

A lot of other points were made in the course of debate by hon. members from the other side. I am sure there will be a proper time for me to deal with those points; this certainly is not the occasion. Even though my presence provoked them, I would not be provoked on the various points that have been made with the intention of provoking me. There was a reference to BHEL strike in Bhopal. I should like to discuss that strike in detail because a lot of things, the manner in which the issues were raised, the manner in which the whole dispute was escalated, etc. These are matters which I will not mind discussing at the appropriate time in an appropriate forum, not on this occasion. I should like to tell the House that according to the information that I have received this morning, the dispute had been settled and work was to start at 2.30 p.m. today in Bhopal. Kalamasery is another problem. I have tomorrow called a meeting of Members of Parliament from Kerala, members who had been concerned with that issue in order to discuss certain proposals with them and I hope with their cooperation it would be possible to settle that dispute.

SHRI C. M. STEPHEN (Idukki) : You are arranging a discussion ?

SHRI GEORGE FERNANDES : Notes must have gone to those who are involved in it.

Sir, there are no other points to be raised in connection with this Bill. as one of the hon. Members has said, it is a Bill which should have been passed in a minute's time. I hope, Sir, the House will adopt it.

MR. DEPUTY SPEAKER : The question is :

"That the Bill further to amend the Petroleum Act, 1934, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : Now we will take up clause by clause consideration of the Bill.

The question is :

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

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

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

SHRI GEORGE FERNANDES : I beg to move :

"That the Bill be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

16.12 hrs.

[SHRI DHIRENDRANATH BASU IN THE CHAIR]

TEA (AMENDMENT) BILL

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHARIA) : Sir I beg to move :

"That the Bill further to amend the Tea Act, 1953, be taken into consideration."

The Tea Act, 1953 (29 of 1953) which came into force on the 1st of April 1954, created a Tea Board which supervises the development of the tea industry in this country. The Tea Board has had a post of Deputy Chairman for several years but so far the Deputy Chairman has not been named as an authority under the Tea Act, though he is referred to in the Tea Bye-laws, 1955. As a matter of fact, when the Chairman is out on tour or out of the headquarters or otherwise incapacitated, it is the Deputy Chairman who exercises the powers of the Chairman. In the absence of inclusion of this post in the Tea Act, this post does not carry with it the specific statutory powers and duties. It is proposed to remove this lacuna by including this post in the Tea Act, 1953. It is also proposed to specify the powers and duties of this post clearly.

At present, the Central Government is empowered to make appointments to posts carrying a salary of Rs. 1000 or more per month. As a result of the recommendations of the Second and Third Pay Commissions there had been upward revision of scales of pay and the Tea Board's power to make appointments to the posts in the Tea Board has been reduced considerably. A task force was appointed in 1973 to study the various aspects of the Tea industry and the administration and the functioning of the Tea Board. It recommended among other things an increase in the powers of the Tea Board to appoint Officers upto a limit of Rs. 1800. As there is no scale

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ending at this figure of Rs. 1800 and as there is an existing scale at Rs. 1300—1700, the Tea Board suggested that this limit be lowered to Rs. 1700. It is intended to give effect to this in the proposed amendment.

Opportunity is also being taken to modify clause (b) of sub-section (1) of Section 50 of the Tea Act relating to the laying of rules before Parliament to bring it in conformity with the recommendations of the Committee on Sub-ordinate Legislation. With these words, I commend the motion.

MR. CHAIRMAN : Motion moved :

“That the Bill further to amend the Tea Act, 1953, be taken into Consideration.”

श्री विनायक प्रसाद यादव (सहरस) :

मैं प्रस्ताव करता हूँ :

“कि विधेयक पर 15 अक्टूबर, 1977 तक राय जानने के लिए उसे परिचालित किया जाये।” (3)

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Sir, I do not really understand why you require a Deputy Chairman. After all, the Tea Board has the magnificent building and air-conditioned apartments and that is about all. I have been with the Tea Board for two years and I know how well they function.

The composition of the tea board—I have known it from very close quarters—is heavily infested by big producers. The functioning of the tea board till to-date has been benefiting the big producers more than anybody else. The need of the hour is to change the entire Tea Act. Otherwise, you would not be able to bring about any changes. What is the use of having a Vice-Chairman when the requirements of the Act are not being fulfilled at all? Section 10(2) says:

“(a) regulating the production and extent of cultivation of tea”

What have they been doing? They have been producing more. This is the policy big international cartels that you produce more so that they can operate in a buyer's market. All the sales and purchases are done at the buyers' dictation. Sellers have very little say. You are left at the mercy of the buyers. They have

been regulating it to give advantage to the international cartels.

“(b) improving the quality of tea”

The question of improvement arises only if a person knows what is the quality of tea. They have no idea as to what is the quality of tea:

“(c) promoting cooperative efforts among growers and manufacturers of tea”

Compared to the size of the industry, how much have the cooperatives done? If you are frank and take the House into confidence, it will be revealing.

