

authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1959, in excess of the amounts granted for those services and for that year."

The motion was adopted.

Shri S. V. Ramaswamy: Sir, I beg to introduce* the Bill. On behalf of Shri Jagjivan Ram, I beg to move.

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1959, in excess of the amounts granted for those services and for that year, be taken into consideration."

Mr. Deputy Speaker: The question is:

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1959, in excess of the amounts granted for those services and for that year, be taken into consideration."

The motion was adopted.

15:00 hrs.

Mr. Deputy-Speaker: The question is:

"That clauses 2 and 3, clause 1, the Schedule, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clauses 2 and 3, Clause 1, the Schedule the Enacting Formula and the Title were added to the Bill

Shri S. V. Ramaswamy: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

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15:01 hrs.

COAL MINES (CONSERVATION AND SAFETY) AMENDMENT BILL

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): I beg to move:

"That the Bill to amend the Coal Mines (Conservation and Safety) Act, 1952, be taken into consideration."

There are two important changes that are sought to be brought about by this legislative measure. One relates to the ceiling for levying excise duty. The present position is that there is a ceiling of Re. 1 with respect to the imposition of excise duty. That is contained in section 8 of the Coal Mines (Conservation and Safety) Act. Section 8(1) says:

"With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be levied and collected—

(a) on all coal raised and despatched, and on all coke manufactured and despatched, from the collieries in India, such duty of excise not exceeding one rupee

*Introduced with the recommendation of the President.

†Moved with the recommendation of the President.

[Sardar Swaran Singh]

per ton as may be fixed from time to time by the Central Government by notification in the Official Gazette, and different rates of duty may be levied on different grades or descriptions of coal or coke;"

The present position with regard to the actual quantum of excise duty is like this. There was a notification dated 15th March, 1960 which was more for conversion of ordinary tons into metric tones. The figures are given in that notification. The rate of excise duty per ton of 1000 kilograms, i.e. 1 metric ton, is 86.6 nP on coal, including soft coke but excluding hard coke. On hard coke, it is 92.5 nP. Both these duties on coal and coke of all varieties as well as hard coke are very near the ceiling of Re. 1 per ton, which is provided under the existing provisions, which I have read out, viz., section 8 of the parent Act.

The present proposal is to raise this ceiling to Rs. 4 per ton. That does not mean that actually the rate of excise duty will be of that level. But the ceiling which has stood so far at Re. 1 per ton is sought to be increased to Rs. 4 per ton. The House will naturally like to know the justification for this pushing up of the ceiling with respect to excise duty. There are two main reasons for an early decision about increase in excise duty. One is the necessity of raising larger and larger quantities of coal by what is known as depillaring. Hon. Members who are familiar with mining operations would know that when deep mines are developed, a fairly large quantity of coal is left on pillars. We have been operating a number of stowing subsidy schemes, as they are called, under which the colliery-owners have been undertaking the stowing operations, i.e. filling the gaps that are created there with sand. When the process of depillaring starts, where the coal is actually taken from the pillars that are standing there to protect the roof from

falling stowing is necessary from the safety angle. It is necessary to incur that additional expenditure by means of stowing.

There are stowing subsidy schemes, about which references have been made from time to time. It has been anticipated that the sources of sand are being exhausted progressively and the stage has come when a central ropeway scheme has to be undertaken. That means, from various points in the bed of the river or from other sources, sand has to be collected and taken on belt ropeways to some central points, which are nearer to the collieries where the stowing operation has to be undertaken. Therefore, there are what are called central ropeway schemes. As the lead involved is large, so the cost of transporting sand is likely to be considerable and considerable capital expenditure is also involved. If we take a purely negative attitude and leave this thing to be done by the private sector, the risk is that they will not be able to do it. The distances being long, the actual cost will be much higher. Actually, the bill that the country may have to pay will be much higher as compared to a scheme which if operated effectively by a public organisation like the Coal Board will appreciably reduce the expenditure. Therefore, sand can be supplied at these central points.

This will inevitably result in revising the present rates of stowing subsidies which are paid to the colliery-owners. This will answer a query which my friend, Shri Vittal Rao had raised on an earlier occasion. In the course of a supplementary, he had asked whether the stowing subsidy will continue even after the ropeway scheme is introduced and I said that it would not be kept in its present form. The result is quite obvious. The expenditure that any individual colliery will incur will be on that short lead of lifting sand from the point up to which it is taken under the central ropeway scheme and to

actually pump it inside the colliery. That will be a much lesser incidence and the responsibility of supplying it at a nearer place will be undertaken by this ropeway scheme.

