under dispute)" *Substitute*—
"(Ownership under dispute)". (1)

Page 25, line 49, in column 4, against serial No. 305, —

for "(Under dispute)" *substitute*—
"(Ownership under dispute)". (2)

Page 26 for the entries in column 4, against serial No. 318 (Rauta)
Substitute —

"(Ownership under dispute)". (3)

Page 27, for the entries in column 4, against serial No. 347 (Damua)
Substitute —

"(Ownership under dispute)". (4)

Page 27, for the entries in column 4, against serial No. 355 (Kalichhapar).
Substitute "(Ownership under dispute)". (5)

Page 39, in the entries in column 4, against serial No. 678,

Omni "Vested in Government". (6)

There are small amendments and they relate to matters in issue in court and there may be some confusion unless the amendments are accepted by the House.

MR. CHAIRMAN : I am putting all the amendments to the Schedule.

The question is .

Page 25, line 40, in column 4, against serial No. 300,—

for "(Under dispute)" *substitute*—
"(Ownership under dispute)". (1)

Page 25, line 49, in column 4, against serial No. 305,—

for "(Under dispute)", *substitute*—
"(Ownership under dispute)". (2)

Page 26, for the entries in column 4, against serial No. 318 (Rauta). *substitute*—
"(Ownership under dispute)". (3)

Page 27, for the entries in column 4, against serial No. 347 (Damua), *substitute*—
"(Ownership under dispute)". (4)

Page 27, for the entries in column 4, against serial No. 355 (Kalichhapar)

substitute "(Ownership under dispute)". (5)

Page No. 39, in the entries in column 4, against serial No. 678,

omit "Vested in Government." (6)

The motion was adopted

MR. CHAIRMAN : The question is :
"That the Schedule, as amended, stand part of the Bill"

The motion was adopted.

The Schedule, as amended was added to the Bill.

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

SHRI S. MOHAN KUMARAMANGA-LAM : Sir, I move :

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

MR. CHAIRMAN : Motion moved :

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

श्री रामचन्द्र बिजल (बागपत) : सभापति महोदय, मैं आप की आज्ञा से माननीय मंत्री महोदय से एक प्रश्न पूछना चाहता हूँ। उन्होंने अपने भाषण में यह कहा कि बिजली घरों को कोयला मिल रहा है।

इस का हमको प्रचार करना चाहिए कि यह गलत खबरें हैं कि नहीं मिल रहा है। लेकिन मैं जानता हूँ कि हरियाणा, दिल्ली और उत्तर प्रदेश में जो ईंटों के भट्टे हैं या गाबो में जहाँ कोयले की जरूरत है, वहाँ आजकल लकड़ी जलाई जा रही है क्योंकि कोयला नहीं मिल रहा है। वितरण व्यवस्था के बारे में उन्होंने कहा कि बिजलीघरों को मिल रहा है। बाकी जगहों पर कोयला मिलेगा या नहीं, यह उनके भाषण से स्पष्ट नहीं हुआ है। मैं जानना चाहता हूँ कि वह कब तक वितरण व्यवस्था को ठीक कर देंगे। आज जो हाहाकार मचा हुआ है उसके बारे में उनकी क्या राय है?

SHRI S M BANERJEE (Kanpur) Sir I would only invite your kind attention to one of the very important matters which have been raised by Mr Vikal Whether it is Delhi or Punjab or Haryana or Utter Pradesh, places beyond Mughal Sarai are not getting adequate coal I am not telling you some thing without ascertaining facts Supposing they allot 2,400 wagons per month hardly 200 wagons are being given, with the result that there is power shortage, there is shortage of coal and hence the industries are suffering

17 hrs

For domestic consumption coking coal is not at all available and kerosene oil is not available Even for industrial consumption coal has become impossible to get Is it a fact that this is due to nonavailability of the wagons and coal could not be removed from pitheads and there is no proper coordination between the Ministry of Steel and Mines and the Ministry of Railways? Is it the result of this non coordination? What are the reasons? I can understand that the old employers are trying to sabotage I know the enemies of nationalisation I must congratulate the hon Minister for counteracting their propaganda But there is shortage and I would like to know the reasons There is shortage in the whole of northern region If this continues I doubt very much whether small Industrial units or large industrial units are likely to function. With these words I support the Bill and I should like the hon

Minister to assure that the northern region will not suffer because of lack of coal

SHRI P M MAHATA (Bhavnagar) The hon Minister has covered almost all points raised by hon Members during course of the first reading of the Bill One point which was raised by me and Shri Indrajit Gupta was not replied to by him That is about the amount mentioned in the Schedule That amount is determined on rational formula or scientific data and I would request him to clarify the point how they have come to the conclusion in fixing up the amounts to the various companies I had specifically pointed out that the amount given to the foreign dominated companies are a lot more higher than the indigenous companies

SHRI K S CHAVDA (Patna) The Associated Cement Factory at Sevulia in Gujarat was closed down due to the nonavailability of coal The factory produced about a thousand tonnes per day There is acute shortage of cement I should like to know from the hon Minister when the supplies will be resumed to the factory

SHRI MOHANRAJ KALINGARAYAR (Pollachi) We do not get sufficient coal in the south I would request the Minister to restore regular coal supply to Tamilnadu in coordination with the Railway Ministry Due to lack of coal many industries are facing closure Not only that, there is a power cut to the extent of 75 per cent in Tamilnadu because there is no coal There is a power crisis also We are so far away from the main coal mines and we should be given good preference and coal should be supplied regularly to Tamilnadu

श्री बी० आर० शुक्ल (बहराइच) : इस विधेयक का हम सब समर्थन करते हैं। लेकिन एक बड़ा भारी व्यापक प्रश्न देश के सामने है। इस प्रश्न को लेकर रूनिंग पार्टी के विरुद्ध भ्रामक प्रचार किया जा रहा है। यह कहा जा रहा है कि जिन जिन वस्तुओं का राष्ट्रीयकरण किया जाता है उसका सीधा परिणाम यह निकलता है कि उसका देश में अभाव हो जाता है। कोयले की कमी के कारण 20 फर्मल पावर

[श्री बी० आर० शुक्ल]

स्टेशन ऐसे हैं देश के विभिन्न भागों में जिन का उत्पादन बहुत घट गया है और बिजली का उत्पादन घटने के कारण देश में त्राहि-त्राहि मची हुई है, सिंचाई की व्यवस्था छिन्न-भिन्न हो गई है, औद्योगिक उत्पादन घट गया है। ये जो सब चीजें हैं इनका समाधान आपको और हमें करना है। मुझे मालूम हुआ है कि जिस समय से कोयले की खानों का राष्ट्रीयकरण हुआ है रेलवे की रैक्स बराबर कोयला लाने के लिए प्रतीक्षा में खड़ी रहती हैं और बाद में कैसल हो जाती हैं और कोयला उनमें नहीं भरा जाता है। क्या इसका कारण यह है कि मजदूर लोग शिथिल हो गए हैं और समझते हैं कि हम अब सरकार के नौकर हैं, हमारा कोई कुछ बिगाड़ नहीं सकता है या क्या वह इस कारण से हो रहा है कि मैनेजमेंट जोकि पुराने कोल माइनर्स की सर्विसिस में थे, वे इस स्कीम को सैवोटाज करने के लिए उत्पादन में जितनी कुशलता उनको दिखानी चाहिए, जितना उत्साह दिखाना चाहिए वह नहीं दिखा रहे हैं? कारण कुछ भी हो लेकिन देश में कोयले का अभाव है और स्थान-स्थान पर है और जो वितरण व्यवस्था है वह काफी टूटिपूर्ण है। कानपुर में कोयले के व्यापार में बहुत ब्लैक-मार्किटिंग चल रही है। परमिट बेच दिये जाते हैं और उद्योग धन्धों को उनकी आवश्यकताओं के अनुसार कोयला नहीं मिलता है। मैं चाहता हूँ कि अपने उत्तर में मंत्री महोदय देश को और इस सदन को आश्वस्त करें कि कोयले की जो कमी इस समय पैदा हो गई है वह शीघ्र ही दूर होगी।

SHRI SAMAR GUHA (Contai) : Sir, I want to draw the attention of the hon. Minister to one thing. I was not here in this House actually since I was busy in the committee meeting. Perhaps this question might not have been raised. That is regarding coal shortage. Yet, I wish to draw his attention about the scarcity and

shortage of coal which is affecting the power, railways and other areas—industrial production as also household consumption. This is a challenge to your concept of nationalisation or socialisation.

