

CHAVAN): (a) and (b). The information is being collected and will be laid on the Table of the House.

(b) No, Sir.

(c) The matter is presently under the consideration of the Corporation.

Import of power generating sets

2198. SHRI D. D. DESAI: Will the Minister of IRRIGATION AND POWER be pleased to state:

(a) whether several states have demanded the import of power generating sets; and

(b) whether Government have computed National loss in terms of money and unemployment due to the delays in manufacturing and supplying of such equipments by the two state-monopoly manufactures of power generating sets and if so, the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF IRRIGATION AND POWER (SHRI BALGOVIND VERMA): (a) Yes, Sir. Some states have approached the Central Government for the import of Power Generating sets.

(b) No, Sir.

Recognition of Officers Association by Fertilizer Corporation of India

2199. SHRI NAVAL KISHORE SHARMA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether his Ministry have directed the Fertilizer Corporation of India to recognize Fertilizer Corporation of India Officers' Association;

(b) whether it has been recognised and granted working facilities; and

(c) if not, the reasons thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI DALBIR SINGH): (a) No, Sir.

Bad Debt in F. C. I.

2200. SHRI R. P. YADAV: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) total amount of bad debts in Marketing Division of the Fertilizer Corporation of India during the last two years; and

(b) the break-up of the amount party-wise and State-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI DALBIR SINGH): (a) and (b). The information is being collected and will be laid on the Table of the House.

12.01 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED DEATH OF FOUR COLLIERY WORKERS IN FIRING AT KARGALI (BIHAR)

SHRI KRISHNA CHANDRA HALDER (Ausgram): Sir, I call the attention of the Minister of Steel and Mines to the following matter of urgent public importance and I request that he may make a statement thereon:—

'The reported firing on colliery workers in Kargali in Giridih District of Bihar as a result of which four workers were killed and many injured.'

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMAR MANGALAM): Sir, Pure Dhori Colliery is near the Kargali Colliery of National Coal Development Corporation in the Bokaro-Kargali area.

This is a seasonal mine. located in the bed of the Damodar river and is closed for about 4 months in a year. Pure Dhori Colliery including Angawali Mouza Mine had at the time of the recent take-over of its management about 570 workers.

However, as against the strength of the colliery of about 570 workers on the date of the take-over, the previous owner and the contractors had fraudulently inducted more than 2500 additional workers after the take-over and claimed that the manpower of the colliery was about 3,200 workers. The Custodian's view was that it would not be possible for him to make payment to all these persons and that payment could be made only to the genuine workers.

On 2-3-73 at about 11.30 a.m. two persons, Janki Misra and Roshan Rajwar, who claimed to be workers of Pure Dhori Colliery and not belonging to any Trade Union led a crowd of about 200 persons to the Kargali Rest House of the N.C.D.C., where the Custodian holds his office. They demonstrated for payment of wages for 4 weeks for the work which they claimed to have been done by them under contractors in an unauthorised manner against and in violation of the prohibition imposed by the Director General of Mines Safety under the Mines Act. The Custodian however insisted that it would not be possible for him to pay workers other than those genuinely on the rolls of the colliery.

These two leaders of the crowd entered the residential portion of the Rest House and threatened to assault the Custodian, who lodged a complaint with the Magistrate and the Police. The Police put those two persons under arrest. Subsequently, the Custodian, after discussing the matter with the officers of the colliery agreed to arrange payment on the basis of survey measures of the work. Meanwhile, the crowd swelled to a number of 3,000 persons, including a number of 'goondas' carrying arms like Kud-

lis, Guptis, etc. The crowd demanded the release of the two arrested persons. The Magistrate advised them to approach the Sub-Divisional Magistrate as he himself did not have the power to grant the bail. The crowd then became completely unruly and violent and rushed to the Rest House premises, and started throwing brick-bats and stones which hit the Magistrate and policemen and damaged the Rest House building. As a result of this the Magistrate and 14 policemen were injured.

The Police made a lathi charge but could not ward off the attacking crowd. The situation became very serious with an obvious threat to the lives of the Custodian and the Magistrate. Therefore, the Magistrate then ordered firing at about 3.00 p.m. which most unfortunately led to the death of 4 persons and injury to about 3 persons. The four persons killed in the firing, included a student of Class VII, aged about 12 years, named Prahlad Naik son of Lakhon Climpman an employee of the Kargil Colliery of NCDC.

No trade union representatives were present at the time of the incident which seems to have taken place on the instigation of the displaced contractors who failed to pay the workers. The Trade Union leaders were, however, contacted that very night and in the early hours of the night of 2/3 March, at a meeting of all Union leaders with the Deputy Custodian-General and the District Authorities, it was agreed that compensation will be paid to the families of the victims and one relative of each family will be employed by the C.M.A. (Coal Mines Authority).

These payments have been arranged by the Custodian @ Rs. 5000/- to the families of each deceased and Rs. 500/- for the injured persons. The Government of Bihar has appointed Shri Ramasubramanyam, Commissioner of Chotanagpur Division to enquire into the incident.

[SHRI S. MOHAN KUMARA-MANGLAM]. Before I close, I would like to express my deep sorrow at what has happened and to convey my condolences to the next of kin of those who lost their lives.

SHRI KRISHNA CHANDRA HALDER: The statement made by the hon. Minister is not satisfactory. I want to say that on 2-3-1973 about a thousand coalmine workers of Kargali held demonstration before the Custodian of the Coal Mines Authority demanding payment of wages for four weeks for the work done by them in some mines under a private contractor. They had worked in mines which had been subsequently closed under Section 22 of the Mines Act by the Director General of Mines Safety as the raising was done illegally.

It is alleged that the contractor had posted his hired 'goondas' near the Custodian's office, and the goondas attacked, with lethal weapons, the workers who were demanding the arrears of wages from the contractor. It was the Government's duty to take action on the contractor for non-payment of the dues to the workers. Instead of assuring the workers that their grievances would be looked into, the Government officials connived with the contractor and his hired goondas attacked the workers with lethal weapons. A number of workers were severely injured, and in self-defence they tried to stop the attack of the goondas. The police, which all the time stood as silent spectators, resorted to brutal lathi-charges and firing on the workers. According to the union sources, the police fired 40 rounds, killed seven persons and injured many. Prahlad Nayak, a school boy aged twelve years, was also killed in the police firing. This is an example of the brutal firing by the police. Bullets and lathi-charges were the Government's reply to the starving workers who were demanding their wage arrears.