“(f) regulating the sale and export of tea”

In this sphere, it is a total failure till to-date. The tea producers have been left at the mercy of Brook Bond, Liptons and other big international cartels in this country and abroad!

“(j) improving the marketing of tea in India and elsewhere”

In this country today, the price of tea is absolutely beyond the reach of the common man. I am referring not only to the weaker sections of the society but people, a little beyond that even. Even the people in the middle income-group cannot have as many cups of tea as they want. In regard to foreign countries, you are not being able to repatriate home even 25 to 30% of the last price of the counter! This is the achievement of the tea board and you want a Vice-Chairman!

“(l) securing better working conditions and the provision and improvement of amenities and incentives for workers”.

In this sphere using the language “total failure” is not adequate. Plantation industry is highly labour intensive. What have you done in the last 30 years for the workers? How much dividend has been paid? Forget the current two or three years when they have been making so much money that they do not know where to keep the money. I am talking of the earlier years when tea used to be the second highest dividend earning industry, next only to the match box industry which was the first. I know instances where the tea board authorities conspired with big employers to see that housing schemes and other amenities for workers were sabotaged. Let the minister lay before the House how much housing has been provided for the tea workers and what other amenities have been provided

like job security, profit share, bonus, medical facilities, etc. They have been leading a sub-human life. You want to make it a still more top-heavy organisation! I gave a private member's Bill, but soon after that, Mrs. Gandhi sent me to Tihar Jail and I do not know what has happened to the Bill. You have got another institution called the Tea Trading Corporation of India—TTCI.

I do not want to say much and give a handle to Brooke Bond and Lipton. I am most unhappy about the way this organization is functioning. It is so poor. When Mr. Broker was the chairman of the TTCI, its functioning was slightly better. But under the present regime, its functioning has certainly deteriorated very much. The overheads have gone up, although the turnover is higher and the profit is lower. These are the tests for the public sector business concerns. TTCI needs to be looked into carefully at once.

You are now appointing a deputy chairman. The question is this: we now have the tea board, coffee board, rubber board, pepper board, cardamom board, coir board and the coconut board. In all these boards, the chairman happens to be a deputy secretary or joint secretary. You have MPs sitting in those committee meetings. Amongst the MPs, there are former Ministers, former Speakers, former judges of the Supreme Court and elected MPs. In the warrant of precedence, their position is much higher than that of the man who occupies the chair. It is a contradiction, and it is also a humiliation to the Members. We cannot tolerate it one day more. My suggestion is that from tomorrow, no meeting will take place where MPs are members, and the chair is being occupied by persons holding a subordinate rank, like the joint secretary or deputy secretary. It should not happen. You have to organize the meetings in such a manner that the meetings at least are presided over by the seniormost available person under the warrant of precedence. I am giving a formula. You have a warrant of precedence. Our position is 29th or 30th. You can find out who is the man in the committee who is eligible to chair the meeting. Such meetings are not going to be chaired by persons subordinate to the MPs. in the warrant of precedence. It is a matter of principle; you should not violate it.

The Tea Board is said to be an autonomous body. I have been sitting in the Tea Board for the last 2 years. Autonomy is the last word in the list. For everything, even for buying 20 files, they have to write to Delhi. The Under Secretary will sit in judgement over the Board consisting of 40 members; and perhaps an

official of the Tea Board will come flying; Rs. 1,000/- will be spent on the plane-fare. There will be a motor car here, guest house, and a liaison office. Why do you require a liaison officer? Liaison officer for whom; and to function with whom? Why do you want contact men for the Boards, functioning within the Ministry? It is a deplorable state of affairs. You must undo it.

The plantation industry in this country is a very vital one and it is important from the point of view, of our economy. Therefore it must get undivided attention at ministerial level. I suggest that a Ministry be formed for plantations. It is a vast business and not a small one. How much money and how much of foreign exchange are you getting out of this? You should consider its total production. It cannot be a side-business for one Ministry. (*Interruptions*) Don't be worried; Jyotirmoy Bosu is not keen to be a Minister.

Now about the evil of forward sales. It has become the fashion of the day, because they want to evade payment of excise duty. The worker's share of the money goes, if they can evade the duty. They can show a deflated sales revenue entered in the books of account; and tell the workers and shareholders that they have not made profits. If the owner has to sell tea without going through auctions—I do not support auctions; I know how much rigging is done at auctions—I say that TTCI should come forward to buy all the teas that are offered in forward sales. Forward sales should be done only to the TTCI. The former chairman of the Tea Board—not the present chairman; I know the present one; he works hard within severe limitations imposed from Udyog Bhavan—I am talking about Mr. Vohra. How much money did he make? He ran away to U.P. Even if they steal money, even if they ruin your industry, you cannot touch them. You cannot enquire about Broca. What is he doing in the UP cadre? What steps are you taking against him for what he has done? He has taken money from so many people. Have you done anything against him?