Various estimates have been undertaken. Atually tenders have been floated and some quotations have been received. It is anticipated that the capital expenditure will be quite considerable. It is somewhat embarrassing to give the estimates particularly when tenders are being examined, but the expenditure is likely to be of the order of Rs. 16 crores in regard to capital expenditure alone. There will be recurring expenditure to keep it going. Sand over 60 miles in certain areas will have to be transported from various points at which sand is available to central points where it can feed the collieries. That is the essence of the central ropeway scheme. It is, therefore, in the overall national interest that such a scheme be undertaken and the financial implications squarely met by increasing the excise duty and building up a fund, which will meet the capital expenditure spread over several years and will also meet the recurring expenditure. That will decrease the stowing subsidy; but the overall responsibility is there, and the additional quantity that might be raised of this better quality coal is likely to be of the order of ten million tons or so. This will mean additional expenditure, and therefore the necessity for revising upward the rate of excise duty which will push it beyond one rupee.

There is one other aspect that I would like to place before the House. The question of transport of coal has been discussed from time to time, and it is not my intention to go into the details thereof. The present position is that we are moving about a million tons of coal by sea. The leads involved are pretty long and transport bottlenecks are there. Therefore, a decision has been taken that we should move larger quantities

of coal by sea to meet the requirements of coastal States. This means moving additional coal to Madras coast or western coast—even Gujarat and Maharashtra—and the total quantity that is sought to be moved will be of the order of about two million tons—that means one million tons of addditional coal. There has been a justifiable criticism that movement by sea being more costly the consumers who are situated at these long distances, have to pay additional price for the coal that they consume. This matter has been very carefully considered. Although it is not possible to accept the suggestion that has been made from time to time of having a uniform price of coal at all rail-heads, still there appears to be a great deal of force in this contention that coal moved by sea should not be more costly to the consumer as compared to coal moved by rail. Therefore, a part of the additional excise duty that is proposed to be raised will be utilised to subsidise the cost of transport by sea so that at certain points, at any rate for instance at the port of receipt, the cost by sea should not come out to be higher than the cost of transport by rail. To meet that, there will be an element in the excise duty which will finance this additional cost of transport by sea.

For these reasons, Sir, it will be necessary to step up the excise duty, and it is for that reason this amendment is sought for.

There is one matter which I would like to clarify. Although the matter is quite simple in this amending Bill, under clause 4, an amendment is sought of section 13 of the principal Act, that after the words "or the mine", the words "or a railway" shall be inserted. The reason for that is given in the Statement of Objects and Reasons. Under the existing law the authority in charge of safety of mines has not got any authority to issue any directive. He cannot issue any directive to the colliery to look to the safety of a railway line or railway property under which they might be mining. This

[Sardar Swaran Singh]

point was examined at considerable length and it was considered that it is necessary to have such a provision so that the management in charge of collieries should adopt such precautions as may be necessary for the protection of railway property and railway lines, and the definition of "railways" is the same as it is to be found in the Indian Railways Act, 1890. That accounts for the additional of clause (hh) in section 3 of the Act. Clause 5 is only more or less procedural, but that is in consonance with the general principles that have been laid down. That gives an opportunity to Parliament to express their view, and this is the legislative reform that we are progressively introducing in all Acts, if there is any opportunity of introducing any amendment, so that Parliament may be kept fully informed and they may have an opportunity of expressing their will, and subsequent action can be taken in accordance with the wishes expressed by the House.

These are the main points. In fact, there are two substantive amendments, and the third one is the general legislative reform that the Government as a whole are trying to introduce in all legislative enactments.

Shri Braj Raj Singh (Firozabad): From 86 nP., or 92 nP. how much are you increasing presently?

Sardar Swaran Singh: I have not given the figure, but it may be anywhere of the order of Rs. 1.20 nP to Rs. 1.50 nP. more over and above what we have at present.

Dr. Melkote (Raichur): May I know the relative difference in freight charges as between railways and steamships in the carriage of coal?

Sardar Swaran Singh: It will depend obviously upon the leads involved. For instance, the difference will not be that much if it is carried by sea to Madras; it will be less. If it is carried to Bombay it will be more, and it may be even more if it is

carried to Gujarat. But to give a representative figure, if it is carried by sea from Calcutta Port to Bombay or to Gujarat, the difference may be as much as Rs. 15 to Rs. 20 per ton.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to amend the Coal mines (Conservation and Safety) Act, 1952, be taken into consideration."

Shri T. B. Vittal Rao (Khammam): Mr. Deputy-Speaker, while trying to enhance the ceiling limit of excise duty the hon. Minister should have brought forward a comprehensive legislation. The Coal Mines (Conservation and Safety) Act which was passed in 1952 was framed at a time when the conditions were different. Today things are not what they were in those years. Therefore, the opportunity should have been taken to bring forward a comprehensive legislation. For instance, there are various rules made under the 1952 Act, which could have formed a part of the new Bill itself.