Sir, it is an inhuman act. In these mines, coal was being raised illegally

by the contractor for which the workers are in no way responsible.

I want to know categorically why the persons responsible for illegal operation of mines were not arrested and why the contractor was not forced to pay to the workers their due arrears. When the goondas resorted to brutal attacks on the workers, why did the police, which was stationed there, not arrest the goondas? I also want to know from the hon. Minister whether records of these mines are kept properly or they were destroyed. Further, I want to know for how many days are these arrears due to the workers and what is the total amount to be paid to the workers. Instead of arresting and punishing the goondas, the police killed seven persons. Is there any conformity with the 'Garibi Hatao' programme? Is this the road to socialism?

I want to know whether the Government is prepared to suspend the Magistrate and the police responsible for this indiscriminate firing. I also want to know from the Minister whether adequate compensation—the amounts mentioned are not adequate compensation, in my opinion—would be paid to the families of the victims.

I demand an all-Party Parliamentary Committee to inquire into the incident. I want to know whether the Government is prepared to institute an inquiry by an all-Party Parliamentary Committee or not.

SHRI S. MOHAN KUMARAMANGALAM: According to the information which is in my possession, there was no question of goondas attacking the workers at all. On the contrary, it would appear that the goondas were the hirelings of the contractors and were utilised to attack the Custodian and the Police. That is how events developed.

The hon. Member evidently has no concrete information about what is happening there, because if he had, he would not have asked me whether

there were any records at all, because there are no records. The previous owner kept no records. All that we know about the number of workers working in that mine was that when the mine was taken over by the Custodian on 30th-31st January 1973, there were 570 odd workers working in that mine, but no records were kept whatsoever..... (Interruptions)

No records were kept. That is what I stated, and I repeat it. If the hon. Member knows the contractors well, he is welcome.

So far as the question of goondas attacking the workers is concerned, I am informed that the goondas did not attack the workers, because the whole aim of the contractors was to inflame the workers against the Custodian, whereas it was the contractor and the owner who were cheating the workers and also fraudulently including them as real workers in that mine, which they were not. They were also instigating these workers to go against the Custodian demanding that the Custodian must pay for work which they have not done for the Custodian at all.

The hon. Member will appreciate, if he is interested in the facts, that the total amount of coal taken out of the mine was 191 tonnes and taking the average OMS, which must be anything from .4 to .5, the total number of workers could not be more than 400 to 500 in the mine. At present, we are facing the difficulty of a number of different contractors in different areas trying to fraudulently induct workers into mines who are not genuine workers at all and we are facing a number of difficulties arising out of this. Unfortunately, in this particular locality, this erupted into the event which took place on the 2nd March.

The hon. Member inquired about the arrears of the workers it is impossible for me to answer him at all because about the arrears, that is to say the monthly payment to the workers who were being employed by the owners in illegal mines— not in the legal mines in that colliery—there is

no record at all and therefore, there is no question of my being able to give any answer.

The hon. Member feels that the compensation is inadequate. I do not know on what basis he has formed this judgment. My only justification in saying that the compensation is adequate is that the compensation was fixed after consultations with the representatives of the Trade Unions who, I would think normally, would not accept any inadequate compensation.

श्री धनशाह प्रधान (शहडोल) :
अध्यक्ष महोदय, प्रारम्भ में मैं उन मृतक मजदूरों को, जिन्होंने अपने इन मन्दिरों में अपना बलिदान दिया, देश के मजदूरों की ओर से श्रद्धांजलि अर्पित करता हूँ। तत्पश्चात् मैं यह निवेदन करना चाहता हूँ कि यह बड़े शर्म की बात है कि उन निर्दोष और निहत्थे मजदूरों पर गोली चलाई गई, जिन्होंने देश के निर्माण के लिए अपना जीवन लगाया है। यह मानवता के उपर एक कलंक है और एक ऐसा अपराध है, जिस को देश के मजदूर कभी क्षमा नहीं करेंगे। यह एक अनोखी घटना है। क्या सरकार जांच कर के यह पता लगायेगी कि किन कारणों से पुलिस द्वारा उन मजदूरों पर गोली चलाई गई? उन मासूम श्रमिकों पर पुलिस द्वारा अन्धाधुन्ध गोली चलाई गई, कई राउंड गोली चलाई गई।

मैं यह जानना चाहता हूँ कि उन मजदूरों के परिवारों को मुआवजे के रूप में व सहायता में कितनी धनराशि दी गई है? क्या उन श्रमिकों का यही अपराध था कि वे अपना चार सप्ताह का वेतन मांग रहे थे? क्या गोली चलाने से पूर्व उन्हें तितर-बितर होने के लिए कहा गया था? मृतकों के परिवारों को अब तक क्या तात्कालिक सहायता दी गई है? क्या सब सम्बन्धित क्षेत्रों के मजदूरों के प्राडक्शन बोनस

[श्री धनशाह प्रधान]

और एक्टिव एलाउंस आदि पिछले पूरे बकाया का भुगतान कर दिया गया है जो भूतपूर्व मैनेजमेंट छोड़कर चले गये हैं ?