Finally, I want to know from the Government whether they have set up any special cell at least to meet the typical problems. Initial take-over is an important problem. Vested interests are there and they would try to sabotage that by all means. So, I want to know whether the Government is going to set up that cell at least to tide over the initial critical period in regard to the scarcity and shortage of coal and consequential rise in price of consumer items, particularly, with regard to coal, to the railways as also to the thermal power station. This is one question. The other question is this. The hon. Minister must have seen in the papers that the president of the Hind Mazdoor Sabha made a complaint that about 50,000 workers of the coal-mining industries are going to be out of employment because some of them are either on a contract basis or on temporary employment. I do not know, why. How is he going to absorb these 50,000 workers in different coalmines and utilise their services so that at least there may not be any discontentment or agitation among them?

My other point is about the trade union organisation. I raised that point also. That was about the participation of workers in the industry which will create a sense of ownership among them so that they know that nationalisation does not mean bureaucratisation. That does not mean that this has been transferred from the private ownership to another invisible ownership called the State ownership. They have also a role in it, and that is a absolutely essential for the production as also for the maintenance of peace in the mining areas. This may also create a sense of participation among the workers. What is the criterion for ascertaining the amount to be given to the different coal mines? Is any consideration being given to small coal mines, the owners of which have no other source of income? There are many big coal mines which have other side industries also. I am not referring to them. I am referring only to those small mine owners who are entirely dependent on the mines for their livelihood. Is any special consideration given to them?

Lastly, some Congressmen themselves have been, unfortunately, trying to create the impression that nationalisation means statisation which means Congress rule and, therefore, monopoly control for INTUC trade union in the coal mines. In order to remove any such misgivings, all trade union should have fair representation and membership and fair deal from the side of the government in all the nationalised mines.

श्री० कंलास (बम्बई दक्षिण) : सभापति महोदय, मैं जानना चाहता हूँ कि जब सरकार ने सिहानिया की कैप्टिव माइन का राष्ट्रीयकरण किया है, तो टाटा की कैप्टिव माइन का राष्ट्रीयकरण क्यों नहीं किया। उस का उत्तर यह हो सकता है कि चूँकि टाटा का कोयला शायद लोहा बनाने के काम में आ रहा है, इस लिए उस का राष्ट्रीयकरण नहीं किया गया। लेकिन सिहानिया की कैप्टिव माइन के कोयले का उपयोग भी पावर स्टेशन के लिए किया जा रहा है, जहाँ कि पावर की कमी है।

वितरण व्यवस्था इतनी बिगड़ गई है कि कोयला भी है और रेल के डिब्बे भी हैं लेकिन फिर भी लोगों के पास कोयला नहीं पहुँच रहा है और वह ब्लैक मार्केट में जा रहा है। वितरण का सम्बन्ध सिर्फ रेल के डिब्बों और कोयले के उत्पादन से नहीं है। मैं यह जानना चाहता हूँ कि क्या सरकार ने वितरण के लिए पुराने ही एजेन्ट्स रखे हैं और क्या वे लोग गड़बड़ कर रहे हैं।

SHRI S. MOHAN KUMARAMANGALAM : Mr. Chairman, Sir the principal burden of all the contributions that have been made at this stage has been regarding distribution and the weaknesses is that. I have already dealt with that in detail when I was replying to debate earlier.

Shri Banerjee spoke about what was happening beyond Mughalsarai. I find that he is not here. I do not understand this extraordinary practice of members raising questions and disappearing. He is not—here to hear the reply to the point raised by

him. Coming to his point, it is no doubt true that we are having difficulties. I can only say that we are trying to do our best.

I think it was Shri Samar Guba who said that a special cell should be set up to tide over the critical period. I am not sure whether the special cell is really necessary. What is needed now is close co-ordination between the Department of mines, the CMA and the railways. I do not think that the setting up of the special unit is going to help us in any way.

My hon. friend, Shri P. M. Mehta raised the question of compensation. I thought I made the position clear. We have proceeded on the basis of the valuation of the physical assets of the coal mines on the one side and the valuation of stores and stocks on the other. We have made a valuation of these and, on that basis fixed a reasonable amount and as compensation.

I do not think there is any difficulty. We have not proceeded on the basis of the paid up capital or the loans but purely on the basis of the valuation of the physical assets of each mine.

Naturally, some of the mines which were looked after much better than other are getting more. I do not think there is anything unreasonable about it. I can assure you that no bias has been shown, whether a mine is a foreign-owned or a non-foreign owned. We have proceeded strictly on the basis of fair evaluation made by teams which have worked together as a single team. It is on the basis of the value of each piece of machinery. I do not think any injustice has been done.

One hon. Member raised the question of the A.C.C. factory being closed down. We have not received any information about it. If the hon. Member could kindly give information about it I will look into it and see what can be done. It has been brought to my notice for the first time. There were certain textile mills in Bawnigar which were facing coal difficulty. We checked on that immediately coal was supplied to them. So far as this factory is concerned, I am not aware of the details. If he can give me the details, I will check up and look in to it.

[Shri S.Mohan Kumaramangalam]

Then, my hon. friend, Shri Mohanraj need worry about Tamil Nadu. I am as worried as he is. It is not his exclusive monopoly or that of the party to which he belongs. We both come from Tamil Nadu. We will see that as best is done to Tamil Nadu as to other States. No discrimination whatsoever. Let me make it quite clear.

About the workers going out of Employment—Shri Samar Guha mentioned about it—I do not think that this figure of 58,000 is entirely correct. I have not received anything on that basis. So far as 58,000 workers are concerned, he should rest assured that we are not victimising any section. There will be no monopoly for one trade union. He wants creative participation of workers. So do I. When all trade unions are at logger heads and they continue to be so in the coal fields, it is very difficult to organise a proper system of creative participation. He is charging the INTUC for doing something and the INTUC is charging some other organisation. So it goes on. If they come to an agreement between themselves, then creative participation will certainly be possible.

I think this covers all the points raised. I commend the Bill to the House.

MR. CHAIRMAN : The question is ;
"That the Bill, as amended, be passed"

The motion was adopted.

17.27 hrs.

CINEMATOGRAPH (AMENDMENT) BILL

MR. CHAIRMAN : We will now take up further consideration of the following motion moved by Shri Dharam Bir Sinha on the 20th February, 1973 namely :—

"That the Bill further to amend the Cinematograph Act, 1952 as passed by Rajya Sabha, be taken into consideration."

Shri Dhandapani—absent; Shri Manoranjan Hazra.

*SHRI MOHANRAJAN HAZRA (Arambagh) : Mr. Chairman, Sir, in film terminology this Bill may be called a rush print. I regret to say that sometimes this Bill is sought to be extended to the State of Jammu and Kashmir. Sometimes again it is said that it is not to be extended to Jammu and Kashmir. We find there is no effort on

the part of the Government to bring forth a comprehensive Bill. Sir, the parent Act itself is outdated. What good can come out of it in the present circumstances, I fail to understand. Sir, I want to place a few things before the House in this context. We have learnt from newspaper's reports and from the report of the Wanchoo Committee that there is about 7500 crores of black money in existence in the country today. In the field of film industry we find that the big sharks escape the Government's attention but the small producers face great inconvenience. At first there was a tax of 15 Paise on raw films. That was increased by 35 Paise and made 50 Paise. As a result of agitations and the efforts of the Members of this House, the Finance Minister has finally agreed to bring the tax down to 30 Paise. Even then it is higher by 15 Paise to the earlier tax. As a result of this the small producers will not be able to make their contribution in the production of films. Therefore it is imperative that all taxes on raw films are abolished. That may help the small producers to survive in the industry. These small producers have got constructive and artistic outlook. It is they who produce classic films. Only the other day the hon. Minister provided us an opportunity to see a film at Vigyan Bhavan, the film was "Atithi" by Rabindranath Tagore. There is no person in our country, nay, in the entire world who will not derive sublime satisfaction from witnessing this film. But this film is not one produced by the big producers. Therefore, I will request the hon. Minister to bring forth such a Bill whereby we may turn the film industry in a national industry. Sir, thirdly I will mention that in West Bengal there is a system in vogue which is called the house protection system. Some time back I asked a supplementary question to the Minister whether he is inclined to abolish this house protection system. Perhaps he did not follow my question correctly because it was apparent from the fact that he gave an unrealistic answer to my question. Sir, I will state briefly what is this house protection system. When the producers produce some film and give it to the exhibitors at the cinema house, the cinema house owner demands a fantastic amount from the producer for exhibiting his film. This system results in the cinema house owners pocketing a major share of the profit from

*The Original speech was delivered in Bengali.

the exhibition of films and the producer or the workers get little or no share of it. In reply to my question the hon. Minister had said that the situation will improve if we have more cinema houses. Sir, it is like saying that we should have more of police stations when the question is put why the rate of thefts, dacoities and other crimes are on the increase. Same type of logic was apparent from the Minister's reply. I will therefore request the hon. Minister to bring forth a Bill which will provide *inter alia* the abolition of this house protection system.