Sir, this is not a very innocuous Bill. The Bill is giving powers to the Government to raise the excise duty ceiling limit to Rs. 4 per ton. If only we take into consideration the quantity of coal that has been moved annually, at the present rate of ceiling proposed—that is at Rs. 4 per ton—it will come to about Rs. 20 crores. A taxation measure in which Rs. 15 crores additional revenue is there should be treated with a little more seriousness. The hon. Minister, probably pressed for time, did not emphasise the various aspects as to how this Act is administered and other things.

We give some sort of subsidy to the mines which undertake stowing operations in the private sector, and the rates have been revised from time to time. Some years ago it was 50 per cent of the total cost of stowing. Then, later on, it was raised to 75 per cent, then to 85 per

cent and now I think, cent per cent is given. I have no objection to giving subsidy for stowing, provided that is done properly. Because, whether you levy stowing duty, or excise duty and then give them a subsidy, the increase in the price of the coal is all the same. But the moot point that we have to consider is whether the stowing operations are being carried out properly.

Last year, in one of the coal mines permission was sought of the Chief Inspector of Mines for the construction of quarters on a coal-bearing area, because he has to accord permission. The management assured him that when the coal-bearing area is de-pillared they would undertake stowing, but the Chief Inspector refused to give permission. When he was asked for the reason he said that subsidence takes place. When asked "when we have undertaken stowing, there cannot be subsidence in the surface; how is it that you tell us that subsidence will take place even when there is stowing?" he said "technically you are correct, but taking a pragmatic approach, I find that really subsidence does take place". It is true that subsidence takes place. For what reason? That is the very important thing. Though we pay subsidy to the coal mine owners, they do not fully stow. Suppose they are coming from, say, 50 to 60 ft., they start stowing in between and the hollow portion remains hollow. While taking measurements and asking for subsidy, some of these unscrupulous mine-owners generally say "we have stowed the whole area". As far as the Coal Board is concerned, some of the inspecting staff are inexperienced and some are not up to the mark. They go, inspect the mine and give a good chit. Do you know why this happens? I have deliberately stated that the staff in the Coal Board which is a public sector organisation, are very inexperienced or are not well up to the mark. Because, the salaries in the private sector are so high that

there is a flight from this place to that sector. So, we do not get very good people; we get only second-rate people in our sector. Therefore, these things happen. The hon. Minister could have told us about this thing in some detail.

If stowing operations are properly carried on, there would not be roof fall and there will be less number of accidents. One or two explosions took place in Amlabad in February 1955, there was a court of inquiry and the manager and director were held responsible. There also one of the defects noticed was that stowing was not properly done, as a result of that there was a vacant space where the gas accumulated and the explosion took place. If proper stowing was done, if a proper check was exercised, the explosion might not have taken place and these 60 people would not have been killed. It is all the more dangerous if an explosion takes place in a coal-mine because there will be nobody surviving to tell the story as to how the explosion took place. So, it is very difficult to investigate and find out the causes of the accident. Therefore, stowing operations are very necessary and should be undertaken, especially when you are going further deep into the earth.

I am told that in Jharia and Bengal coal-fields there are 16 to 18 seams. So, it is dangerous and there will be roof falls and subsidence. Therefore, to avoid all this, stowing has to be undertaken. But I would urge upon the Minister that when we give this subsidy to the various mine owners, we should exercise proper check and very strict control over the mines. Suppose, a fire breaks out in a certain area which contains metallurgical coal. For example, in the Porballa colliery there was a fire which destroyed a large amount of coal. Then the whole seam could not be worked for three or four years. So, because of that, so much of national wealth was locked up and could not be utilized. In last November there was a fire in a mine

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owned by Shri Karamchand Thapar, which also contained very good metallurgical coal. If they are properly inspected and a proper check is exercised with regard to stowing, we can avoid any of these fires, subsidence and explosion which result in a huge loss to our country.

Then, I have gone through some of the reports of the Coal Board. There was a fear expressed in certain quarters about coal. I took it lightly but, subsequently, they have proved to be prophets. Some of my friends warned me in December 1959 that we are going to face a transport bottleneck in coal. It turned out to be true. Some years ago, some of my friends told me that our coal-mines will be worked by foreign experts, Americans experts on one side and Russian experts on the other. I did not take it seriously. But they have proved to be true. Therefore, now I will attach due weight to the fears expressed by my friends, because experience has taught me that they have been correct.

A doubt was expressed whether the Damodar river would be able to give all the sand necessary for the coal mines for stowing purposes. I do not find any emphatic answer to this problem. There are some reports that they are going to take sand from Maithon dam. Some people have advised that no more dams should be undertaken or constructed in the river Damodar so that sand will be available for the coal mines. All these things should be looked into. So, I would suggest that a very important committee consisting of the best miners in this country should be constituted, and the civil engineers who are practically connected with irrigation projects should be associated with it, so that a proper assessment could be made of the sand available. Otherwise, when we are going far deeper and deeper, our stowing operations will be badly affected.