मैं यह भी जानना चाहता हूँ कि सरकार मृतकों के बाल-बच्चों के पालन पोषण के लिए क्या व्यवस्था कर रही है ? मैं निवेदन करना चाहता हूँ कि यदि वे नाबालिग बच्चे हैं, तो जब तक वे स्वयं जीविका कमाने योग्य नहीं हो जाते हैं, तब तक के लिए उन के पालन-पोषण की व्यवस्था की जानी चाहिए। सरकार सदन को यह विश्वास दिलाये कि अब भवेष्ट में इस प्रकार की घटना नहीं होगी। कुछ विद्रोही तत्व ऐसी घटनायें करा कर देशव्यापी हड़ताल कराने की कोशिश करेंगे, जिस से देश की प्रगति रुक सकती है। इस लिए सरकार को इस सम्बन्ध में बहुत सोच-समझ कर कार्य करना चाहिए और मजदूरों के साथ सहानुभूति-पूर्वक बर्ताव करना चाहिए।

मैं मंत्री महोदय को छिदवाड़ा, सरगजा और शहडोल के कोयला खान मजदूरों की हालत बताना चाहता हूँ। जिस वक्त कस्टोडियन खानों के निरीक्षण हेतु आये, तो मैं उन से मिला। लेकिन उन्होंने मुझ से बात करने से इन्कार कर दिया और कहा कि यदि मिलना हो, तो मेरे आफिस में आइये। मैं बताना चाहता हूँ कि कस्टोडियन मजदूरों के बीच खाई पैदा कर रहे हैं और उन को आपस में लड़ा रहे हैं। उन के आने के बाद मजदूरों के लिए मिनेमा, क्लब और खल-कूद को बन्द कर दिया गया है। ज. वॉनम फरवरी में मिलना चाहिए, वह मार्च-अप्रैल में देने के लिए कहा गया है। प्रोडक्शन वॉनम के कारण मजदूरों में आपस में सम्पादन होता है कि वे अधिक उत्पादन करें और अधिक कोयला निकालें। यह

पैसा न दे कर प्रोडक्शन बन्द कर दिया गया है।

गोरखपुरी लेबर के साथ जो अत्याचार होते हैं, उन के बारे में सदन में कई बार प्रश्न उठाए गए हैं, लेकिन उस ओर कोई ध्यान नहीं दिया गया है। ठेकेदारी प्रथा के बारे में भी इस सदन में प्रश्न उठाए गए हैं, लेकिन आज तक उस विषय में कोई विचार नहीं किया गया है। मैं मांग करता हूँ कि ठेकेदारी प्रथा को समाप्त किया जाये और गोरखपुरी लेबर के साथ जो अत्याचार होते हैं, वे बन्द किये जायें।

मैं जानना चाहता हूँ कि मंत्री महोदय इन मजदूरों के सम्बन्ध में क्या कदम उठा रहे हैं। मैं चाहता हूँ कि देश में कोयला-खान उत्पादन बढ़ाने के लिए एक राष्ट्रव्यापी कार्यक्रम बनाया जाये, जिस में सरकार और मजदूर भागीदार हों। ठेकेदारी प्रथा को समाप्त किया जाये। उद्योगों में कर्मचारियों के सह-नियंत्रण की दृष्टि से प्रत्येक राष्ट्रीयकृत उद्योग में मजदूरों के चुने हुए प्रतिनिधियों के माध्यम से एक संयुक्त प्रबन्ध समिति गठित की जाये।

अन्त में मैं निवेदन करना चाहता हूँ कि कोयला-खान राष्ट्रीयकरण, मजदूरों के लिए एक भयंकर गुलामी से छुटकारा पाने का साधन हो, तभी वह उपयोगी हो सकता है। मजदूरों ने अपने अध्यवसायी और उत्सर्गप्रिय कर्णधारों की देखरेख में, और जनता के संयुक्त प्रयासों तथा त्याग की सहायता से, यह गुलामी का जुआ बिना किसी बाहरी सहायता के उतार फेंकने का निश्चय किया है। यह स्वागत-योग्य तभी हो सकता है जब कि उसका पालन सही दिशा में व सही लोगों के हाथ में हो जिन्हें राष्ट्रीयकरण प्रिय है। किन्तु

साथ साथ मेरा यह भी निवेदन है कि सरकार देश में कोयला-खान मजदूरों को पूरा संरक्षण दे और उन की समस्याओं को विवेकपूर्ण ढंग से हल करे, अन्यथा उनका सब्र सीमा पार कर जायेगा ।

SHRI S. MOHAN KUMARAMAN-GALAM: I entirely appreciate the comments made by the hon. Member regarding the unfortunate loss of lives in this tragic incident. But I am not in a position to agree with him when he says that firing took place indiscriminately, because according to whatever information is in our possession, the situation had become very dangerous. There was no question of just unarmed people being there. As I said in the statement which I made before the House at the outset, a number of goondas carrying arms had joined the crowd and in fact, were right in front and were threatening to attack, and stones and brick-bats were being thrown. So, it was not a question of a peaceful set of people being set upon by the police and firing taking place indiscriminately. In any event, a very senior officer of the Bihar Government, namely the Commissioner of Chotanagpur Division, Mr. Ramasubramanyan has been appointed to investigate into the incident and to give his report.

So far as the question of the sufferings of the families of those who had lost their lives is concerned, we are trying to do our best. As I mentioned earlier, Rs. 5000 is being paid or has been paid to the family of each deceased, and in addition, one member of the family of each of the deceased is being given employment by the Coal Mines Authority. This was after discussion with the trade unionists. I was hoping that hon. Member might express a word of appreciation for the speed with which we have acted in a matter like this.

I do not think that more can really be expected. I do not think that the trade unionists who accepted this position and agreed with us on the night of the 2nd and the 3rd, immediately

after the incident, would ask for anything more, and I think that it is not too much to ask of even those who may be political opponents that they could appreciate the action being taken so promptly.

We are as interested in the welfare of the workers as they are, and it is certainly not the monopoly of anybody to become the defender of the workers all the time.

Regarding the position in the Shahdol, area, I had myself visited that area, and I do not think that it is correct when the hon. Member states that the workers are not being paid what they should be. If he has any facts, apart from general allegations which are easy to make, I would be grateful if he would send them to me.

I know about this question of the alleged closure of the recreation club. I presume he is referring to the Nowrozabad colliery. But to my knowledge, that recreation club has not been closed, but I shall investigate and check whether his information is correct or mine.