Sir, now I will raise another serious issue we see the working of the film producers even the Government film producers like the film division we will have to hang our heads in shame. Sir, I had visited the Film Division Auditorium at the Asia 72 Fair on three occasions. We all the time shout that ours is a secular country but Sir, in the film that I saw at that fair only one minut of the Taj Mahal was projected for one second only. In one second only one and half feet of film can be projected. It gave the impression that we don't have muslims in our country and we have no muslim culture and architecture. Sir, it is very unfortunate that we claim to be a secular nation but in films we do not portray the culture and tradition of the minority communities. Sir, I will now mention that the Khosla Commission has raised some issues about the censoring of films. What for this censor? Sir, the censor may have only one object in view and that is political object. There cannot be any other objective before sensors. Sir, if any vulgarity is depicted in the films, it can be checked under other laws which exist for the Suppression of vulgarity or immorality. I can understand if some check is imposed or objections raised when a film is in the process of production. But to apply the Scissor after the film has been made at a high cost does not have any meaning. Then Sir, the workers in other industries have some rights in those industries however small they may be. But the workers in the film industry right from the camera man to the poster boys who work so hard have no law worth the name to protect their interests or to look after their emoluments and security of service. Such legislation is direly needed. Recently the film artistes and film producers etc. from Bom-

bay and Calcutta met me and the Hon Member Shri Dinen Bhattacharyya. They narrated their woeful tale to us. They are unable to produce good and artistic films for want of funds and they are moreover groaning under the back breaking burden of taxation. I know that this Bill is going to be passed any way by virtue of their massive majority. Moreover there is not much in this Bill which may invite opposition. I will therefore urge upon the hon. Minister to bring forward a comprehensive Bill which may endeavour to modernise the whole working of the film industry. You take steps in matters of film industry without having intimate knowledge about the working of this industry. Had you been familiar with the subject you would not have brought this Bill in a slipshod manner. Sir I am grieved that the Ministers in our country are Jack of all trades but master of none. They have scant knowledge about the subject they are dealing with. That is why we find casual steps are being taken by the Government to do patch work. No comprehensive steps are taken which may produce lasting results. Therefore, you will have to gain intimate knowledge about the film industry. You will have to learn their sorrows and sufferings. Then only you will be able to take right steps to improve the conditions in the industry. It is not enough that you only get entertainment from good films but you will have to see that side of the picture which depict the difficulties, miseries and sorrows of those who produce the film to make you happy while they themselves weep in agony. With that Sir, I conclude my speech.

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA) : This is the second day that we are discussing this Bill. On the first day when we discussed this Bill that is, on the 20, the few hon. Members who spoke on that day, along with the members who spoke to-day, have made some general observations on the state of the film industry. Basically this Bill has been generally welcomed by all sections of the House.

This Bill is related only to the extension of the present Cinematograph Act to Jammu and Kashmir but I accept the desire of most of the Members that there should be a

[Shri Dharam Bir Sinha]

comprehensive Bill. In fact, we have completed most of the preliminaries connected with the said legislation and I am sure that when we come with that the legislation before the House, the whole House will support that legislation which follows basically the report of the Khosla Committee on censorship and we are trying our very best to come with that legislation before the House.

So far as this Bill is concerned, as I said this Bill merely extends the scope of the present Act to Jammu and Kashmir. I am sure that while waiting for the more comprehensive Bill, the House would permit us to extend the law relating to censorship which is prevalent in the rest of the country to Jammu and Kashmir also.

So far as the basic problems of the film industry are concerned, since under your direction, I have only a very few moments with me, I will not be able to deal with them. But I can assure you that importance of film medium as a powerful medium of both mass communication and personal expression is accepted and the Government is considering a broad, comprehensive film policy under the guidance of my colleague, Shri Gujral, and will be able not only to help the film industry as such but also help to give the Indian films an identity. And the crisis of identity through which the Indian films are at present going through at the moment will not last. We are certain that as soon as we are able to have this comprehensive policy implemented at different stages, this crisis of identity of Indian films will be solved and the new film-makers of the country who are able to receive eminence not only in the country but in other countries as well will be able to give India the films that it deserves.

Sir, I commend the Bill.

MR. CHAIRMAN : Now, the question is :

"That the Bill further to amend the Cinematograph Act, 1952, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Clause 2—(Amendment of Section 1.)

MR. CHAIRMAN : There is amendment No. 3 to Clause 2. Are you moving it?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI I. K. GUJRAL) : Yes, Sir.

Amendment made :

Page 1, line 13,—

for "1972" substitute "1973" (3)

(Shri I. K. Gujral) :

MR. CHAIRMAN : The question is :

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

The motion was adopted.

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

MR. CHAIRMAN : There are no amendments to Clauses 3 to 5. The question is :

"That Clauses 3 to 5 stand part of the Bill."

The motion was adopted.

Clauses 3 to 5 were added to the Bill.

Clause 1—(Short title)

MR. CHAIRMAN : On Clause 1, there is an amendment. Are you moving it?

SHRI I. K. GUJRAL : Yes, Sir.

Amendment made :

Page 1, line 4,—

for "1972" substitute "1973" (2)

(Shri I.K. Gujral) :

MR. CHAIRMAN : The question is :

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

The motion was adopted.

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

Enacting Formula

MR. CHAIRMAN: For the Enacting Formula, there is an amendment. Are you moving it?

SHRI I. K. GUJRAL : Yes, Sir.

Amendment made :

Page 1, line 1,—

for "Twenty-third" substitute 'Twenty-fourth' (1)

(Shri I.K. Gujral)

MR. CHAIRMAN : The question is :

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI DHARAM BIR SINHA : Sir, I beg to move :

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

MR. CHAIRMAN : The question is :

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

The motion was adopted.

17.33 hrs.

APPRENTICES (AMENDMENT) BILL

THE MINISTER OF LABOUR AND REHABILITATION (SHRI RAGHUNATHA REDDY) : Sir, I beg to move* :

"That the Bill further to amend the Apprentices Act, 1961, as passed by Rajya Sabha, be taken into consideration.

Since this is a non-controversial Bill and as Members are inclined to pass it without any discussion, I do not want to make a speech(Interruptions).

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHURAMAIAH) : This is a non-controversial Bill. Everybody is agreed on passing it. The House may be kind enough to take it up. (Interruptions) .

SHRI S. M. BANERJEE (Kanpur) : We are prepared to discuss it provided the Half-an-Hour discussion is extended to one hour. Let the hon. Minister agree to it.

MR. CHAIRMAN : No, please. Half-an-hour will mean half an hour. Without notice, it is becoming a practice now to sit late every time.

17.34 hrs.

HALF AN HOUR DISCUSSION

REQUEST BY CONFEDERATION OF CENTRAL GOVERNMENT OFFICERS' ASSOCIATION TO THE PRIME MINISTER FOR FAIR SCRUTINY OF PAY COMMISSION'S REPORT.