Then, take big business, both British and Indian, in Calcutta. James Finlay, Duncan Brothers and Goenkas, they dominate over the tea industry in eastern India. Against the company of R.P. Goenka, who are exporting tea, we have detected numerous cases of under-invoicing. Still, they are all powerful and you cannot touch them.

If you look at the list of those companies which have not diluted their foreign equity participation, you will find that tea

[Shri Jotirmoy Bosu]

companies are topping the list. The number of such tea companies is the highest. Why is it that Shri Mohan Dharia is quietly taking it or swallowing it? Why are they not compelling them to dilute their share structure at least to comply with the requirements of FERA? Mrs. Gandhi diluted it considerably. In spite of that, these companies are not complying with the requirements of FERA.

I think the only solution is you must nationalise the tea industry. To start with, you nationalise tea marketing. In the case of coffee, once the coffee beans are ready for plucking, it becomes Government property. Marketing is left entirely in the hands of the Coffee Board. A similar thing should be done for tea also. The moment the black tea comes out of the factory, it should become Government property. Why is it that one plantation product is governed by one set of rules and another plantation product by a separate set of rules. I do not understand this. Now tea is controlled and managed by big business houses. Therefore, Mr. Dharia, your predecessors did not dare to touch them. They only wanted to approach them for collecting funds. I know that the Gauhati session was financed by the Assam Tea planters. What is the amount, I have some idea.

The salvation lies in the export of packed tea on our own account, not on importers account, if you understand what I mean. You should make them into packets and sell them. You can market it for Rs. 15 to 25 for 250 grams. I think the price is much more than that in the Continent. It should be discounted at the port of unloading. Tea packets should not be sent out on importer's account. I know of a contract that the TTCI entered into at Rs. 17 per kg. when in fact you could have secured much more. You are not getting anywhere because you are not getting the right person for the right job and the right guidance is not given to you. Therefore, Mr. Mohan Dharia, knowing you to be an honest man I say: please constitute a small brains trust to advise on different plantation industries; otherwise you will not be able to move forward very much.

SHRI SAUGATA ROY (Barrackpore):
Sir, I do not have much to speak against this Bill. As you would have noticed, I have given notice of an amendment to this Bill. This Bill seeks to empower the Central Government to appoint officers, whose salaries would be exceeding Rs. 1,700. It also seeks to codify and put in the laws the post of Deputy Chairman, which is already there in the Tea Board.

The first thing I want to say is that there must be a limit to the total amount that the Government will pay to an employee of the Tea Board. That is why, you will notice, in my amendment I have put an upper ceiling, an upper limit to the salary of the officers that are being appointed by the Tea Board.

Secondly, there is already a Deputy Chairman working in the Tea Board. He is normally an IAS Officer. This is just to clear some legal formalities. But I do not think that there is any necessity for a Deputy Chairman in the Tea Board as such because as it is the Tea Board is a heavily overlaid organisation where the top is very heavy and where at the bottom you find fewer people.

The composition of the Tea Board, which originally came into being in 1953, has to be changed radically. At present there are three or four Members of Parliament and three or four representatives of labour in the Tea Board, but the representatives of industry far outweigh the representatives of consumers and labour. I think the composition has to be changed so as to make labour and consumers get more representation.

Tea is a vital industry in West Bengal, Assam and Tripura. It has a lot of impact on the local economy, but there is a particular feature of tea gardens in eastern India which distinguishes it from the tea gardens in South India, and that is that in the tea industry, in eastern India more capital was invested by the monopoly houses than in South India, as a result of which in the last four or five years a malaise has taken over the tea industry in eastern India where every day one garden or the other becomes sick. I have seen labourers trying to run the gardens on their own and running to the banks for help, but this is not going to solve the problem. Last year, Government, through the TTCI, took over two tea gardens in Darjeeling and one in Doars, but that is not enough. The number of sick tea gardens will be 15 or 16. So, I take this opportunity of impressing on the hon. Minister the necessity of taking over immediately all the sick tea gardens and to plan the taking over of the tea industry completely. In this regard I do not differ from Shri Jyotirmoy Bosu, whatever our political differences may be. He has put it more succinctly. Having been employed in a multi-national tea company before, he knows more about the tea industry, but from the point of labour I can say that it is immediately necessary to take over more tea gardens in eastern India where monopoly capital was originally invested but was withdrawn when it became less profitable.

One of the main functions of the Tea Board is to popularise Indian tea abroad. When we go abroad, sometimes we see at international fairs some bejewelled and very nicely dressed ladies serving Indian tea, but we have steadily slid in the last two years. Indian tea is slowly losing ground to tea from Ceylon, and this is due to defects in our marketing as has been pointed out earlier.