He has used very strong language about the atrocities being meted out to the labourers. They have been and they were meted out throughout by the contractors and by the old mine-owners. That is one of the principal reasons why nationalisation of coal mines was demanded, and that is one of the principal reasons why the take-over of coal mines was put through. I would most earnestly mention this to all Members of the House here that it is not surprising naturally that the mine-owners having been deprived of something which they have enjoyed for decades together, and after having prevented nationalisation which was recommended as far back as 1937, for 36 years, are not going to take the action of the Government lying down. That is why I have stated with a full sense of responsibility that behind this entire incident that took place on that day was the hand of the ex-mine-owners and the contractors.

[Shri Mohan Kumar Manglam]

Finally, the hon. Member would be happy to know that production, since the 30th January, 1973, in the month of February has gone up to an average of 143,000 tonnes a day, from a figure of 117,000 tonnes a day as it was in the month of January. I do not claim that this is all an increase in production; it represents also a large amount of production that was not brought into the books by the ex-mine-owners in order that they could make money out of non-payment of cess, royalty and so on. But I do claim that the workers are giving their fullest cooperation; every single measure or action taken by the authority today is being taken in consultation with the trade unions. I think this is something of which we on this side of the House can be proud.

श्री धनशाह प्रधान : डेकेदारी प्रथा
के बारे में नहीं बताया ।

SHRI S. MOHAN KUMARAMANGALAM: The trade unions with whom we have discussed this, who belong to all schools of thought, have accepted the position that the immediate task of the Coal Mines Authority is to regularise the services of the two lakh odd permanent workers. This is an enormous task. It cannot be done by sitting in an office and passing orders on paper. Every single individual has to be identified and we have to make sure whether he is or he is not a permanent worker. Only after we have done this, we can take up the question of the abolition of the contract system.

We are committed to the position that all work that should be done departmentally will be done departmentally and not through the contract system. But we cannot take up this matter until we have first settled this initial stage of regularising the regular permanent workers. The trade unions have agreed that the departmentalisation of contract workers can be taken up after we have finished regularisation of permanent workers.

Shri Bhogendra Jha (Jai-nagar): It is good that the Minister realises that the vested interests in the coal mining industry are not going to take the nationalisation of coal mines lying down. But it is really strange that he does not realise that many of the officers have been in league with those owners and those very contractors. Many of them have been under double payment.

We know several instances where NCDC coal was rejected found unfit but when that very coal was auctioned and purchased by the private contractors, it was accepted by many public sector undertakings including DVC and some thermal power projects. So there has been a regular thing going on like this and many officers have been receiving double payment. It is an instance of close liaison between the owners, contractors and some officers. If the Minister very innocently believes that the officers have done all they could to avoid this tragedy, I am sorry I cannot agree and I think even the House should not agree. I hope the Minister will, after verifying the facts, correct himself.

As far as I know, this aspect of the thing is true that the number was not 570 or something around like that but it was approximately around 600 or 700 or something like that. It is also a fact that the previous owner and the present contractor have manipulated the number. Is it a fact that in the middle of February, Rs. 80,000 were illegally paid to those 'illegitimate' workers claiming to be workers? Is it a fact that after actually the payment was made the contractor and the previous owner went back to those very so-called workers, and took back the major part of the money from them? Is it also a fact that a part of that money went to some officers of the Coal Authority? If not, I want to know why Rs. 80,000 were paid. Am I correct in this or not? If it was paid, what action has been taken against those officers?

If it is true, we certainly welcome it, that speedily some relief has been

given and the rest promised. But here I find that in both ways the public sector is suffering. They paid Rs. 80,000 illegally and the illegitimacy of the claim was legitimised. Afterwards those very people honestly felt that if they create more trouble and more violence, then they could get paid. Again Rs. 5,000 are now being paid. Again these officers are responsible. But the public sector has to pay. So both ways the public sector is penalised. On the one hand, the crime has been committed and they are being left scot-free.

It is stated by Government of Bihar, their officials, that the firing was justified. If the Government of Bihar feels like that, and we know that the Chief Minister yesterday made such a statement in the Assembly and there was a walk-out in that context, when the Chief Minister committed himself that the firing was justified and that there is no point in enquiring by any Commissioner who is definitely not going to falsify the Chief Minister, no officer of the Bihar Government now, after the Chief Minister's open commitment in the Assembly, can be depended upon for any impartial enquiry. So, that must be ruled out, because the Chief Minister has openly committed himself, and after that commitment, there is no question of an enquiry by the Bihar Government.

Here, I would like to know certain aspects of the case. In the statement, it has been narrated that an agreement was arrived at on the basis of the work done. We know it is an open-cast mine and only seasonal mining takes place. There are certain facts which have to be made known to us here, to the House and to the public at large. At Dhanbad, we have got the Director of Mines Safety and just nearby this illegal mining was going on. So, we want to know how such illegal mining had been done, and whether the Steel Ministry was going to make a speedy survey of such illegal mines and

whether any steps were taken against the Director of Mines Safety posted at Dhanbad, near whom this illegal mining was going on. Some facts about these must be given to the House.

MR. SPEAKER: This a particular motion concerning the firing. It is not a very general debate on all the issues.

SHRI BHOGENDRA JHA: I am pointing out the missing links.

MR. SPEAKER: Missing links are found everywhere. You had better ask your question.

SHRI BHOGENDRA JHA: So, besides, that, I want to know whether such claims have been allowed at other mines also, because it is our information that in many places such illegitimate claims have been made. At many places such payments have been made at the cost of the public sector for which the taxpayers of the country are going to foot the bill. So, I want to know why the magistrate who was competent to order the firing was not ordered to release those persons on bail then the agreement was arrived at.

The pertinent point is, when the agreement was arrived at, it was announced to the workers. The workers demanded the release of the two persons who had committed no crime or violence except that they were in that crowd. Certainly they should have been released on bail by the magistrate who had ordered the firing but he did not release them on bail. What action has been taken against that magistrate and the police party? According to the statement, the magistrate told them that he was not in a position, and he was not empowered to release them on bail.