Then, some research should be carried out by the Coal Board. I

find that these people in the Coal Board do not even undertake preliminary research or do any thinking. They simply hand over everything either to the Fuel Research Institute or to the Council of Industrial and Scientific Research. They hand over these things to that Council and pay some money. As an alternative resource, in case sand is not available either in the Damodar River or near

Maithon, we should know whether stone crush could be utilised for stowing. Some years ago there was a suggestion that wherever there is a short supply of sand, stone crushing should be resorted to and that should be used in stowing operations. That also should be gone into by a very important committee.

Now I come to the Central Ropeways Scheme, Dhanbad. There are some companies, for example, the Bengal Coal Company, whom I do not know but whom I judge by their performance. These people had the Porbalia colliery and the seam could not be worked for four years. They had Chinakuri and there also the seam could not be worked. Now this great company for all its past performance has been given additional lease to work and it is going to increase production. The Central Ropeways Scheme has to assist all such mine-owners. I would only say that if the Government are serious about exercising a thorough check on the various stowing operations, the old Act as it stands will not be able to give the result or do that.

I read that this Central Ropeways Scheme which is being sponsored has to be undertaken by foreign contract. I do not mind their entering into collaboration for this because the ropes and other things are not available, but they should see that the whole scheme is completed within a particular period of time. A time schedule should be drawn for the various phases of the work.

I welcome the amendment which has been proposed for the protection of railway property. Last year we had two serious accidents averted on our railways. The coal underground was taken away and they did not do stowing with the result that there was subsidence of the whole surface along with the railway line. It was on the Asansol-Dhanbad Grand Trunk route. It was discovered sufficiently early, otherwise the train would have passed and there would have been a derailment and many people would have been killed. Therefore I welcome this amendment.

Then I come to the most important point which has been discussed several times. That is with regard to the uniform price of coal. They are going to give a subsidy for the despatch of coal to the south and to the west coast. Having this uniform coal price would mean increasing the price of coal on an average by Rs. 8 per ton. Today we are raising 5 crore tons of coal on the whole and by way of freight charges on the transport of coal the railways earn about Rs. 40 crores. For the present I shall omit the 1 million tons which is transported by the sea route. So, it would mean that the coal price has to be increased uniformly by Rs. 8 per ton. By this the present users of coal who are far away from the coal fields will benefit to some extent. At present 80 per cent of the coal production is confined to the Bengal-Bihar area. Though there are coal-bearing area in Andhra Pradesh and in Madhya Pradesh, for a variety of reasons they have not been developed. They could also be developed. There are plenty of coal-bearing areas, but somehow or other these areas have not been developed.

So, coal price will have to be increased by Rs. 8 per ton and it will be uniform. Of course, this will affect certain industries which are situated in Bengal and Bihar near the coal fields. Some years ago we were told that this problem would

be discussed thoroughly and a decision would be arrived at as soon as the report of the Sea-Rail Coordination Committee which went into the question of co-ordination between sea and rail transports was available. Now the report is available. That is what the hon. Minister told us. In the mean time the Estimates Committee has also recommended some years ago that there should be a uniform price. When we have got a uniform price for fertilisers, why this could not be had in the case of coal, it being a very important commodity and a basic raw material? You yourself have come forward with legislation for increasing the ceiling for stowing from Rs. 1 to Rs. 4. Then why could this not be undertaken? The Estimates Committee has given its recommendation. Various quarters have been demanding this. Various people have been suggesting this because it is an important raw material. The hon. Minister has now said that he is likely to increase it by Rs. 1.20 nP to Rs. 1.50 nP. But I am very clear that there is not going to be any subsidising of coal that is transported either to the south or to the west coast because this amount is required entirely wherever stowing operations are undertaken as stowing is going to be costly because we are going deeper. So, there will not be any money left for this.

When I was in the Railway Convention Committee I found that 1 million tons of coal which is required for the railways is being transported by sea and they pay freight charges of Rs. 2.65 crores over and above what they would have paid if the whole coal had been carried by the railways. So, out of this money what is he going to give for subsidising, which will have to be much more to the West coast? If this is the amount for the east coast where there are Cuddalore and Tuticorin, if they are to pay Rs. 2.65 crores for 1 million tons, what will happen to the west coast which is starving for want of fuel? So I do not think that

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a large amount of subsidy will be had this year. Therefore the only remedy lies in the fact that there should be a uniform price all over.

