

14.07 hrs

**The Lok Sabha re-assembled at seven minutes  
past Fourteen of the Clock.  
(Shri Devendra Prasad Yadav in the Chair)**

**Title:** Discussion on the Tea Districts Emigrant Labour (Repeal) Repealing Bill, 2001 (Bill passed).

MR. CHAIRMAN : The House shall now take up Item No.9, Tea Districts Emigrant Labour (Repeal) Repealing Bill. The time allotted for this item is half-an-hour.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): On behalf of Shri Sharad Yadav, I beg to move:

"That the Bill to repeal the Tea Districts Emigrant Labour (Repeal) Act, 1970, as passed by Rajya Sabha, be taken into consideration."

The Commission on Review of Administrative Laws, under the Chairmanship of Shri P.C. Jain has recommended repeal of the Tea Districts Emigrant Labour (Repeal) Act, 1970.

The Tea Districts Emigrant Labour (Repeal) Act, 1970 repealed the Tea Districts Emigrant Labour Act, 1932. However, the Tea Districts Emigrant Labour (Repeal) Act, 1970 retained the right of repatriation provided under Section 12 of the Tea Districts Emigrant Labour Act, 1932 subject to the following conditions, namely:

- i. if on commencement of the Tea Districts Emigrant Labour (Repeal) Act, 1970, a three-year period of stay of an emigrant labourer, who entered Assam after the 3<sup>rd</sup> August, 1960 had expired, he was given a period of six months from the commencement of the Act to exercise the right of repatriation, or
  
- ii. if three-year period of stay of an emigrant labourer who entered Assam before the commencement of Act of 1970 expired after the commencement of the said Act, then he could exercise the right of repatriation within six months of the expiry of such period of three years.

As the period mentioned in the above-paragraph has expired, the Tea Districts Emigrant Labour (Repeal) Act, 1970 is no longer required.

The Bill, accordingly, seeks to repeal the Tea Districts Emigrant Labour (Repeal) Act, 1970. This Bill had been passed by the Rajya Sabha on 3.12.2001. I request this august House to consider and pass this Bill.

MR. CHAIRMAN: Motion moved:

"That the Bill to repeal the Tea Districts Emigrant Labour (Repeal) Act, 1970, as passed by Rajya Sabha, be taken into consideration."

SHRI PABAN SINGH GHATOWAR (DIBRUGARH): Thank you, Mr. Chairman.

I think, this Bill – Tea Districts Emigrant Labour (Repeal) Repealing Bill – will repeal the Tea Districts Emigrant Labour (Repeal) Act, 1970 which repealed the Tea Districts Emigrant Labour Act, 1932, enacted by the then British Government.

I have no objection in this Bill and I support the repeal of this Bill.

Before supporting the repeal of this Bill, I would like to draw the kind attention of the Minister. This is the colonial legacy of the British time. In the early 19<sup>th</sup> century, the British Empire at that time recruited people from the then

central province of India to work in various plantations, like sugarcane or tea plantation. Some of them were employed to work in tea plantations of Assam also. During those days there were no labour laws and the workers had to work from morning till night, according to the desire of their masters. At that time, there was some protest against the atrocities and exploitation of the labour by the British Government. Hence, this Act was passed in 1932 by which they acquired the power to repatriate the workers if they are not working according to their desire. In seventies that Act was repealed and a time was fixed. For the last 200 years these people are working in the plantations of Assam. After Independence, in 1951, the Plantation Labour Act was enacted to give them social status and other facilities like housing, medical and schooling.

I would like to draw the attention of the hon. Labour Minister to the fact that this Act is very old. It was enacted in 1951. It is more than 50 years old. There was a demand from all over the country, West Bengal, Tripura, Tamil Nadu, Kerala and Assam to update the Plantation Labour Act because it is 50 years old Act. Some of the provisions of this Act are the welfare provisions for the workers who are working in the Plantations. Some five to six years' back the Government of India constituted a tripartite committee but that committee is just discussing the matter and nothing tangible has come out of it.

This Act is supposed to be repealed earlier because those people who migrated 150-200 years back became part and parcel of the society of Assam or elsewhere. In the Plantation Labour Act the responsibility of educating the children of the workers is with the management. They are not much interested to establish, school or provide teachers and for that reason, I think, in Assam almost 70 per cent of the tea workers' population – their population is more than four to five million – is illiterate. Many other things are happening in Assam. There was a lot of agitation in Assam because of this old Act. Various welfare facilities provided, like housing, drinking water and such other facilities, are very old. One can imagine, this Act was passed in the early days of Independence. My request to the hon. Minister would be to see that and as soon as possible a meeting of the representatives of the tea workers and the management is called to see how best the Plantation Labour Act can be amended, keeping in view the change in the social and educational conditions of the people who are working in the tea plantation. I think everybody will recommend repealing of this Act because nowadays no management can forcibly repatriate his or her workers from one part of the country to the other. I think definitely it will get the support of all.

The tea industry is now passing through a very difficult period. The Finance Minister had also indicated, while replying to the Finance Bill, the conditions prevailing in the tea industry. In this background, I earnestly request the hon. Minister to see how best he can help the workers. They were the captive labour. In those days they were not allowed to move out from the plantations.

There is a psychological barrier and other difficulties with this working class. You cannot compare the plantation workers with engineering or mine workers because these workmen have been captive workers for centuries.

The law has to be enacted by the Central Government. So, my request to the Central Government is to see that this is expedited. Shri Munni Lal and Dr. Satyanarayan Jatiya already know about it. I hope definitely the Government would be looking into it. I support the repealing of this Act.

SHRI MUNI LALL: I am very much thankful to the hon. Member. He has expressed his concern for the poor labourers. We are already examining whatever he has suggested. For other things, we have already passed the Inter-State Migrant Workers Development, Employment and Conditions of Services Act, 1979. Most of the concerns that he has expressed are covered in this Act. I am thankful to him once again for taking pains to suggest some positive measures. The Government is obliged for that.

MR. CHAIRMAN : The question is:

"That the Bill to repeal the Tea Districts Emigrant Labour (Repeal) Act, 1970, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: *The House shall now take up clause by clause consideration of the Bill.*

*The question is:*

*"That clause 2 stand part of the Bill."*

*The motion was adopted.*

*Clause 2 was added to the Bill.*

**Clause 1-Short Title**

*Amendment made:*

**Page 1, line 4, -**

*for "2001" substitute "2002". (2)*

*(Shri Muni Lall)*

*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**

*Amendment made:*

**Page 1, line 1, -**

*for "Fifty-Second" substitute "Fifty-Third". (1)*

*(Shri Muni Lall)*

*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 Long Title was added to the Bill.*

---

SHRI MUNI LALL: 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.*

-----