Secondly, the firing took place, and the Minister says that it was not an uncontrolled firing. But then, how is it that one Prahlad Naik, a 12-year old boy, who had been to a shop to

[Shri Bhogendra Jha]

purchase some vegetables for his mother, and who was not part of the demonstration, was killed at the shop itself? Then, we would like to know whether it was a controlled firing, and whether tear-gas shells were exploded before the firing was resorted to, to warn the people; or whether any blanket firing was resorted to. Before the firing took place, our information is that no tear-gas shells were exploded and no such warning was given and only firing took place.

Here, I want to know one thing. As Shri Halder said, the workers were lathi-charged. I want to know and I want to ask the Minister whether he has any facts in his possession to tell us whether some contractors, along with the police, who charged the workers with lathis actually pursued the people, the workers and others to about 50 yards and thus precipitated a crisis. On the one hand, they brought the workers. On the other hand, they provoked them to resort to a lathi charge more than the police, and they are now in the good books of the present management. I want to know whether the mineowner and the present contractor have been arrested or not. They are in the conspiracy and they are in the main responsible for this murder and crime. I want to know whether they are going to be arrested or not, and whether the system of contractors is going to be ended after this occurrence. These contractors have been in league with the owners who are out to sabotage the nationalisation of the mines. So, I want to know whether this contract system will be ended now before more lives are lost. I hope the Minister will give a satisfactory reply to all my questions including whether a judicial enquiry will be ordered because no Bihar Government official can now be depended upon.

SHRI S. MOHAN KUMARAMAN-GALAM. The hon. member has made allegations of a very general character against the officers of the Coal Mines Authority, not merely those

involved in this accident but in general. I think it is my duty to state before the House that but for the dedicated and devoted work of these officers in general...

SHRI BHOGENDRA JHA: Some.

SHRI S. MOHAN KUMARAMAN-GALAM: Some may mean any figure. If you are prepared to say "exceptions" I am prepared to agree because there are always some black sheep around. By and large, but for the dedicated work of the officers, it would have been impossible to take over 464 mines in the course of just 12 hours with no incident of any character and another 200 mines within another 10 days. I think we should pay a tribute to these people who have worked 24 hours a day, without a wink of sleep to put through this very major decision of Government. Of course, there may be officers who make mistakes. If the hon. member will tell me by name or to the extent he knows, certainly I shall enquire into it. He has made an allegation that Rs. 80,000 was paid to the contractors. I am not in a position to say whether such an amount of money was paid to whom and for what purpose. But I have received a report that some such thing has happened and I am enquiring into what it undoubtedly a very serious matter. I can assure the hon. member that if I find that any mistake has been committed, action will be taken against persons responsible. If he will give me whatever facts are in his possession, I shall certainly look into them quickly. I have heard about it, but I do not think it will be right on my part to make statements when I have not been able to verify whether they are correct or not. The only assurance I can give is, that I will certainly look into it.

Whether the Government of Bihar feels that the firing was justified or not, the hon. member knows that maintenance of law and order is a State subject. It is not a subject for which the Centre is res

possible. Naturally the type of inquiry that has to be conducted when such a major calamity takes place is a matter for the State Government to decide. The State Government, evidently taking all the circumstances into consideration, has come to the conclusion that it will be enough if they appoint the Commissioner of Chotanagpur, Mr. Ramasubramaniam, to enquire into the firing. There are many many hon. members belonging to the party to which the hon. member, Mr. Bhogendra Jha belongs, sitting in the Bihar Assembly who, I am sure, will with equal vigour and eloquence take up the same question.

SHRI BHOGENDRA JHA: They staged a walk-out.

SHRI S. MOHAN KUMARAMAN-GALAM: There is a certain division of powers in our Constitution. Whether it should be this inquiry or that inquiry, whether it should take place in this State or that State is a matter for decision by the Central Government under certain conditions and the State Government under certain conditions. He knows very well that in this case this is a matter which the State Government should decide. That is why I put the facts as to what the State Government has decided.

He asked me about illegal mining. Illegal mining, he knows much better than I do coming as he does from that area which I do not, has been going on for years and years. It goes on on the basis of these powerful mine-owning interests corrupting persons at different levels. Certainly, it is not my intention to leave such things as they are. But my immediate attention cannot be to that part of my work but it has to be to regularising the take-over of the mines and seeing that we are able to attend effectively both to the demands of the workers on the one hand and to production on the other. But I assure him that I will look into this

He has asked this question why these two persons were not let on bail. The answer which we have been given is that the magistrate who was on the spot did not have the power to release on bail and therefore he was not able to release them on bail. Undoubtedly, that point would also be looked into by the Commissioner when he conducts the inquiry and you will get an answer to that.

He has asked whether it was controlled firing or uncontrolled firing. It is not for me to judge it. The hon. Member stated that the Bihar Government is satisfied that the circumstances necessitated what has happened.

I can only state that there was a lathi charge earlier, warning was given and only after that the firing was resorted to. Possibly, tear gas was not used because at that time they did not have tear gas shells with them; I do not know. That will also be one of the matters dealt with by the Bihar Government. I am not the person sitting in judgment on that. I am placing before the House the facts so far as I know.

Regarding the allegation that some contractors were in league with the police against the workers, I am not in a position to say anything. That is not the information I have received.

Finally, regarding the abolition of the contract system, let us be clear that there are two types of contractors. One is the contractors who are appointed by the mine-owners to operate the mine as such, what they call managing contractors. These contractors belong to that category. Where there are contractors who do a certain type of work, loading and things of that character, we will departmentalise these workers. So far as the first type of contractors is concerned, we are not proceeding with them at all. The mines are being directly worked by the Custodian, using the workers who are the regular workers in the mines, and I think that should satisfy you. So far as the

second type of contractors is concerned, that will take some time.

SHRI BHOGENDRA JHA: Has the contractor been arrested?

SHRI S. MOHAN KUMARAMAN-GALAM: So far as the information about that.

SHRI BHOGENDRA JHA: It is on the complaint of the custodian that the arrests took place. May I know whether the custodian is going to complain that the contractor should be arrested for complicity, conspiracy, mob violence etc.?

SHRI S. MOHAN KUMARAMAN-GALAM: So far as the information in my possession goes, the contractors were not there on the spot at the time the firing took place. Whether there is any material to show a link between the contractors and those who actually participated in the incident, I am not in a position to say. If there is any evidence of this character, certainly action would be taken. But the hon. Member is wise enough to know that usually persons who do dirty work like to keep well in the background.