Even here, a subsidy is being given to the industry. How? I will tell you. 1 million tons of coal required by the railways is received by them by the sea route because they do not carry it by the rail route and the coal required for the industries in the private sector is transported by the railways. It is not that this 1 million tons of coal is carried by the sea route because there is a transport bottleneck. It is in order to provide some sort of a subsidy to these industries. Not only that. In respect of a good quantity of that 1 million tons which the Railways have been getting by the sea route, they have always been saying that it is being transported like that because they want to subsidise coastal shipping. The proceedings will show that they have stated it on several occasions. I would therefore very strongly urge that if you want that there should be dispersal of industries in various parts of the country there should be a uniform coal price. Otherwise those regions which are situated far away from the coal mines will be very badly hit, and that will impede the industrial growth of the country.

Secondly, about stowing I only wish to urge that a comprehensive Bill should have been brought forward when the hon. Minister is raising the cess. That would have been better. That is all that I have to say on this.

Shri Aurobindo Ghosal (Uluberia): This Bill has been brought with the purpose of raising the excise duty from Re. 1 to Rs. 4 per ton. At present, of course, though the ceiling

is fixed at one rupee, still the actual rates of levy are 83 naye Paise per ton of coal and soft coke and 94 naye Paise per tons of hard coke. Two reasons have been mentioned in the Statement of Objects and Reasons for this increase. One is to meet the expenses to be incurred for stowing purposes and on the ropeway scheme, and the other is for subsidising the expenses that will be incurred on carrying coal from the coal-bearing areas to the south and to the west.

Sardar Swaran Singh: By sea.

Shri Aurobindo Ghosal: Yes, by sea. Nobody will dispute about the purpose. The first reason is the necessity of supplying sands for stowing purposes in order to take out coal from the pillars of the mines. Something was stated in answer to a question put by me last time. I wanted to know what is the quantity of coal that is locked up in the pillars in these mines. I was told that no estimate has been taken of it so far. Now I presume that a huge quantity of high-grade coal is being locked up in there pillars which it is necessary to bring out for our purposes. Naturally, sand stowing is necessary in order to take out that coal from the pits. Sand stowing is also necessary to prevent accidents which occur from above in the coal mines area as a result of collapse of roofs. In the last one year, about five or six major cases have occurred due to the fall of roofs, and the reason attributed is that the area was not stowed with sand properly.

The real difficulty experienced in sand stowing was the shortage of wagons to carry the sands, not so much the non-availability of sands. Because, in the Conference of Coal-mine Owners they said that due to the shortage of supply of wagons the sands are not being carried to the mines to enable them to complete the stowing operations. They did not complain either about money or about the non-availability of sands.

Naturally, the question of increasing the excise duty in order to subsidise the expenses incurred in carrying the sand from the area where it is available to the coal mines did not arise even in the minds of the coal mine owners. Therefore I think there is no necessity of increasing the excise duty for stowing purposes.

Secondly, regarding the carrying of coal by sea, it has been stated by the Railway Minister several times—and this has already been referred to by Shri T. B. Vittal Rao—that he is sending coal to the south and the west by sea in order to subsidise coastal shipping. It is a question of subsidising coastal shipping, why does it become necessary to raise the rate of excise duty by 400 per cent just to subsidise the coal freights? I think that that contention of the hon. Minister is not tenable for the purpose of raising the excise duty to such an extent.

According to the budget estimates, the net revenue from this levy at the existing rate which the Coal Board is to receive during 1961-62 would be about Rs. 380 lakhs. With the limit raised to Rs. 4 per ton, the actual increase in the excise levy would be so determined as to bring an additional revenue of Rs. 700 lakhs per year. Out of this amount Rs. 400 lakhs would be utilised to subsidise coastal shipping of coal, and the rest, that is Rs. 300 lakhs, would be used for safety, conservation and ropeway purposes. My objection is that the whole increase is going to be shifted to the shoulders of the consumers, this heavy burden is likely to be passed on to the consumers who are already heavily taxed in many other ways.

As regards the introduction of uniform price of coal at all rail-heads, I do not agree with the suggestion made by Shri T. B. Vittal Rao. Of course it is quite true that in order to bring uniformity in the development of different areas, there is necessity of some uniformity in the prices of basic raw materials. But it is also a fact that where in-

dustries have developed in the areas where 80 per cent of coal is used, those industries would be made to suffer by increasing the coal rates. That has to be taken into consideration. Because, it has been stated that 80 per cent of coal is being used in the coal-bearing areas, that is Bengal, Bihar and some parts of Orissa. The Steel mines and industrial cities are situated in this area. If that is the case, how can it be suggested that the coal rates should be raised in order to develop other parts of India? Naturally, there may be some sort of subsidy given. But if the price of coal is raised, it will not only fall on the consumers who are using it directly but also on the industries, and the result of that will be that the prices of the industrial goods will also rise. I therefore oppose the suggestion about the introduction of a uniform price of coal at all rail-heads. Because, all over the world, due to the geological advantages some areas are developed, for instance the Ruhr area in Europe, because so many raw materials are available. In no country of the world can all the prices of raw materials and minerals be equalised so that all areas of the country may be developed uniformly. It may be subsidised in other ways. The other places can be developed in other ways, but not by the introduction of uniform prices for minerals.