SHRI DINEN BHATTACHARYYA (Serampore): Sir, I rise on a point of order. I do not agree to the procedure. Already Mr. Speaker has admitted one Motion under Rule 184. This is regarding discussion on the Pay Commission's Report. The discussion today is Half-an-hour discussion on the same issue. You may kindly see the conditions. You may kindly see under which condition, Rule -184 Motion is admitted by Mr. Speaker. (Interruption). After fulfilling so many conditions a motion for discussion was admitted on 7th May. Now you are making a farce of it by admitting it as a Half-an-Hour discussion. What is the fun of playing with the lives of lakhs of government servants?

SHRI S. M. BANERJEE (Kanpur) : This morning when the hon. Speaker was in the Chair some of us pleaded for converting this Half-an-Hour discussion into a one-hour or one-and-a-half hour discussion. I could understand the difficulties of the Finance Minister as he cannot commit this way or that way, because the entire recommendations of the Pay Commission are being discussed. But, Sir, he will reply to the Half-an-Hour discussion. So, whatever reply he gives to the Half-an-Hour discussion, the same reply may be given for the discussion under Rule 194.

MR. CHAIRMAN : I do not know what time will be fixed by the government for discussion. I am sticking to this Half-an-Hour discussion. I will consult the Table and if the hon. Speaker has given any other order I will convey it to you. I will convey your wishes to the hon. Speaker, but Half-an-Hour discussion is a Half-an-Hour discussion.

*Moved with recommendations of the President.

SHRI S. M. BANERJEE : Sir, we were told that Minister is unable to reply. Fortunately for us the Minister for Parliamentary Affairs, the Labour Minister and the Finance Minister are here. If all the three Ministers agree, let them have a patient hearing.

(Interruptions)

AN HON. MEMBER : Agree to one hour, Sir.

MR. CHAIRMAN : No, please. Half an hour is half an hour.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : May I make a submission? On various occasions, half-an-hour discussion has gone even to one hour. Therefore, I would submit that you may allow the sponsor of the discussion to make a slightly longer speech.

MR. CHAIRMAN : We are starting this discussion at 17.40 hours, and I shall adjourn the House exactly at 18.10 hours. That is all. I shall not go against the rules.

I shall put the hon. Member's case before the Hon. Speaker tomorrow.

SHRI S. M. BANERJEE : Unless I am physically thrown out of the House tomorrow, I shall see that no proceedings take place tomorrow.

MR. CHAIRMAN : Half an hour is half an hour.

SHRI DINEN BHATTACHARYYA : You may kindly issue a direction

MR. CHAIRMAN : I have no powers to issue any direction.

(Interruptions)

SHRI SAMAR GUHA (Contai) : May I make an appeal to you ? The problem will be solved this way. Usually, it happens that half an hour goes to 45 minutes or even one hour. So, I would suggest that you may adopt a *via media*. Otherwise, you know that it is a very explosive issue. You in your wisdom may extend the time.

MR. CHAIRMAN : I cannot extend half an hour to one hour.

SHRI SAMAR GUHA : You can extend it, to a certain extent, as you have usually done.

MR. CHAIRMAN : Now, Shri Bhogendra Jha.

SHRI BHOGENDRA JHA : I wish to make just one submission that in place of four questioners, you may allow the Member who are present here

MR. CHAIRMAN : No, I shall not go against the rules.

SHRI DINEN BHATTACHARYYA : It will be sheer injustice to the employees. There must be a full-fledged discussion.

PROF. MADHU DANDAVATE (Rajapur) : If you go through the report, you will find that even to point out the inadequacies, more than half an hour will be required.

(Interruptions)

MR. CHAIRMAN : Hon. Members can raise it tomorrow. Now, Shri Bhogendra Jha.

श्री भोगेन्द्र झा (जयनगर) : सभापति जी, तीसरे वेतन आयोग की रिपोर्ट की बड़ी ही उत्कंठा से इन्तजार की जा रही थी। तीन वर्षों तक बार-बार इस हाउस में याद दिलाया गया। जल्दी करने के लिए और इस बात का आग्रह किया गया कि कि बहुत से कर्मचारी जिनकी सेवा अवधि समाप्त हो रही है वे इसका फायदा नहीं उठा पायेंगे तो सरकार की ओर से आश्वासन दिया जाता रहा कि यथाशीघ्र उनका प्रतिवेदन प्राप्त करने की कोशिश की जा रही है। सदन में माननीय मंत्री द्वारा समय की अवधि तय करने के बाद आखिरी दिन 31 मार्च को प्रतिवेदन दिया गया, उसका केवल सारांश ही उपलब्ध हो सका। उसके बाद देश भर में जिनके लिए यह प्रतिवेदन दिया गया, जिनके लिए यह तीसरा वेतन आयोग नियुक्त किया गया था उन सभी की यही प्रतिक्रिया है कि खोदा पहाड़, निकली चूहिया। तीन वर्षों की मेहनत का यह परिणाम निकला है। यह परिणाम इतनी मेहनत के बाद, इतनी लापरवाही के बाद, इतने वर्षों के बाद बहुत ही निराशाजनक

रहा है। यह स्थिति सभी को ज्ञात है कि केन्द्रीय सरकार के कर्मचारियों ने वेतन आयोग की मांग नहीं की थी, लेकिन जब सरकार ने वेतन आयोग दिया तो उससे लांगो को आशा हुई थी कि सर्वांगीण प्रगति के लिए प्रयास किये जायेंगे। लेकिन जो वेतन आयोग का प्रतिवेदन है उसमें एक भी ऐसा प्रमुख पद नहीं है जिस पर इस प्रतिवेदन का मतोषजनक माना जा सके। इससे मालूम पड़ रहा है कि वर्षों से जो केन्द्रीय सरकार के कर्मचारी इन्तजार करते चले आ रहे थे, अब उनके सतोष का बाध टूट रहा है और खतरा है कि 19 सितम्बर, 1968 को जो देश व्यापी एक आम हड़ताल के लिए जाना पड़ा था जिसके खिलाफ सरकार ने बड़ा दमनकारी रवैया अपनाया था, हमारे वित्त मंत्री जी उस समय गृह मंत्री थे और उस हिसाब से उन्होंने बहुत ही बठोर दमन का सहारा लिया था लेकिन उम हड़ताल के बाद हमने यह भी देखा कि देश की राजनीति में परिवर्तन लाने में खुद वह हड़ताल, दमन की जिस तरह से उन्होंने तैयारी की और उन्होंने मुकाबला किया, उनकी उस तैयारी के काम ने देश में परिवर्तन लाने में बहुत सहायता दी। हम सब जानते हैं उस समय के वित्त मंत्री अब वित्त मंत्री नहीं रहे। लेकिन अब आशा यह की जाती है कि वे ही नीतियां, जो अब सरकार को चला रही हैं, लागू नहीं करेंगे लेकिन दुर्भाग्य से सभी प्रमुख मुद्दों पर तीसरे वेतन आयोग का प्रतिवेदन उन्ही नीतियों को चालू कर रहा है। उन्ही नीतियों पर चलने के सुझाव उसने दिये हैं। इसमें केवल इन कर्मचारियों की ही बात नहीं है, जो हमारे देश के रक्षक हैं जो जवान हैं हमारे मार्च पर वे चाहे हवाई फौज के हो, जल सेना के हो, या बल सेना के हो, जिन्होंने पिछले वर्षों में अपनी बहादुरी के जरिये हम सभी की शान्ति के प्राण बचाने को साबित किया