श्री मूलचन्द डागा (पाली) : अध्यक्ष महोदय, 464 कोयला खानों का राष्ट्रीयकरण करके आपने जो कोयला कल्याण किया उसके लिए धन्यवाद। मैं इस बात को जानता हूँ कि भीड़ में चिन्मय नहीं होता और भीड़ कभी कोई निर्णय नहीं ले सकती और परस्पर दिमागों की वैप्राखियों पर चलने वाले लोग वह थे और उसका आपने जो जवाब दिया वह एक बड़े बकाल की तरह दिया है। मुझे आप बतायें कि कोई कस्टोडियन या ओनर जो अपना था जो बड़ा मराहतीय और प्रणयनीय कार्य कर रहा था उसने रिपोर्ट क्या दी? उसकी एफ आई आर क्या थी? उसको मालूम था कि यह विघटनकारी तत्व पांच सौ की जगह तीन हजार नाम लिखाना चाहते हैं,

उसकी एफ आई आर क्या थी और उसी दिन उस एफ आई आर पर आपकी पुलिस या मजिस्ट्रेट ने क्या कार्यवाही की? क्या मजिस्ट्रेट और पुलिस ने मिल करके उन ओनर और कन्ट्रैक्टर के खिलाफ कोई केस रजिस्टर किया था या नहीं किया?

दूसरी बात यह है कि जब कस्टोडियन आपका रेस्ट हाउस में चला गया और जो दो सज्जन उनके पीछे गए उन्होंने उनके साथ क्या कार्यवाही की? क्या उन्होंने उस पर हमला करने की कोशिश की या उसको पीटा या क्या किया? सबसे बड़ी बात यह है कि कस्टोडियन ने वह सारे कागजात आने कच्चे में क्यों नहीं लिए, जिस समय कोयला खानें उनसे ली गई थीं और इस बात की जांच क्यों नहीं की कि इस कोयला खान में तीन हजार मजदूरों के नाम बना रहे हैं जब 500 से ज्यादा काम नहीं कर सकते? क्या कस्टोडियन का यह कर्तव्य नहीं था कि सारे कागजात की जांच करता? आज आपने उत्तर दिया कि कस्टोडियन वहां नहीं था। लेकिन एक बड़ा प्रश्न है जब लोग गोली से मारे गए, मजदूरों की हत्या हुई तो उस समय इस्पात और खान मंत्री एक सवाल का उत्तर देते हैं कि इस मामले में मैं उत्तर देने के लिए तैयार नहीं हूँ क्यों? यह सवाल का मामला है। एक वाक्या आपकी खान पर हत्या और वाक्या होने के बाद आज आप यह उत्तर देने के लिए आये हैं। या फिर गृह मंत्री वहां पर इसका उत्तर देने। आज 25 साल के बाद भी मजिस्ट्रेट और पुलिस का काम करने वालों में गिठा और सेवा की भावना नहीं आई है। कि हमें संजीदगी से और ज्यादा चतुराई से काम लेना चाहिए। वे उस भाव को हटा सकते थे। एक सीधा सवाल था कि हम तुम्हारी वेन करवा देते हैं।

वह बलेविल आफेन्स था या नहीं—अगर था तो पुलिस ने वेल क्यों नहीं ली। ? सवाल यह है कि 5 आदमियों के गोली चलाने से मरने की जिम्मेदारी आदरणीय इस्पात मंत्री छोड़न। चाहते हैं कि यह मेरा काम नहीं था। बिल्कुल ठीक है, लेकिन मैं समझता हूँ हमारे प्रशासन और जनता के बीच में नौकरशाही की जो दीवार है उसमें अभी तक निष्ठा से सेवा करने की भावना नहीं आई है। उनको जिम्मेदार क्यों नहीं ठहराया जाता है ? तीन हजार आदमी खड़े थे, उन पर पुलिस वालों ने गोलियां चलाई, किस कारण गोलियां चलाई और आपका कस्टोडियन कितनी तकलीफ में हो गया, कौन सी इंजरीज आपके पुलिस वालों के बदन पर आई, कितनी चोटें आई—क्या आप मालूम करके सर्टिफिकेट पेश कर सकते हैं ? भीड़ ने क्या किया जिस पर फायरिंग की गई, 15 गोलियां चलाई गई, इस प्रकार के जो नादिरशाह थे, मैजिस्ट्रेट और पुलिस क्या उनको सस्पेंड किया गया ? मैं समझता हूँ कि कभी कभी भीड़ में चिन्तन नहीं होता और अधिक बड़े राजनीतिक नेता वहां पर पहुंच जाते हैं लेकिन हमारे कस्टोडियन या प्रशासन अगर अच्छे हों तो होशियारी से काम निकाल सकते हैं। आज भ्रष्टाचार हमारे देश के लिए अभिशाप है। कोई कस्टोडियन अगर ईमानदार होगा तो मैं नहीं जानता और न उसको चुनौती दे सकता हूँ। लेकिन जब खान उन्होंने कब्जे में ली थी उस समय डाकूमेन्ट्स कहाँ थे, कस्टोडियन को कौन कौन से डाकूमेन्ट्स मिले और एक आई आर में इस बात के खिलाफ कोई मुकदमा चलाया या नहीं ? यह बलेविल आफेन्स था या नान-बलेविल आफेन्स था ? रेस्ट हाउस में दो आदमी चले गए थे। कस्टोडियन साहब ने बड़ी नञ्चना से हिसाब समझाया कि 500 आदमियों का हिसाब है हम तुमको दे देंगे। उस के बाद चल पड़े।

ठीक है लोगों ने बर्छी ले ली, कुल्हाड़े ले लिये, लाठियां ले लीं और एक बड़ी भीड़ ने हमला किया। लेकिन मुझ को यह बतलाया जाय कि क्या किसी के ऊपर एक भी कुल्हाड़े की चोट है, बर्छी की चोट है ?