How is our tea marketed? It comes from the garden and goes to the auction centre. At the auction centre, the big buyers like Brookbonds, Liptons and others buy it up. It is they who package and send it abroad. The Indian Tea Board has not been able to popularise Indian tea. What they advertise?—I have seen several advertisements—is: "Drink Tea". People do not make any distinction, and they drink Ceylonese tea rather than Indian tea. So, the emphasis must be on Indian tea. The Tea Board should also help the packaging industry. Most of this packaging may be taken over by the Tea Board and Indian tea as such should be propagated, not merely tea, because the tea drinking habit is already popular among those people.

In this connection, I also want to mention the case of the auction houses. As it is, most of the auction houses come under FERA. Firms like J. Thompson & Co. etc. are all under foreign equity control. If it is not found possible to take over the tea industry—I think it should be done—at least the auction of tea should be entirely taken over by Government. The foreign-owned tea auctioning companies should not be allowed to go away just acting as middlemen and minting crores of rupees.

So, this is an area in which much remains to be done. I appeal to the Minister that—we are aware of his sincerity in solving the problem—the tea industry in Eastern India is facing crisis because of lack of packing facilities and marketing facilities. I believe that the Tea Board should be re-organised and integrated in such a way that the Tea Board should perform the function for which it is meant and not the demonstrative functions with bejewelled and well-dressed ladies serving tea.

श्री बुर्गुा चंद (कांगड़ा): : चयरमेन साहब, टी एकट 1953 के अन्दर यह अमेंडमेंट्स की जा रही हैं। इस एकट की सेक्शन 9 में बी अमेंडमेंट्स हैं। एक तो यह है कि टी बोर्ड के एडमिनिस्ट्रेटिव फंक्शंस के लिए चयरमेन की मदद के लिए

एक डिप्टी चयरमेन भी होना। हमारे एक कांग्रेसी मित्र ने कहा कि इस डिप्टी चयरमेन की कोई आवश्यकता नहीं है। लेकिन मैं तो यह समझता हूँ कि यह जरूरी है टी बोर्ड की प्रोपर फंक्शनिंग के लिए। इस अमेंडमेंट को लाकर मंत्री महोदय ने एक बहुत अच्छा काम किया है। इससे बोर्ड की फंक्शनिंग में कोई रुकावट नहीं आएगी।

इस एकट की सेक्शन 9 में दूसरी अमेंडमेंट टेक्नीकल अमेंडमेंट है जिसका एडमिनिस्ट्रेशन से कोई ताल्लुक नहीं है। यह अमेंडमेंट है—The Central Government may be empowered to make appointments to posts carrying a salary of not more than Rs. 700/- per month instead of Rs. 1000 as at present.

इसके द्वारा गवर्नमेंट को यह अधिकार होगा कि वह 1700 रु० या इससे ऊपर की तख्तावाह वाले लोगों की भर्ती करे।

लेकिन जहां तक टी की पैदावार का ताल्लुक है, उसके बारे में मैं मंत्री महोदय की तवज्जह दिलाऊंगा कि चाय केवल दार्जिलिंग या असम में ही पैदा नहीं होती है। हमारे हिमाचल प्रदेश के कांगड़ा और मण्डी जिलों में भी बहुत सारे लोग टी पैदा करने के काम में लगे हुए हैं। लेकिन हमारे यहां कि चाय चूकि ग्रीन टी होती है इसलिए हमारे यहां क्री चाय की इंडस्ट्री ने इतनी तरक्की नहीं की जितनी कि असम और दार्जिलिंग की चाय इंडस्ट्री ने की। वहां प्लान्टर्स ने बड़ी दिलचस्पी ली और कारखाने लगाये। हमारी ग्रीन टी अफगानिस्तान, ताशकन्द और तुर्किस्तान तक को एक्सपोर्ट होती थी। कश्मीर और लद्दाख में यह अब भी कंज्यूम की जाती है। लेकिन जब से पाकिस्तान बना और हमारे देश

[श्री दुर्गा चन्द]