Lastly, regarding the ropeway scheme, I welcome it and we should try to see that it is implemented immediately.

15.47 hrs.

[SHRI JAGANATHA RAO in the Chair]

Regarding another item of amendment, namely about declaring the railway property for safety purposes, I welcome it; because we have seen that many times the miners are going underground, but the rail lines are above the ground.

Not only will the railway lines, which are the property of the nation, be endangered, but even the lives of people will be at stake if

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no proper steps are taken in this behalf. From that point of view, I welcome the precision made in this Bill.

But, after all, this increase, for which the consumers will be fleeced, is not desirable, and, for that reason, I oppose this.

श्री बबराज सिंह (फिरोजाबाद) : सभापति महोदय, इस बिल के द्वारा कोयले पर एक्साइज ड्यूटी बढ़ाने का प्रयत्न किया जा रहा है, यह बहुत ही आपत्तिजनक बात है। हमेशा जब उपभोक्ता से, जनता के किसी हिस्से से सरकार को पैसा लेना हो तो वह बजट प्रस्तावों द्वारा लिया जाना चाहिए। इस प्रकार के वित्रों में परिवर्तन करके वह बात नहीं की जानी चाहए। लेकिं और भी अधिक आश्वर्यजनक और आपत्तिजनक बात यह है कि इस कानून के द्वारा जहां मंत्री महोदय १ रुपए प्रति टन से बढ़ा कर चार रुपए प्रति टन की व्यवस्था कर रहे हैं, वहां यह बात भी अपने अधिकार में ले रहे हैं कि जब वह चाहें तो डेढ़ रुपए प्रति टन की ड्यूटी कर सकते हैं, जब चाहे दो पाए प्रति टन की ड्यूटी कर सकते हैं और इस प्रकार जब चाहें अपने अधिकार से चार पाए प्रति टन तक ड्यूटी बढ़ा सकते हैं। मैं कहना चाहता हूँ कि जब कभी भी एक्साइज ड्यूटी बढ़ाने की बात हो तो मिदान्तः वह सबाल संसद के सम्मुख आना चाहिए और संसद को आने विचार प्रकट करने का अवमर दिया जाना चाहिए कि ड्यूटी बढ़ाना उचित है या नहीं।

मंत्री महोदय की तरफ से यह कहा जा सकता है कि पहले जो कानून बना था उसमें भी यह व्यवस्था थी कि नोटीफिकेशन द्वारा सरकार एक रुपए प्रति टन तक ड्यूटी लगा सकती थी। उन्होंने बजाए एक रुपए के अभी तक केवल ८८ नए से या ६२ नए पैसे प्रति टन की ड्यूटी अलग अलग प्रकार को कोयले पर लगायी है। किन्तु पहले भी इस तरह की बात हो चुकी है इसलिए आज भी यह बात की जा रही है, मैं समझता हूँ यह उचित नहीं है।

इसलिए पहली बात जो मैं कहना चाहता हूँ वह यह है कि इस प्रकार के कानून द्वारा एकमात्र ड्यूटी बढ़ाने की बात कभी नहीं होनी चाहिए और खास तौर से ऐसी सूरत में जब कि नोटिफिकेशन के द्वारा आप इस तरह का अधिकार लेना चाहते हैं क्योंकि मुझे मन्देह है कि नोटिफिकेशन पर हम इस सदन में बहस कर सकेंगे। जो किसी कानून के अन्तर्गत नियम बनाए जाते हैं उनके लिए तो हमने ऐसी परम्परा का विकास कर लिया है कि उनको संसद की बेज पर रखा जाए और अगर कोई माननीय मदस्य चाहे तो उन पर बहस की जा सकती है लेकिन जब आप नोटिफिकेशन द्वारा यह ड्यूटी बढ़ायेंगे तो उम पर हम इस संसद में बहग नहीं कर सकेंगे। आप जब भी ड्यूटी को बढ़ा कर १ रुपया २० नए पैसे या एक रुपया ५० नए पैसे या दो रुपए करना चाहेंगे तो आप नोटिफिकेशन जारी कर देंगे और संसद को कोई अधिकार नहीं रहेगा कि वह अपने विचार व्यक्त कर सके कि यह ड्यूटी बढ़ाना आवश्यक था या नहीं। इस तरह आप चार रुपए तक ड्यूटी बढ़ा सकते हैं और जब तक आप इस मोमा से आगे नहीं जायेंगे तब तक संसद को इस पर अपने विचार प्रकट बरने से इस कानून द्वारा रोक देंगे। जब मंत्री महोदय ड्यूटी को बढ़ा कर केवल १ रुपया २० नए पैसे या १ रुपया ५० नए पैसे करना चाहते हैं तो फिर उनको चार रुपए प्रति टन तक ड्यूटी बढ़ाने का अग्रीकार लेने की क्या आवश्यकता थी। मैं चाहूँगा कि मंत्री महोदय इसका स्पष्टीकरण करें।