है वे लोग भी बहुत मायूस हैं। उनमें भी गहरी निराशा है। हम सब जानते हैं कि अब शासन प्रणाली बावजूद पूंजीवादी होने के अर्थों को जमाने की शासन प्रणाली नहीं रही इसलिए केवल प्रशासन चलाने के लिए, केवल दमन का रूप रखने के लिए, दमन का सहारा लेने के लिए केवल आई० ए० एस० और आई० पी० एस० की प्रमुखता का आधार पर प्रशासन नहीं चल सकता है बल्कि देश के विकास के लिए आवश्यक अंग जो हमारे टैक्नोक्रेट्स का है उसकी उपेक्षा नहीं की जा सकती है लेकिन इस वेतन आयोग के प्रतिवेदन ने उनकी पूरी तरह से उपेक्षा की है। इसमें चलते हमारे देश के इंजीनियर और दूसरे टेक्नोक्रेट्स जो हैं उनमें गहरी निराशा हो गई है, वे समझते हैं कि हमारे साथ अछूत जैसा व्यवहार किया गया है, तीसरे वेतन आयोग ने अपने प्रतिवेदन के जरिये बड़ा घोर अन्याय किया है। यह सिर्फ न उनके प्रति बल्कि जिस विकास की ओर हम बढ़ रहे हैं, तेजी से बढ़ना चाहते हैं और उसका बोझा जो अपने कंधे पर ढोते हैं उनके प्रति अन्याय करके विकास के कार्यक्रम में गति लाने में असफलता होगी। इस दृष्टि से मेरा आग्रह है कि इस वेतन आयोग ने न सिर्फ जो आवश्यक मांगें थीं उनकी पूर्ति नहीं की है बल्कि उसने कुछ ऐसी भयंकर लगाम लगाई है जिसको यदि भारत सरकार ने स्पष्ट रूप से ठुकरा नहीं दिया तो खतरा है कि अभी जो कुछ सफलियतें लोग पा रहे हैं बहुत से उपक्रमों में, बहुत से संस्थानों में उनमें भी कमी की जायेगी।

तीसरे वेतन आयोग की यह राय है .

"Government has to take note of its dual role both as a supreme authority responsible for the governance and the development of the country. A common wage policy should be evolved for public sector undertakings and an effective coordinating

[श्री भोगेन्द्र झा]

machinery should be established to ensure that the pay scales in a public sector undertaking do not go seriously out of line with those in any other public sector undertaking under the Government"

इस आयोग को यह चिन्ता नहीं है कि पेट बाध कर और मुसीबतों का सामना करके भारत सरकार के या राजकीय संस्थानों के कर्मचारी काम चला रहे हैं बल्कि उनको चिन्ता यह है कि किसी उपक्रम के वेतन ऊपर न चले जायें। इसके लिए उसने सावधानी की है कि ऊपर जाने के बजाय उनको दाबकर रखा जाये। ऐसी स्थिति में कोई उपक्रम, चाहे हिन्दुस्तान स्टील का मामला हो या कोई दूसरे ही अग्रग वे उत्पादन बढ़ाते हैं, अपनी उपयोगिता साबित करते हैं, मुनाफा बढ़ा करके चलाते हैं और अग्रर उनके वेतन भी बढ़ते हैं तो इस प्रतिवेदन के मुताबिक उस पर भी लगाम लगा करके नीचे करना होगा। नीचे रखने का प्रयास करना होगा ताकि देश में मे दूसरी जगह इसका असर उल्टा न पड़े। यह वेतन वृद्धि पर न पड़े, इस पर चोट की जायेगी। यह बहुत खतरनाक राय है और इस राय को न केवल केन्द्रीय सरकार के कर्मचारी बर्दाश्त नहीं करेंगे देश भी इस को स्वीकार नहीं करेगा।

हम आप सभी यह जानते हैं महगाई वृद्धि पिछले कई सालों में, खासकर पिछले कई महीनों में कितनी हुई है, और जो महगाई की वृद्धि हुई है उस पृष्ठभूमि में सरकार उस को रोक नहीं पा रही है। आज सरकार चोर व्यापारियों के हाथ में खिलौना बन कर रह गई है और ऐसा मालूम पड़ रहा है कि पूरे शासन-तन्त्र को लकवा मार गया है। यह शासन-तन्त्र पगु हो गया है और चोर-व्यापारियों तथा मुनाफाखोरों पर लगाम लगाने में सरकार समर्थ नहीं रह गई है। जो वृद्धि हुई है जब उस के खिलाफ आवाज उठती है तब सरकार दमन-शक्ति लेकर सामने आती है। इस पृष्ठभूमि में वेतन

आयोग की सिफारिशों न सिर्फ असन्तोष-जनक है बल्कि कुछ मामलों में कर्मचारियों के हितों के विरुद्ध है। इतना ही नहीं है लागू करते की तिथि भी इस कमीशन ने पता नहीं किस आकार पर तय की है। अपना प्रतिवेदन देने में उसने तीन साल लगा लिये। इस महगाई की पृष्ठभूमि में, और अपनी मांगों की पृष्ठभूमि में आज देश का समग्र मजदूर आन्दोलन और ट्रेड यूनियन इस बात पर कटिबद्ध है कि लिफ्टिंग बेज तय किया जाय और जीवन का न्यूनतम वेतन निर्धारित किया जाये।

वेतन आयोग ने जो सिफारिश की है, जिनमें एक आध मुद्दों में लोगों को कुछ सहूलियतें मिल जाती हैं, उनको उसने 1 मार्च, 1973 से लागू करने का निश्चय किया है। लोगों की न्यूनतम मांग यह थी कि जिस दिन से इस वेतन आयोग की नियुक्ति हुई है कम से कम उस दिन से उसको लागू किया जाये, लेकिन इस वेतन आयोग ने उसको भी ठुकरा दिया है। ऐसी स्थिति में सरकार के लिये इसके सिवा दूसरा कोई उपाय नहीं रह जाता है कि वह केन्द्रीय सरकार के कर्मचारियों के महासभ से, उनके कफेडरेशन से सीधा समझौता करे और समझौता करके सिफारिशों में जो भी रहो-बदल करने की आवश्यकता हो उसको करे। देश के विकास के लिए जरूरी है, कि कर्मचारी लोग सन्तुष्ट होकर अपना काम कर सकें और बड़े पैमाने पर कहीं हड़ताल आदि न होने पायें। इसके लिये आवश्यक है कि अग्रर पूरा सन्तोष नहीं तो कम से कम बर्दाश्त लायक स्थिति उनकी हो। इस पृष्ठभूमि में आज कहना कि सरकार इस बात का ऐलान करे कि केन्द्रीय सरकार के कर्मचारियों के कफेडरेशन के साथ वह समझौता करेगी और उसके बाद उनसे बातचीत करके इस कमीशन की सिफारिशों को लागू

करेगी, ताकि देश को फिर दूसरे सितम्बर 1968 का नजारा न दिखलाई पड़े। मेरा आग्रह है कि देश को इस मदन के जरिये आश्वासन दिया जाये कि केन्द्रीय सरकार के कर्मचारियों के कॅफेडरेशन से परामर्श करके, समझौता करके वेतन आयोग के प्रतिवेदन में संशोधन करके, उसको परिवर्तित करके लागू करने का प्रयास किया जायेगा।

SHRI S. M. BANERJEE (Kanpur). Mr. Chairman, Sir, the hon. Finance Minister is fully aware that this particular Pay Commission's report has come as the biggest disappointment for nearly 28 lakhs of Central Government employees; not only for these 28 lakhs of Central Government employees, but also for the personnel of the army, navy and air force who are illustrated equally.

The whole point, was that we were so happy that the question of a need-based minimum wage was included in the terms of reference. We pleaded with the Pay Commission—all organisations—that at least Rs. 250 should be fixed as the minimum, need-based wage, and this was based on the unanimous recommendation of the 15th Indian Labour Conference; they had been moderate enough to base it at Rs. 250, although it came to Rs. 324 per month. We expected at least some justice from the Pay Commission only because the terms of preference were broad and they took full three years to submit their report. Do you know the amount that has been spent on the Pay Commission? In reply to a question in this House it was stated that the Government had spent Rs. 74 lakhs on the Pay Commission by way of wages and other charges. What was the net result? Utter confusion and confusion worse confounded. Nobody is happy to-day except some I.A.S. Officers. Not that I have a grudge against the I.A.S. Their salary has been increased to Rs. 700—1300 from Rs. 400—900. The minimum gain is Rs. 300 per month. Here what is the rise? Rs. 185/- is the minimum. Previously it was Rs. 141/- including all allowances and after three interim reliefs of Rs. 15, Rs. 10, and Rs. 7, it has come to Rs. 171. It is less than what class IV employees get in public sector under-

takings. Take for instances the Hindustan Steel, there the Class IV employees gets Rs. 246; in H.A.L. he gets Rs. 210, in another organisation he gets Rs. 196 and in H.E.C. he gets Rs. 210. In banks it is more than Rs. 300. They are also nationalised banks. But the Central Government employee has been given Rs. 185-220 and class III employees Rs. 260-350. They form 84 per cent of the total. They form the back bone of the Government. The Government of India rests on the shoulders of the Class III and Class IV employees. But all hopes of these employees have been dashed to pieces. Today the Central Government employees of Class III and IV are frowning with anger. The line between hunger and anger is thin.