का बिम्बजन हुआ तब से हमारी चाय के एक्सपोर्ट के रास्ते बन्द होने के कारण से हमारी चाय इंडस्ट्री को बहुत नुकसान पहुंचा है। भाव गिरने के कारण इस चाय की कोई मार्केट नहीं रही है। इस चाय का इस्तेमाल करने वाले मुल्कों ने भी इसका इम्पोर्ट बन्द कर दिया या कम कर दिया। हिन्दुस्तान में कोई इलाके ऐसे नहीं थे जहां इस चाय का इस्तेमाल हो सके। इसलिए इंडस्ट्री को वहां नुकसान पहुंचा। लेकिन टी बोर्ड ने वहां की इंडस्ट्री के लिए, टी प्लांटेशन के लिए या स्माल प्रोन्नर था जिस के बड़े बड़े टी गार्डन नहीं थे, उनकी हालत को बेहतर बनाने के लिए, उनकी पैदावार बढ़ाने के लिए कोई सहायता नहीं दी और वहां की ग्रीन टी को काली टी में तबदील करने के लिए जैसा दार्जिलिंग और असम में होती है उसके लिए रिफाइंड मशीनरी की जो जरूरत थी वह भी मुहैया नहीं की। कागड़ा जहां चाय पैदा होती है वह इलाका पंजाब में था। इस वजह से भी हमारे पर एक और क्लेमिटी आ गई। वहां जो बारह सौ एकड़ का चाय का, बहुत बड़ा बाग था उसको खरीद कर गवर्नमेंट आफ इंडिया की जो एक स्कीम थी कि एक नेशनल बायोलोजिकल इंस्टीट्यूट खोला जाए जो वह पंजाब को देना चाहती थी इसको खोलने की योजना बनाई। उस साइड को उसने चुना और चाय का बागीचा खरीद लिया गया। आज वह इलाका बारह सौ एकड़ का बियाबान पड़ा हुआ है और सिर्फ दो सौ एकड़ में एग्रिकल्चर कम्प्लेक्स है। वहां पर चाय के पोधे भी उखाड़ दिए गए हैं और पेड़ों को भी काट दिया गया है। इस तरह से वहां चाय की इंडस्ट्री को बहुत नुकसान

पहुंचा है। मैं चाहता हूं कि आप टी बोर्ड को स्पेशल डायरेक्शन दें कि वह हिमाचल प्रदेश में चाय इंडस्ट्री को बेहतरी के लिए काम करे और ज्यादा से ज्यादा फंडज इस काम के लिए मुहैया करे ताकि अपटूडेटीड मशीनरी, रिफाइंड मशीनरी वहां लगाई जा सके और ग्रीन टी को काली टी बनाया जा सके और असम और दार्जिलिंग में जैसा बनती है वैसी बन सके। चाय भारत में कंजम्पशन के लिए भी जरूरी है और एक्सपोर्ट के लिए भी जरूरी है क्योंकि उससे हमें काफी पैसा मिलता है। इस चीज को अगर हमने नजरंदाज कर दिया तो हमारे देश को नुकसान पहुंचेगा। मैं समझता हूं कि असम और दार्जिलिंग में ऐसी पोजिशन आ गई है कि वहां आज ज्यादा प्लांटेशन नहीं हो सकता है और हिमाचल ही ऐसा प्रदेश है जहां चाय के बागान जो हैं वे ज्यादा से ज्यादा तादाद में लगाए जा सकते हैं और जो पहले से लगे हुए हैं उनकी तरक्की की जा सकती है और उनको ज्यादा से ज्यादा अच्छी हालत में लाने की कोशिश की जा सकती है। मैं चाहता हूं कि टी बोर्ड को आप खास हिदायतें दें कि वह जो हिमाचल में चाय पैदा होती है उसके प्रोन्नर को, स्माल प्लांटर्ज को हर तरह से मदद पहुंचाने की कोशिश करें ताकि कागड़ा और हिमाचल का चाय उद्योग तरक्की कर सके।

*SHRI AMAR ROY PRADHAN (Cooch Behar) : Mr. Chairman, Sir, through this Tea (Amendment) Bill, 1977, mainly two changes are sought. First, the Tea Board shall be empowered to employ employees drawing pay upto Rs. 1700 per month and secondly by amending Section 9 of the Act the appointment of Deputy Chairman has been provided for who will have certain powers in his hands to perform certain duties in his sphere. Through this amending Bill no specific powers are of course being given to the

Tea Board. But when we think of giving more powers to the Tea Board I feel very much disappointed. With the new Government coming to power I had expected that the Tea Act will be totally recast and new comprehensive bill will be brought forth before this House so that the corruption prevailing in the Tea Board should be effectively checked. We will have to consider to what extent the Tea Board has fulfilled its duties and responsibilities entrusted to it. In the Statement of Objects and Reasons of this amending Bill it has been clearly stated that "the Tea Board was set up under the Tea Act 1953 for the development and promotion of Tea industry under the control of the Union". That means that the Tea Board was primarily set up for the improvement and advancement of the work of the tea industry. But I am sorry to say that the Tea Board has sadly failed to fulfil these objectives. They have failed because although the Tea Board has been able to earn about Rs. 250 crores in foreign exchange but that is not enough. They have in fact caused much deterioration in the tea industry. They have taken it to the path of ruin. This organisation which was primarily formed to protect the tea industry, has not been able to protect it. The main function of the Tea Board today is to protect not the tea industry but those big business men who are associated with this industry. It is true that the foreign interests are gradually going away from the tea industry but unfortunately their place is being taken up by some unscrupulous class of Indian traders like the Goenkas, Singhanias, Nahatas and Bubnawalas who swallow up the tea industry. Their aim is not to make improvements in the Indian tea industry, not the tea gardens but towards the commercial side of tea trade. They aim to make the maximum profit within the shortest possible time and with the minimum of investment that is all. Sir, I will draw the attention of the hon. Minister through you towards the tea gardens of North Bengal and Assam where these unscrupulous and greedy traders are squeezing every drop of juice from these gardens. These multi-millionaire traders are leaving these tea gardens high and dry. And these corrupt practices are being carried out, under the very nose of the Tea Board. Here I will give an example. All these traders are not engaged in the tea trade alone. They have multi-farious trading activities in many other field of business with headquarters at Calcutta. Now they are trying to shift the offices of many tea companies to Calcutta from Jalpaiguri, Assam, Siliguri etc. I will give an example : The Head Officers of Kalyani Tea Co. Ltd., Chamurchi Tea Co., Chuniajhora Tea Co., Jalpaiguri Tea Co., Jadavpur Tea Co., Bhutan Duars Tea Co., Great Gopalpur Tea Co. have all be shifted from Jalpaiguri to Calcutta. You may say that these matters do not come under