इसी के साथ साथ यह प्रश्न भी उठता है कि सरकार को अपनी कोयला ढोने की नीति पर भी गम्भीरता से विचार करना चाहिए। पिछले एक साल से हम देखते हैं कि कभी किसी एक जगह कोयले का भ्रकाल पड़ता है तो कभी दूसरी जगह कोयले का भ्रकाल पड़ता है। संसद में यह सबाल उठाया गया और प्रैस में

चर्चा हुई उसमें कहा गया कि रेल मंत्री और कोयला मंत्री में आपस में मतभेद है और फिर मंत्री महोदय श्री स्वर्ण सिंह को सदन में चाहूंगा करने की आवश्यकता पड़ी कि उनमें कोई मतभेद नहीं है। मैं चाहूंगा कि यदि कभी स प्रकार का मतभेद मत्रियों में आपस में हो तो उनको इस्तीफा देकर सरकार से अलग हो जाना चाहिए। केवल ऐसी घोषणा करने से काम नहीं चल सकता।

एक माननीय सदस्य : कोई मतभेद नहीं है।

श्री बाबराज तिहः : लक्षी है कि मतभेद नहीं है। फिर भी कोयला ढोने की नीति स्पष्ट होनी चाहिए जिससे मानुम हो सके कि यारे देश में किस प्रवार कोयला पहुंचाना जा सकता है या उसके मार्ग में क्या क्या कठिनाइयां हैं। मैं कहा चाहता हूं कि ऐसी नीति निर्धारित करने में अभी तक मरवार अफल रही है और जो आप इन बारून के द्वारा गिरिया को चार करोड़ की मबमिडी कोयला ढोने के लिए देने की व्यवस्था करना चाहते हैं उससे कोयला ढोने की समस्या हल नहीं हो सकेगी। आप पानी के जहाजों द्वारा दम लाल्ह टन कोयला ढोने की बात सोचते हैं लेकिन क्या दम लाल्ह टन कोयला जहाजों द्वारा ढोने से मुल्क की कोयले की समस्या हल हो सकती है। मैं कहना चाहता हूं कि इस तरह का बिल माननीय मंत्री महोदय को सदन के सम्मुख लाना चाहिए था और उस पर विचार होना चाहिए था कि किस प्रकार कितना कोयला रेल सड़क, और पानी द्वारा ढोया जा सकता है। इसमें पहले भी सरकार के सामने इस प्रकार का सुझाव रखा जा चुका है कि रेल और पानी से जो कोयला ढोया जाएगा वह तीव्री पंचवर्षीय योजना को सफल बनाने के लिये काफी नहीं होगा। इसलिए आवश्यक है कि रेल और पानी से कोयला ढोने के साथ साथ सरकार सड़क द्वारा कोयला ढोने की व्यवस्था भी करे। मैं जानना चाहता हूं कि जिस प्रकार सरकार

ने इस बात की जांच की और पता चलाया कि पानी के जहाज से कोयला ढोने से रेल के मुकाबले में इनना किराया ज्यादा लगेगा, क्या सरकार ने कोई इस प्रकार की भी जांच की है कि सड़क से कोयला ढोने में पानी के जहाज से कम किराया पड़ेगा या ज्यादा। इसकी जांच पड़ताल होनी चाहिये क्योंकि जहाजों द्वारा दस लाख टन आतिरिक्त कोयला ढोने से देश की आवश्यकता पूरी नहीं हो सकती और यह समस्या इस तरह हल नहीं हो सकेगी।