What is the basis of Rs. 185? One of the Members of the Pay Commission, Mr. Pillai, recommended Rs. 196.24 on the presumption that only vegetarian food should be given to the workers of class III and IV. Even that thing has been struck out by other Members. They say that when a worker takes up a class IV job, he is a bachelor; he can start on Rs. 185 and when he marries he will be given Rs. 196. The Central Government employees today demand the need based minimum wage, Rs. 250. This Rs. 185 will not be accepted by the Confederation of the Central Government Employees or any other Central Government Employees Association. But what about giving retrospective effect? The Pay Commission has said that its recommendations should be given effect to from 1st March, 1973. But the Pay Commission itself has delayed its recommendations by three years. The recommendations in favour of the Government employees should be made effective from the date of appointment of the Pay Commission. People have retired in 1970-71, 72 and even those who retired on 28th February, 1973 will not be entitled to arrears, retirement benefits etc. It is a great injustice to these employees. Let the Government start negotiations with them. These organisations met the Cabinet Secretary recently and I am happy about that. The Cabinet Secretary is the Chairman of the joint consultative machinery and he has not committed himself on behalf of the Government from that side whether they will negotiate. They say: we will hear you.

[Sh. S. M. Banerjee]

There is no question of hearing. They should negotiate with the Government employees and there should be a bilateral agreement on this question because the Central Government employees throughout the country are not going to accept the report of the Pay Commission as it is, unless it is modified to their advantage. 18 hrs.

Sir, I do not like to take the time of the House. The employees are fuming with anger. Unless something is done, I may tell you that the Central Government employees are going to raise a slogan 'higher justice or agitation'. I hope the hon. Minister will kindly do justice to them. Unless he gives justice to them and unless the report is modified to the satisfaction of the employees, there is going to be serious labour trouble throughout the country.

So, I would request the hon. Minister to call a meeting of the Members of Parliament immediately. If he cannot discuss that report in Parliament, let him call a special meeting elsewhere—that is, in June, and discuss this printed pamphlet which we have got and have our observations as they may help him in arriving at a decision. But, under no circumstances should this most damaging report of the Pay Commission be implemented. It should be scrapped and bilateral negotiations should take place and the employees' views should be taken. Not only should their views be taken but they should also be taken into confidence. What is the use of talking of socialism when a vast majority of Class III and Class IV employees here are to-day fuming with anger? Is this the way of socialism? These are the people who are in the low-ebb of the society and they are not in receipt of high salaries. Why should the employees, who are drawing higher salaries, be given a rise of Rs. 300 or so? At least this portion of the report should be amended immediately without delay.

SHRI SAMAR GUHA (Contai) : Sir, our Government is talking of socialism and doing justice to the lowest income group of our people. But, paradoxically, the Pay Commission has recommended an increase of Rs. 200/- to Rs. 300/- for the secretaries and Under Secretaries and—above whereas for the class III and IV employees, they have recommended an increase ranging from Rs. 10 to 20. I want to know from the Govern-

ment whether—according to their own profession of socialism—they are going to revise the pay scale of the lowest strata of Class III and IV employees so that they get proportionately higher benefits than given to the highest salaried employees of the Government.

Secondly, Sir, this Pay Commission, you know, was appointed as a result of the Central Government employees' nationwide strike held in 1968 under the leadership of late Shri Nath Pai. The issue then was the need-based minimum wage. But, the Commission has rejected that. I want to know from the Government whether they are going to revise their attitude and accept the principle of need-based minimum wage. The 15th Indian Labour Conference recommended a need-based wage of Rs. 314 whereas the Pay Commission made it at Rs. 185, only on the basis of the Medical Council's formula of three units of vegetarian diet. Even that also is wrong. The Medical Council arrived at the figure of Rs.196/- based on the three unit formula. Most of the people in Class III and IV are not vegetarians but are non-vegetarians. I want to know whether the Government is going to revise the three unit formula and accept the recommendations of the 15th Indian Labour Conference. Also I want to know whether the Government is going to give retrospective effect to the recommendations of the Pay Commission at least from the date of setting up of the Commission. Also I want to know the timetable when the Government is going to finalise examination of the recommendations of the Pay Commission, now that a cell has been set up by them. When is that cell going to finalise its recommendations on the Pay Commission's Report after scrutinising and examining it and make its recommendations to the Government. I want to know also the basis of composing the Government cell to scrutinise and examine the recommendations of the Pay Commission. Who are the persons who have been drawn from the different services, what is their status and what are the reasons why those persons have been taken from those different services for setting up the cell?

Lastly, after you finalise your recommendations you may develop a rigid mind, a fixed mind. But, before that, will you give

an opportunity to Parliament to thrash out the whole problem, discuss the whole problem, argue it with the Government logically, keeping in view your objective of socialism, the objective of giving social justice to the lower strata of the people, your objective of attacking the poverty line of our people? Will you give a fair opportunity to the Parliament to discuss the recommendations of the Government after scrutiny and examination of the Pay Commission's Report and before finalisation of their policy towards it?

श्री बिभूति मिश्र (मोतीहारी) : पे कमीशन ने बहुत समय लिया। उसके बावजूद भी जिस तरह से उसकी रिपोर्ट निकली वह भी उसके लिए हास्यस्पद है। मैं समझता हूँ कि सरकार को इस तरह का कमीशन या कमेटी बहाल करते समय सोच समझ कर उनको बहाल करना चाहिए और वह ऐसे आबमियों को बहाल नहीं करना चाहिए जो कन्क्यूशन पैदा करें, आपस में झगड़े करें।

मैं समझता हूँ कि पे के बारे में कोई नैशनल पालिसी निर्धारित करे। यह बहुत जरूरी है। चाहे सरकारी नौकर हों, केन्द्रीय सरकार के नौकर हों, स्टेट गवर्नमेंट्स के नौकर हों, पब्लिक या प्राइवेट अंडरटेकिंग के नौकर हों, किसान हों, मजदूर हों, समय आ गया है कि सब के वास्ते सरकार कोई नैशनल पालिसी घोषित करे। स्टेट गवर्नमेंट और सैन्ट्रल गवर्नमेंट के एम्प्लॉयज एक ही शहर में होते हैं लेकिन दोनों को अलग-अलग तनख्वाह मिलती है, एक को कुछ मिलती है और दूसरे को कुछ और मिलती है। मैं समझता हूँ कि जब दोनों एक ही शहर में रहते और काम करते हैं तो दोनों को एक सी ही तनख्वाह मिलनी चाहिये। अब यह मामला आप के हाथ में आ गया है। बीती हुई बात को आप छोड़ दें। आप एक नैशनल पे पालिसी निर्धारित करें। आई० सी० एस० को एक तनख्वाह मिलती है, आई० ए० एस० को दूसरी ही मिलती है। राष्ट्रपति को कुछ और ही मिलती है।

मजदूरों को कुछ और। ज्यादा अच्छे मजदूरों के होते हैं धनी लोगों के नहीं होते हैं। मजदूर खेती में, फैक्ट्री में काम करते हैं, उनको आप ज्यादा तनख्वाह दें, किरानी को ज्यादा तनख्वाह दें चौथी श्रेणी के जो कर्मचारी हैं उनको अधिक तनख्वाह दें। मैं चाहता हूँ कि किसानों के लिए, मजदूरों के लिए कर्मचारियों के लिए तथा दूसरे वर्गों के लिए आप कोई नैशनल पे पालिसी घोषित करें। पब्लिक सैक्टर आदि सब इस में आ जाने चाहिये। अब यह मामला आपके हाथ में आ गया है।