the purview of the Commerce Ministry but under the Companies Act, anybody can shift his office to any place he chooses. But that is not enough. I feel that it is necessary to see whether the tea industry tends to suffer by such selfish shifting of the Head Office. Mr. Chairman, Sir, only some time back attempt was made to shift the Head Office of Kamala Tea Estate from Jalpaiguri to Calcutta and those attempts are still going on. Sir, the other day Shri D.N. Bubna was appointed the Director of this "Kamala Tea Estate". I will quote from the notice issued by this tea estate in this connection.

"Shri Bubna should be paid reasonable remuneration by the Company for the work being done by him and they have accordingly decided subject to your approval and of the Central Government that Shri Bubna be appointed whole time Director of the Company for a period of five years with effect from 1-4-1977 and a letter of appointment dated 6th May, 1977 has been issued to him, accordingly."

What will be his remunerations? He will get a salary of Rs. 2500/- per month. In addition he will get bonus, gratuity of about Rs. 30,000, medical benefits, rent-free accommodation, free use of company's car with driver at the company's cost, air travel facilities for his whole family to anywhere in India and fees of two clubs. You know, Sir, the fees of top clubs runs into thousands ruppees per month. All these expenses are to be met by the "Kamala Tea Estate". What is the financial position of this tea estate? This estate has been given a loan of Rs. 41 lakhs on the recommendation of the Tea Board which they have not been able to repay and is neck-deep in debt. Efforts is now being made to such this company dry by appointing a managing director on the above terms and making it possible for him to make about Rs. 2 lakhs per year. The tea board has not been able to stop such malpractices. Hon. Minister, Sir, have you noticed that the tea board has opened branches in London, Brussels, Cairo, Kuwait, Sydney, New York etc. for the purpose of promoting sale of Indian tea. But what is actually being done there? They are nothing but dens of corruption. Sir, I know that you have little time to spare as no junior Ministers have yet been appointed and you have heavy responsibilities to shoulder but still I will request you to visit those offices personally and to find out on the spot what is taking place there on which you are spending lakhs of rupees. They have only turned into the play ground of Brook Bond and Lipton tea companies.

Sir, I will end by drawing your attention to one more thing and that is about tea research. Sir, a huge amount is being spent on tea research. I will not speak on what is happening in the Teklai research centre. A tea research centre is proposed to be opened in North Bengal and with that

[Shri Amar Roy Pradhan]

object a piece of land measuring 53.47 acres has been purchased in Karsiang at a fabulous cost of Rs. 2 lakhs and 63 thousands from the Springside Tea Estate. The Local people know that this price is excessive. Where cost of land is about Rs. 1000/- per acre, there the land has been shown as purchased at the rate of Rs. 5000/- per acre i.e. a profit of Rs. 4000/- per acre has been pocketed by the authorities of the Tea Board and other sharing interests. This nest of corruption in the Tea Board has to be destroyed. If this is not done then through such minor amendments here and there not much improvement in tea industry can be expected.

I will therefore request that another comprehensive Bill may be brought forward very soon for reforming the Tea Board and effecting real improvement in production and marketing of tea. That will be really helpful in promoting the interests of the tea industry.

SHRI K. B. CHETTRI (Darjeeling) :
Mr. Chairman, Sir, at the very outset, I would like to say that I do not agree with my hon. friend about the rate of Rs. 1,000 per acre of land at which, according to him, the Tea Board has purchased in Kursong to set up a Research Centre there. I think, the rate was much higher than that. The hon. Member said that it was Rs. 1,000 per acre. It must be much more than that, and I think, the Board was justified in purchasing the land at the rate at which they have purchased.