जब कभी इस प्रकार की घटनायें हो जाती हैं तब आप उन के प्रति दुखी होते हैं, चिन्तित होते हैं। लेकिन अध्यक्ष महोदय, आप हम को एक बात बतलाएं कि आखिर काल अटेंशन नोटिस होम मिनिस्टर को दिया जाये या इस्पात मंत्री को दिया जाये। इस्पात मंत्री ने तो अपना काम कर लिया। लेकिन गृह मंत्री ने जो सहयोग दिया उस के अनुसार पुलिस के आदमी मुक़र्रर किये गये उन्होंने पन्द्रह राउंड गोलियां चलाई। जो मैजिस्ट्रेट था उस की गलती से इस प्रकार का वाक्या हुआ, नहीं तो बड़ी खूबसूरती से इस वाक्ये को टाला जा सकता था। फिर मंत्री महोदय ने कहा कि 1 हजार रुपया दिया गया है।

एक माननीय सदस्य पांच हजार रुपया।

श्री मूल चन्व डागा : पांच हजार रुपये की जो धनराशि दी गई, वह बहुत कम है।

SHRI S. MOHAN KUMARAMAN-GALAM: So far as the First Information Report is concerned, the Custodian made a report to the police, the officer in charge of Bermo Police Station, that, when he was in his private room, Janki Misra and Roshan Rajwar trespassed into the room with the intention to assault him; and asked why payment was not being made to the workers, and on the basis of this report, the officer in charge of police arrested these two persons. After that, discussions took place and

[Shri S. Mohan Kumaramanglam]

The Custodian agreed that payment would be made on the basis of surveying the amount of coal that has been mined. But, unfortunately, it was not possible to control the workers outside and the incident developed in the manner that I have already indicated.

So far as the persons injured are concerned on the side of the police and the Magistrate, the Magistrate himself and 14 other persons were injured. Among them were the officer in charge of the police as well as three Assistant Sub-Inspectors and, I think, an Inspector. Shri Rawat, who was the A.S.I. in charge of Bermo Police Station suffered an injury on his head resulting in bleeding; the Magistrate's injuries were on his legs and body; and the others suffered injuries on various other parts of the body. I cannot give more details than these, but a number of persons were injured.

The hon. Member suggested that the Magistrate should have shown more alacrity and assured that bail could be arranged. According to the report I have received, the Magistrate did inform them that it was possible for them to move for bail before the Magistrate who was empowered to grant the bail, i.e., the Sub-Divisional Magistrate, but the people were not prepared to listen.

So far as the question regarding documents of the mine when the mines was taken over is concerned, I have mentioned earlier that there were no documents at all. This is not surprising because in all mines of this size where a few hundred workers are employed and where the entire production for the month is about 191 tonnes, the gentlemen who own or who operate such mines do not believe in having documents. They operate the mines on the basis of let us say, other considerations and practices which need not be gone into at the moment.

I think that I have covered all the points raised by the hon. Member. I would like to assure him that we are still investigating into the matter. So far as law and order part is concerned, I have put all the facts before this hon. House, but, naturally, it is for the State Government ultimately to decide what is the further action to be taken.

डा० लक्ष्मीनारायण पांडेय (मंदसौर):

अध्यक्ष महोदय, सरकार मजदूरी के बदले परिश्रम का पैसा मांगने वालों पर गोली चलाये यह कोई आश्चर्य की बात नहीं है। इस करगली कोयला खान की घटना के पहले भी मध्य प्रदेश में कोयला खान-मजदूरों का झगड़ा चला और एक बार नहीं दो दो बार उन पर गोलियां चलीं। पहली घटना की तो जांच की रिपोर्ट भी आई, लेकिन दूसरी का क्या हुआ पता नहीं। क्या माननीय मंत्री महोदय, बतलाने की कृपा करेंगे कि उस समय जो गोलियां चली थीं उस के बारे में रिपोर्ट कब तक आयेगी और रिपोर्ट के आने में विलम्ब का क्या कारण है। आखिर मजदूरों पर गोलियां चलाने का और उन में असन्तोष बढ़ने का कारण क्या है ?

SHRI S. MOHAN KUMARAMANGALAM: On a point of clarification. Which coal mine the hon. Member is referring to, I am not able to follow. I have come here to answer a call attention motion on the firing that took place in Bihar. If there are other coal mines the hon. Member is referring to, I may be informed.

डा० लक्ष्मीनारायण पांडेय : मैं मंत्री महोदय से निवेदन कर रहा था कि यह कोई नई बात नहीं है और कोई पहली घटना ही नहीं हुई है। मैं जानना चाहता हूं बिहार के गिरडिह जिले में करगली कोयला

खान के श्रमिकों में इस प्रकार की उत्तेजना फैलने का कारण क्या था ? क्या श्रमिकों को समय पर वेतन दिया जाता है, क्या उन को समय पर पारिश्रमिक दिया जाता है ? क्या यह बात नहीं है कि उन को अपने काम का पैसा समय पर नहीं मिला जिस की मांग करने वे गये थे ? उस मांग के बदले उन को पैसा नहीं मिला, गोलियां खाने को मिलीं ?

मंत्री महोदय ने बड़ी चतुराई से कहा कि एक कंट्रैक्टर की साठ गांठ से वहां पर तीन हजार अधिक मजदूरों की भर्ती हो गई थी; और सरकार के लिए यह इतना बड़ा अनुपात बन गया कि उस के लिए सब को वेतन देना सम्भव नहीं था । सरकार ने कोयला खानों का सारा काम-काज अपने हाथ में लिया है और उन्होंने अपने विश्वास के लोगों को वहां पर कस्टोडियन बना कर बिठलाया है । क्या उन में इतनी भी चतुराई नहीं थी कि वह जांच कर पाते कि इस कोयला खान की क्षमता क्या है और कितने मजदूरों को वहां रखा जा सकता है । उन मजदूरों की संख्या क्या हो सकती है ? उस को वह बराबर सहन करते रहे । मैं जानना चाहूंगा कि पिछले चार सप्ताहों के पहले वहां कितने मजदूरों को मजदूरी दी गई । जब उस का टेक ओवर किया गया था तब उन की संख्या कितनी थी इस के बारे में रेकार्ड देखा जाये । मंत्री महोदय ने कह दिया कि उस समय का रेकार्ड उपलब्ध नहीं है । कोयला खदानों का इस प्रकार का रेकार्ड प्राप्त नहीं होता, फिर भी हमारे माध्यमों के आधार पर संख्या बतलाई जा सकती थी । मंत्री महोदय ने तो कुछ बतलाया नहीं लेकिन अखबारों के जरिये सूचना प्राप्त हुई कि पन्द्रह राउंड गोलियां चलीं । उन गोलियों से चार मारे गये और तीन घायल हुए हैं यह यहाँ बतलाया गया है लेकिन हम को जो सूचना प्राप्त हुई है उस के अनुसार