हमारे भाई तो जानते ही हैं कि चीन में, रूस में जो जितना काम करता है उस हिसाब से उसको तनख्वाह मिलती है। आप भी काम का ख्याल न करें और तनख्वाह देते जाएँ तो सरकार बैठ जाएगी। काम के ऊपर तनख्वाह होनी चाहिए। बहुत ज्यादा फर्क भी नहीं होना चाहिए। राष्ट्रपति को दस हजार मिलती है जबकि दूसरे मजदूरों के लिए छोटे कर्मचारियों के लिए 196 ही रिकोमंड किया गया है।

वियतनाम में कम से कम चौसठ और अधिक से अधिक 320 है यानी एक और पांच का फर्क है। एडगर स्नो ने अपनी पुस्तक में लिखा है कि चीन में कलवरल रेवोल्यूशन के बाद सब की तनख्वाहें कम की गई हैं और बीस फीसदी कम कर दी गई है। माओ ने चूंकि उसकी तनख्वाह बीस फीसदी कम हो गई है अपने कम्पाउंड में खेती करनी शुरू कर दी है ताकि जो तनख्वाह कम हुई है उसकी पूर्ति हो सके।

हिन्दू शास्त्रों में, शुकनीति में, बृहस्पति नीति में तथा दूसरे ग्रन्थों में लिखा है कि जिस राजा के राज्य में उसके कारकुन, उसके एम्प्लॉयीज, असन्तुष्ट होते हैं, उसका राज नष्ट हो जाता है।

इस लिए हमारे अपने हक में भी यह जरूरी है कि हम सब कर्मचारियों को संतुष्ट रखें।

[श्री विष्णुसि लिम्ब]

सरकार को पे कमीशन की रिपोर्ट के बारे में जल्दी फैसला करना चाहिए। तीन साल तो पे कमीशन ने लगाये और अब सरकार को इस बारे में विचार करने के लिए समय लगेगा। कुछ समय इसलिए भी लगा कि पे कमीशन के सवस्थ रिपोर्ट के बारे में आपस में झगड़ा करने लगे। इसलिए आगे से सरकार किसी कमीशन या कमेटी में लोगों को सोच-विचार कर रखे और वह ऐसे लोगों को न रखें, जो आपस में झगडा करें। इस तरह के मामले में वह क्लाम बन, क्लास टू, क्लास थ्री और क्लास फोर का एक-एक आदमी रखे और उनके अलावा एक मिनिस्टर को भी रखे, जो सब की देख-भाल करे। बड़े-बड़े अफसरों को गरीबों की स्थिति का पता नहीं होता है।

श्री चम्पाण लोक सभा का सेशन खरम होने से पहले अपने फैसले को एनाउंस करें और अगर ऐसा करना सम्भव न हो, तो वह जुलाई-अगस्त के लोक सभा के सेशन में एनाउंस करें, ताकि लोगों को भरोसा हो। सरकार को वेतनों के बारे में एक नैशनल पालिसी बनानी चाहिए। जब सरकार सोशलज्म का नारा लगाती है, तो वह नारा सब लोगों पर लागू होना चाहिए, वरना न हम लोग रहेंगे, न आप रहेंगे और न ये लोग रहेंगे। देश आगे बढ़ रहा है। न कोई राजा रहा है और न प्रजा रही है। श्री चम्पाण ऐसा काम करें, जिससे बिरोधी चुप हो जायें और देश में हमारा यश हो।

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Sir, the demand has been very just. A motion under Rule 184 has been admitted by the hon. Speaker. The hon. Minister opposite who cooperates on many occasions should be co-operative on this issue also and find time for it. If necessary, we shall sit tomorrow for 3-4 hours. When Mr. Y. B. Chavan and his Cabinet colleagues are considering the matter,

that is the right time for the House to discuss and give them advice. I do not understand why this is not being done. I would request the hon. Minister, through you, Sir, to fix 3-4 hour's time for it tomorrow. We shall sit till 10 O' Clock. It does not matter. Mr. Chavan, You will derive benefit out of it; don't resist. This Half-an Hour discussion is no solution for such an important thing.

MR. CHAIRMAN : You put your question now.

SHRI JYOTIRMOY BOSU : Let us look at the composition of the Pay Commission. It took 3½ years from the date of giving an assurance on the floor of the House. You had a Chairman who was an ICS man; you had a Member-Secretary who was an ICS man you had another Member who is closely related to an IAS officer. There were two Professors who have been struggling hard to get a fair deal for the rest of the people who have intrinsic power.

Things were not conducted properly in the Commission. If we go back to the 15th Labour Conference and the Resolution—at that time, Mr. Gulzarilal Nanda was the Labour Minister—and if we take into consideration the price rise that has taken place since then, the Government have no right to resist the pay rise. They have totally and utterly failed to control the price-rise and the erosion of the Indian rupee. The States and the private sector industries which are not getting benefit at the present moment would also be deprived if the rise is not made suitable and commensurate with the requirements for human living. The whole effort, as I can see it, by the Commission as well as by the Government has been to depress the whole wage structure. If we look to industry and public sector undertakings, we find that they get a lot more than what you are proposing to give. AITUC who are supposed to be, in many places, your allies, had suggested, for the engineering industry in West Bengal, a minimum wage of Rs. 450, and CITU, to which I belong, suggested a minimum wage of Rs. 385. The State Government employees have demanded a minimum wage of Rs. 250 plus full neutralisation for the rise in the cost of living index. Government must accept this position and call the leaders to sit across the table and discuss the matter.

The terms of reference of the Commission have excluded the employees of the Supreme Court, the Delhi High Court, the Lok Sabha and the Rajya Sabha. Extra departmental employees of Posts & Telegraphs numbering 1.5 lakhs, the staff artistes of All India Radio, the artists of Song and Drama Division are all excluded. It is all given in this Report in Volume I. In the Defence, the Territorial Army personnel have been excluded. The defence service personnel about whom you talk so loudly have been prevented from appearing before the Commission under the pretext that it will break the discipline of their service.

Between 1957 and 1971, from the report it is clear, the total wage bill of Central Government, as a proportion of the total expenditure, has recorded a sharp decline. Mr. Chavan can dispute or agree with me on this. (*Interruption*) In the same period, between 1957 and 1971, the real wage of Class IV employees has grossly and greatly declined. That also, he can dispute or agree with me.

I want to understand why this Commission has refused—is it not under Government pressure?—to give serious consideration to grant a need based wage. After all, what can a poor employee do? Government has totally and utterly failed to check the price rise because of its pro-monopoly, pro-rich people, character. Therefore, Government is morally and otherwise obliged to give need-based wage for those who work for it.

My submission is that they should call all the leaders to sit across the table and discuss the matter. Do not go by this rubbish statement Rs. 185 for a class employee; he cannot buy even 15 days' square meals by that. Call the leaders to sit across the table and hold a dialogue, come to an agreement and decide the issue.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : Mr. Chairman, Sir, I have heard the speeches of the hon. members belonging to different parties with all the attention and care they deserved. The hon. members had a wrong idea that we were trying to avoid a discussion. The idea is not to avoid a discussion. We wanted the discussion to be meaningful and purposeful. At the present moment, the Report, as it is well known...

SHRI S. M. BANERJEE : We discuss so many meaningless things here.

SHRI YESHWANTRAO CHAVAN ; I do not hold this House in contempt. Whatever we discuss here, we discuss purposefully, if you are doing it, I cannot help it. (*Interruptions*)

Therefore, my plea with the hon. members would be that it is not Government's intention to evade a debate because we are certainly interested to know the different points of view before Government comes to any final decision. Therefore, at the present moment Government is not in a position to express its views on the merits of the problem that are involved in this.

Why don't you hear me? I know that some people have got misapprehensions about it, but I can tell them that they should not think that they have the monopoly of the interests of the employees of the Government. The Government is very much concerned about the well-being and welfare of its employees because we want their co-operation, we want their support moral support and active support, in executing our policies. Therefore, all the issues that are involved as you know the terms of reference and the issues that were referred to the pay Commission were very wide in their range and were complex in nature. This time has taken more time as compared to the last, Pay Commission because the terms of reference were wider particularly, this time they were asked to look into the pay scales of the Defence Services which was never done before.