Sir, Government have brought the amendments to the Tea Act, 1953, in a piecemeal manner. Even in the last Amendment Bill which was brought before this House, particularly with regard to taking over of management, many loopholes were left open for the benefit of the management and the big foreign concerns. There was practically nothing there to safeguard and implement the statutory obligations on the part of the management towards labour as per the Plantation Labour Act. The problem of retrenchment of labour is always there, and there is nothing in the Act to check and prevent retrenchment of labour; at the same time, there is also nothing in the Act with regard to uniformity of the wages of labour. The labourers of Cachar and Darjeeling are getting the lowest wages in the whole of the country. They do the same work; yet, they are getting the lowest wages. Darjeeling produces good quality of tea. To produce a good quality of tea, we have to work very hard. But unfortunately the excise duty imposed in that zone is very high. So, I would like to urge upon the

Government that rationalisation of excise duty should be considered at the earliest.

One peculiar thing about Darjeeling Tea is this: the sale of Darjeeling Tea is much more than the production of Darjeeling Tea ! Darjeeling Tea is good in quality and, therefore, the marketeers are selling other inferior tea in the name of Darjeeling Tea. So I would request the Hon. Minister to look into the matter and think of some remedy.

Recently, the workers' daily wage has been raised by Rs. 2/- of which a worker will receive Re./- in the first year and Rs. 1/- in the second year. Sir, there has been a cent per cent rise in tea prices and it is a shame that a decision has been arrived at by the Government and the big houses to increase the wages only by Rs. 2/- in two years' time. I am strongly of the opinion that a tea-garden worker should get at least as much as an agricultural labourer gets under the Minimum Wages Act of the West Bengal Government. I am also strongly of the opinion that the Government should come forward with a more comprehensive Bill and nationalise the whole tea industry.

In the tea industry, many tea gardens are dying and must be taken over. Two gardens Peshok and Vahtakbar—were taken over by the Government but even after their taking over the management the problem of housing is still there and there are no medicines, no hospitals or anything of the sort. If it remains like that, it would be very difficult to take over more sick tea-gardens.

Now, coming to the Amendment Bill, while amending Section 9 of the Tea Act, 1953, Section 3 of the Act should also be amended. Section 3 of the Tea Act reads as follows:

“The Board shall consist of a Chairman and such number of other members not exceeding forty as the Central Government may think expedient, to be appointed by the Government by notification in the official Gazette, from among persons who are in its opinion capable of representing” etc. etc.

In my opinion, Section 3 should have been amended to read :

“The Board shall consist of a Chairman and Deputy Chairman and such member or other members” etc. etc.

My second point is that the Board should be given powers to appoint technical persons who draw high salaries.

My third point is that Section 50 of the principal Act should be amended. Sub-section (1) of Section 50 of the principal Act says:

“The Board may make by-laws consistent with this Act and the rules made thereunder, to provide for” etc. etc.

Rules 31(1), 36(2) and 36(3) deal with the power to incur expenditure. Here, Sir, I would like to suggest the insertion of a new Rule 36(4) whereby the Board should be given power to transfer funds up to a certain limit, say Rs. 50,000/- from one sanctioned Development Scheme to another when a particular scheme cannot be implemented or if something goes wrong during the process of implementation. This will not only enable the Board to avoid unnecessary wastage of money but also enable it to utilise the money for other good causes.

SHRI C. K. CHANDRAPAN (Cannanore): Sir, this is a very small Bill which the Minister is moving, but I would like to take this opportunity to bring to his notice some of the important problems of the Tea Board and the tea industry. The principal Act was enacted and came into force in 1952. It was to provide for control of the Government of India of the tea industry and for that purpose to establish the Tea Board. The Board was meant to take care of the tea industry in our country, but I must say that the Board has not fulfilled the task which was bestowed on it.

17:00 hrs.

Many of the hon. Members have pointed out one of the very important problems, the problem of sick tea gardens. I do not know the mind of the hon. Commerce Minister, what he thinks about their future, as also of the foreign-owned tea estates. The foreign-owned tea gardens in our country continue to be one of the sources of corruption, as it was pointed out here; it provides them an opportunity for over- or under-invoicing, etc. and they try to control the prices to the detriment of our interests. All these things are there.

If you take the tea industry, its role in our economy is very significant. It contributes nearly Rs. 500 crores and it employs two million workers. The cultivation is around 360,000 acres and the production is 500 million kilograms of tea. In this industry, according to an answer provided to a questionnaire by the Tea Board, nearly 175 tea gardens were considered sick. But it is a well known fact, how these gardens become sick. Shri George

Fernandes explained how the industries become sick. In the case of tea gardens also, the reasons are the same. The same story is the story of the sick tea gardens. I would like to ask the hon. Minister, what they propose to do about the sick tea gardens. I would like the Government to take over these sick gardens and also to nationalise the foreign-owned companies. I do not think, there is any other way by which you will be able to save this industry from the crisis.

Just now, one of the hon. Members was pleading for reduction of the excise duty imposed on tea. Well, in my opinion, the excise duty should be a little more. There was a time, when there was no export duty on tea and the exporters enjoyed a lot of profit. At least now, you have imposed a small export duty of Rs. 5.00. In my view, if you want to control the prices and provide our people with a little more tea, and tea with pleasure, then you should impose more excise duty so that the profit of the tea exporters might go down and the prices will come down in the internal market also.