अभी हम साड़े पांच करोड़ टन कोयले का उत्पादन कर रहे हैं और तीव्री पंचवर्षीय योजना के अन्त तक हम दम करोड़ टन कोयले का उत्पादन करने लगेंगे। हमको अभी से विचार करना होगा कि उम समय हम कोयले को किस प्रकार ढो सकेंगे। इस सारे प्रश्न पर तीव्री पंचवर्षीय योजना के शुरू होने से पहले ही विचार होना चाहिये था। जब तक इस प्रश्न पर विचार नहीं होता तब तक बार बार देश में कोयले के संकट आते रहेंगे और देश में यह भावना फैलती रहेगी कि सरकार इस समस्या को गम्भीरतापूर्वक नहीं ले रही है। इसलिये मैं कहना चाहूंगा कि जहां हम यह सोचते हैं कि हम किस प्रकार रेलों से और जहाजों से ज्यादा कोयला ढो सकते हैं, वहां हमको सड़क यातायात का विकास करके उसके द्वारा भी कोयला ढोने की सम्भावनाएं पर विचार करना चाहिये। जब सड़क द्वारा कोयला ढोने की बात आती है तो मैं कहना चाहता हूं कि ऐसा मालूम होता है कि सरकार सड़क द्वारा कोयला ढोने के प्रश्न पर अधिक ध्यान नहीं देना चाहती। मैं विशेषज्ञ तो नहीं हूं लेकिन मैं समझता हूं कि पानी के जहाज से कोयला ढोने के मुकाबले में सड़क से कोयला ढोने में कम खर्च पड़ेगा। मैं विशेषज्ञ नहीं हूं लेकिन मैं इस प्रकार का अंकेत सरकार के सामने रख रहा हूं। और मैं चाहता हूं कि सरकार इसकी जांच पड़ताल करे। मेरा सुझाव है

[श्री ब्रज सिंह]

कि इस कोयले ढोने की योजना पर गम्भीरता पूर्वक विचार होना चाहिये और हमको लक्ष्य स्थिर कर लेना चाहिये कि तीसरी योजना के काल में हम कितना कोयला रेल से ढो सकेंगे, कितना पानी के जहाज से ढो सकेंगे और कितना सड़क द्वारा ढो सकेंगे। यदि हम इस तरह के लक्ष्य स्थिर नहीं करेंगे तो हम को तीसरी पंचवर्षीय योजना के काल में कोयला ढोने के सम्बन्ध में हमेशा कठिनाइयों का सामना करना पड़ेगा। तो मैं कहना चाहता हूँ कि कोयला ढोने के लिये सरकार को किसी मुनिशित योजना पर विचार करना चाहिये। मैं समझता हूँ कि अब समय आ गया है कि हमें इस बारे में कोई मुनिशित योजना बना लेनी चाहिये क्योंकि इस प्रकार की योजना के अभाव में कोयले की कमी के कारण देश के ग्रीष्मिक उत्पादन में कमी पड़ जाती है। इसलिये मेरा सुझाव है कि न केवल सरकारी स्तर पर इस प्रश्न पर विचार होना चाहिये बल्कि संसद् को बार बार इस विषय में विश्वास में लिया जाना चाहिये, और यदि माननीय मन्त्री महोदय इस प्रस्ताव पर विचार करना स्वीकार करें तो मैं कहना चाहूँगा कि संसद् की एक छोटी सी कमेटी बनायी जाए जो इस प्रश्न पर विचार कर सके। यह न समझा जाना चाहिये कि ऐसा सरकार की आलोचना की दृष्टि से कहा जा रहा है। ऐसा करने से आपको कुछ मूल्यवान सुझाव मिल सकते हैं जिनसे आप अपनी समस्या को हल कर सकेंगे। मैं जानता हूँ कि विशेषज्ञों की, लास तौर से सरकार के जो सेकेटरी लोग हैं, उनकी एक कमेटी कोयला ढोने के प्रश्न पर विचार करने के लिये बनी थी, उसने कुछ रिपोर्ट दी है उसी के आधार पर विचार हुआ। लेकिन इसके साथ ही अगर सरकार संसद् के कुछ माननीय सदस्यों की, जिन्होंने इस समस्या का अध्ययन किया हुआ है, एक छोटी सी कमेटी बना दे और वह इस प्रश्न पर विचार करे तो सरकार

को उससे किसी निश्चय पर पहुँचने में मदद ही मिलेगी। इसमें आलोचना का कोई सवाल नहीं है। इसलिये मैं चाहूँगा कि मन्त्री महोदय इस पर विचार करे।

मन्त्री महोदय ने कहा है कि वह जो एकसाइज् ड्रैटी में बढ़ोतरी करने जा रहे हैं उससे सरकार को सात करोड़ रुपए सालाना की आमदानी होगी।

Mr. Chairman: Is the hon. Member likely to take some more time?

Shri Braj Aaj Singh: Yes.

Mr. Chairman: He may continue tomorrow. We will now take up the other business on the agenda.

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16.00 hrs.

MOTIONS RE: 17TH AND 18TH SESSIONS OF INDIAN LABOUR CONFERENCE

Shri S. M. Banerjee (Kanpur): I beg to move:

"That this House takes note of the Summary of the main conclusions of the Seventeenth Session of the Indian Labour Conference held at Madras in July 1959, laid on the Table of the House on the 7th December 1959".

I am glad that we are having a discussion on the various recommendations of the 17th and 18th Indian Labour Conference.

Mr. Chairman: Is the hon. Member moving the other motion also?

Shri S. M. Banerjee: Unfortunately, Shri Naushir Bharucha, who is to move the other motion, has gone