50 से अधिक लोग घायल हुए हैं और मृतकों में एक बारह वर्ष का विद्यार्थी भी था ।

मजदूरों के बारे में आप ने दलीय आधार पर मजदूर संघों के साथ बैठ कर कोई समझौता किया है कि 5 हजार रुपया मिलेगा । लेकिन मैं समझता हूं कि यह जो मुआवजा दिया गया है वह बहुत कम है । उनका मुआवजा बढ़ाना चाहिए । लेकिन विद्यार्थी के बारे में ऐसा समझौता करने के लिए कौन आया था ? उस की क्या आर्थिक स्थिति थी और उस को कोई आर्थिक सहायता दी गई या नहीं ?

मैं जानना चाहता हूं जैसी कि वहां के आई एन टी यू सी और दूसरे मजदूर संगठनों ने मांग की है, क्या इस की ज्यूडिशियल एन्क्वायरी कराई जायेगी ? प्रस्तुत संदर्भ में ज्यूडिशियल इन्क्वायरी बहुत जरूरी है । दूसरा प्रश्न है कोयला खदानों में काम करने वाले मजदूरों का जो तबका है, जिस को गोरखपुरी खान मजदूर कहा जाता है, उस की आज भी वही दशा है जो पहले थी । आप के टेक ओवर करने के बाद भी उसी तरह से भेड़ों की तरह से माल के डब्बों में भर कर लाये जाते हैं । उन को एक साथ खाना खिलाया जाता है और एक साथ रखा जाता है । उन के लिए कोई आवासीय व्यवस्था नहीं है और न उन के खाने पीने की व्यवस्था ठीक ढंग की है । यही कुछ ऐसे कारण है जिस की वजह से मजदूरों में असन्तोष फैलता है और इस प्रकार की परिस्थिति निर्मित होती है । प्रस्तुत प्रकरण में इस के पहले कि गोली चलाई जाती, यह आवश्यक था कि उचित कार्रवाई की जाती । मजिस्ट्रेट ने जो कार्रवाई की है वह दोषपूर्ण थी । जो अन्तिम पूर्व सूचना मजदूरों को मिलनी चाहिए थी वह नहीं दी गई । उन को कोई चेतावनी नहीं दी गई ताकि वह तिनार वितर हो जायें और उस के अभाव

[डा० लक्ष्मीनारायण पांडेय]

में उन को गोलियां खानी पड़ीं। जो भी कार्रवाई वहां की गई वह ठीक नहीं थी। उसके बारे में एक मात्र उपाय यह है कि जुडिशल एन्क्वायरी हो।

जैसा इस संदर्भ में मैंने कहा है, मंत्री महोदय आज नहीं तो फिर कभी मध्य प्रदेश कोयला खानों के बारे में भी बतलायें और साथ साथ एन्क्वायरी के बारे में भी बतलाने की कृपा करें।

13 hrs.

SHRI S. MOHAN KUMARAMAN-GALAM: Regarding Madhya Pradesh coal mines, I have no facts with me. If the hon Member would write to me, I will try to give all the details. Regarding the other point, about the number of workers, as I have stated earlier, there are no records. There were about 570 odd workers working on the day of the takeover. At present we are proceeding on the basis that they were the number of persons working in the mines. As I already told you, the Custodians have already been given instructions to investigate and to find out the number working actually and to assess what would be the proper work force. The other way in which we have asked them to work out is to find out what the production from the mine is, what is the OMS, output per main shift, and on that basis come to a conclusion about the proper workforce for the mines. This is far away from the figure of 3200 which the contractors tried to fraudulently introduce. And, regarding the other point that 500 persons have been injured, that is not the information with us. The information given to me by Bihar Government is to the effect that 4 persons lost their lives and 3 were injured. The hon. Member said about a boy losing his life. I have stated that in my statement also, Rs. 5000 has been paid as compensation to the deceased. It must have been paid to his family. I have no reason to believe that it

was not paid to the proper person concerned. Number of persons including representatives of INTUC were, as reported by the Press, demanding special enquiry. But, evidently, taking all aspects into consideration, the Government of Bihar decided that the present enquiry by the sub-divisional magistrate of the Chota Nagpur Division is adequate enough in the circumstances of the case.

SHRI BHOGENDRA JHA: Are you going to recommend to the State Government to have an enquiry into the the matter?

SHRI S. MOHAN KUMARAMAN-GALAM: I have made my position clear. Your repeating your demand does not necessarily add weight to it. Regarding Gorakpuri labour, they don't work like that in small mines. They usually work in some of the bigger mines. They are housed in particular barracks and so on. This has nothing to do with the firing that took place. I can assure him that the work of what is called the CRO, Coal-mines Recruiting Organisation is being looked into and this matter has been discussed with the trade unions. I have no doubt that the decision which Government arrived at earlier to the effect that this is not a good system and should be abolished, will be honoured.

13.02 hrs.

PAPERS LAID ON THE TABLE

REPORT OF CAG OF INDIA FOR 1971-72
UNION GOVERNMENT (RAILWAY),
APPROPRIATION ACCOUNTS RAIL-
WAY, PARTS I AND II. ETC.

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI
K. R. GANESH): I beg to lay on the
Table—

- (1) A copy of the Report of the Comptroller and Auditor General of India for the year 1971-72, Union Government