Some members have made mention about the differences of opinion among the members of Commission. I think when you appoint intelligent people....

SHRI JYOTIRMOY BOSU . Class character.

SHRI YESHWANTRAO CHAVAN : they are bound to express their own views. .. We do not appoint dummies there.... (*Interruptions*) This is free country. There were people who represented the economists and also wanted the representation of the labour organisations but they could not agree among themselves to send their nominee there...

Report (HAF Disc.)

SHRI S. M. BANERJEE : We have agreed but your Mr A. P. Sharma did not agree.. *(Interruptions)* Whatever it is he is not here. So I cannot accept your final say.

Then a Ex-Supreme Court Judge was the Chairman of the Pay Commission. The int is that we wanted to see that the Pay Commission sifts the different points and takes an objective view of the problem because it has to face a very difficult problem. I know it has raised difficult problems. There are differences of opinion. There are minutes of dissent also. But I assure the hon. Member that we will be consider all those problems from all the aspects. We will certainly keep in our mind the well-being and satisfaction of the Government employees. And this question will be decided not by any cell whether created in the Finance Ministry or any where-else. Certainly, a cell has been created in the Finance Ministry but the cell is not going to take the decision. Not even the Finance Minister is going to take the final decision. Ultimately, the decision will be taken by the Cabinet under the leadership of the Prime Minister... *(Interruptions)* When the Cabinet goes into this question they will naturally go into all the wider aspects of the question. They will also go in to pay Commission's majority view and also take into consideration the minute of dissent...

SHRI JYOTIRMOY BOSU : Price rise also.

SHRI YESHWANTRAO CHAVAN : Certainly they will have to take into consideration the price rise also. They may also have take into consideration the general economic situation in the country... *(Interruptions)* They will have to take in to consideration the wider economic implications of what we decide. Certainly, when the Cabinet sits to take a veiw about it, it cannot take a partial view of the matter. It takes the totality of the national conditions, both economic and other things...

SHRI S. M. BANERJEE : Including the failure of the Government.

SHRI YESHWANTRAO CHAVAN : My mainpoint was that there should not be any misunderstanding about it that some

officers are going to take a decision about it. No one IAS officer or this class or that group of officers is going to dominate and take a decision about it. Ultimately, on the major questions and even on minor questions, final view will have to be taken by the Government at the Cabinet level. So I would request the hon. Members not to create an atmosphere of suspicion, doubt and agitation in the minds of the Government employees that their problems are being considered and examined....

SHRI DINEN BHATTACHARYYA : It is the Commission that has created the suspicion.

SHRI JYOTIRMOY BOSU : How much criticism has come in the papers after the report of the Commission... *(Interruptions)*

SHRI YESHWANTRO CHAVAN : Why do you ask me questions as to what newspapers have said ? It is rather unfair. .

SHRI JYOTIRMOY BOSU : You are a politician

SHRI YESHWANTRAO CHAVAN : How can I explain it ?

Now I would request you, the leaders of the Opposition and Members on this side also, that we have decided to consider this problem in a completely objective manner ...

SHRI JYOTIRMOY BOSU : Would you from a Parliamentary Committee to advise you ?

SHRI YESHWANTRAO CHAVAN : Parliamentary Committee—No...If you want my answer I will say 'No'..... *(Interruptions)* In this matter naturally we will certainly be interested to know your views.

SHRI DINEN BHATTACHARYYA : How will you know our views if you don't discuss ?

SHRI YESHWANTRAO CHAVAN : Before we take a decision, we will hear your views. Processing will certainly take some time. We will have some opportunity to discuss, when we meet in the next session, all the aspects of the problem. I don't want to evade any debate on this question.

My request to you is this, Don't start an atmosphere of, some sort of, suspicion that Government is going to do this or that, that Government is opposed to the interest of the government employees and only the opposition leaders are interested in the well-being of the employees. *(Interruptions)* We are also the leaders of the employees. Don't forget that. We are the custodians of their welfare. Last time also, you know, you misled them; you misguided them.

SHRI DINEN BHATTACHARYYA : It is a serious question; everybody is agitated.

SHRI YESHWANTRAO CHAVAN : Mr Banerjee will remember this last time you misled them and brought them into difficulties. We got them out of the trouble.

So, Sir, the point is this. As I told you, create an atmosphere of trust. As Mr. Banerjee mentioned, the representatives of the employees wanted to discuss the matter with the Cabinet Secretary. Now, Sir, we did not take a technical view about it. We said, we would like to know their views also, before we take a view on it .

SHRI JYOTIRMOY BOSU : You take the house into confidence, that is all that I want.

SHRI YESHWANTRAO CHAVAN : What else am I doing now ? This is exactly what am I doing. I am trying to tell you what Government's thinking on the matter is.

SHRI JYOTIRMOY BOSU : You are a very clever Parliamentarian . .

SHRI YESHWANTRAO CHAVAN : I do not want any personal compliment because I do not need it.

SHRI BHOGENDRA JHA : Is there any time-limit for cabinet decision to be taken finally ?

SHRI YESHWANTRAO CHAVAN : I can tell you one thing. I am not in a position to say about time-limit, but my understanding of the problem is this. There are certainly some broader issues raised in the Pay Commission's Report, like Minimum wages, etc. I do not want to go into details. There is the question of the Minimum wage. It is one more question for instance which

is agitating my mind, your mind, everybody's mind. There are certainly some broader issues and I think that it would be necessary to take an early decision on those broader issues first. The Cabinet certainly will engage it self and go into the broader aspects first. But as you know, that will also take some time. And, I do not think that will happen before the next session.

SHRI S. M. BANERJEE : It is the most important thing. Minimum wage will solve the problem, I can assure you.

SHRI YESHWANTRAO CHAVAN : I quite understand your point of view. These are matters on which we will have opportunity to hear your views also.

SHRI S. M. BANERJEE : Not in Parliament only. My suggestion was outside Parliament. also.

SHRI YESHWANTRAO CHAVAN : That is a matter of detail and that can be considered. It is a different matter. But, please listen to my advice. This is a friendly advice in the interest of the Government employees. Don't go by this controversy that goes on the Press about it,— what a Member he said what a Member has not said etc. Government has got an open mund on this question. We want to do justice to our employees. At the same time, we want to do justice to those large sections of people who are unorganised in this country. We have also to take note of them. That also we will have to take. *(Interruptions)* Let me conclude and then you may ask a question.

SHRI S. B. GIRI (Warangal) : I just want to ask one question. Will you consider the scrapping of the entire Pay Commission's Report ? Everybody and persons even from Congress Benches have said that it is not in favour of the workers. The principle was accepted by the Government in 1957 that there will be a need-based minimum wage. May I know whether Government or Cabinet are going to discuss this and whether they are serious about it, about this principal ?

SHRI YESHWANTRAO CHAVAN : You are always talking in terms of scrapping this, scrapping that, scrapping everything. We have appointed a committee to give suggestions. They have given certain suggestions

[Shri Yeshwant Rao Chavan]

We will certainly consider those suggestions on their merits. This Pay Commission who appointed in all seriousness. It was not appointed with any lightheartedness. And, therefore, whatever recommendations they have made will be considered on their merits.

SHRI SAMAR GUHA : I want to know the composition of the cell which you have drawn from the different services.

SHRI YESHWANTRAO CHAVAN : The composition of the cell is of Government employees. The top man is a person belonging to the I.A.S. service. His past experience is that he has worked in the Personnel Department.

He has not dealt with the present problems of the Pay Commission. He was not in any way connected with it. I have got my personal experience of the officer. We have made a very right selection of the man who has some background. He is a very

capable and a very objective, impartial officer. At the same time I would like to tell you he is not going to take the decision. The decision will be taken at the highest political level, that is, at the Cabinet level and that will be under the Prime Minister's leadership.

SHRI DINEN BHATTACHARAYYA : We will raise a discussion on this issue again.

SHRI YESHWANTRAO CHAVAN : If at any time you want to discuss this issue we will not come in the way. Naturally, when we take a decision we will inform the House as to the decision taken.

MR CHAIRMAN : The House stands adjourned till Eleven of the Clock tomorrow.

18 30

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, May 15, 1973/Vaisakha 25, 1895 (Saka)