Then I would say a few words about the tea plantation labourers. It can be said that it is a case of classical exploitation which is still going on in the tea plantations. I need not narrate the kind of wages they are receiving. Just now, I was looking into a report of 1975 from West Bengal and it says that the average earning of a worker is Rs. 3.85, less than 50% of the wage fixed under the Minimum Wages Act for agricultural labourers. That is the wage we are giving to the workers in the tea gardens in West Bengal. In Kerala the condition might be a little better, but, not satisfactory. So, it should be the endeavour of the Tea Board to provide for a reasonable wage to the working classes who are working and producing tea and thereby contributing to the national exchequer.

There is a lot of provident fund arrears and the tea estate owners are masters of keeping provident fund arrears—I need not go into the statistics as the time is short—and the government should take firm measures against those who are defaulting in the provident fund.

Housing of tea garden workers—the condition is deplorable. I do not know whether the Minister has any opportunity in recent times to visit any tea gardens. If you go to Kerala or if you go to West Bengal or any part of the country where tea gardens are there, you can see that they are living in one of the worst imaginable conditions under which no human being can exist but they live there and work. The Tea Board should have taken it on themselves as a duty to see that something is done for the housing of the tea garden workers.

[Shri C.K. Chandrapan]

Now, the other question is about bonus and I hope the Minister will say something about it as to what will be his policy now with regard to bonus for tea garden workers.

Then, Sir, the foreign-owned companies were asked by the Reserve Bank of India to submit a report about the dilution of their equity share. If I understood correctly, according to press reports; upto March 31, hardly any foreign-owned tea gardens cared to reply to the Reserve Bank of India. If that is so, it is a very serious thing. According to FERA, it is mandatory on the foreign-owned companies in this country to dilute their equity capital to 74% and the foreign tea-garden owners and the sterling companies care two hoots for our FERA and they care nothing for the directives given by the Reserve Bank of India. I would like the Minister to say something about this.

In short, while concluding, I would like to say that the Tea Board, if it is to function properly and if it is to succeed in achieving the aims for which the Act has been brought into force, then, I think these proposals have to be taken into consideration and something positive will have to be done. I hope the Minister will respond positively. I conclude.

SHRI TARUN GOGOI (Jorhat): The Bill relates to very minor changes. There is not much controversy. While extending our support to the Bill, I would like to draw the attention of the Minister to the conditions in the Indian tea industry.

The tea industry in India, as you know, occupies an important place in the economic field of the country as a foreign exchange earner. Besides it is also a labour-intensive industry which provides employment to about a million workers.

Though this industry is a very important one and though it has been existing for a long time, the industry has not been developed and it had not been extended as much consideration and attention by the Ministry as it deserved. For the last three years the industry has been making very huge profits, but if you compare the condition of the tea workers, you will find that they are not getting a fair deal. Besides, if you compare the condition of the tea garden workers with that of the worker in other industries say the textile industry or even with the public sector industry, you will find that there is much difference as regards wages and other facilities also. Though there is the Plantation Act and according to that Act, certain facilities have to be provided to the workers, you will

find that it is honoured more in the breach than in its compliance.

As regards the housing facilities, I know many of the tea gardens in my own constituency and I was myself born and brought up in a tea estate. I have found that in certain tea estates the condition is worse than what it was 40 years back when I was born.

Though every worker should have proper housing facilities, but if you go and see, the workers are living in dilapidated houses.

Even adequate drinking water facilities have not been provided.

In a few gardens there is some medical facility. On the other hand, in most of the tea gardens, there is practically no medical facility.

As regards education facilities, the condition is very deplorable. The number of illiterate persons has been increasing as compared to the increase of literate persons in the neighbouring areas. I hope the Minister will give his attention to educate the labourers also.

In many of the estates, the owners are more concerned with their profits only. They give preference to quantity rather than to quality.

Many of the tea estates have become sick because of mismanagement. Certain estates are making profits while the others are losing. It is just because of mismanagement. I hope Government will take over the sick industries.

There is the tea research institute in my own Constituency. That is at Tuklai. It is not in the hands of the Government. It is managed privately. It should be taken over by the Government. There is discontentment among the junior scientists there. There is a lot of disparity in wages and other facilities between the top officials and the junior scientists. As a result of it the junior scientists do not get the incentive.

Bonus for the year 1974 was paid in 1975 @8.33%. Excess amount paid to the tune of 4.33% was deducted after that. In 1975 all the tea estates made huge profits but no bonus was paid. I hope the Minister will give due consideration. There has been great dis-satisfaction and discontentment among the workers who

have been demanding bonus @ 8.33% or Rs. 2.00 whichever is higher.

Excise duty is not uniform throughout the country. In certain zones it is 40 paise, in certain zones it is 60 paise, or Rs. 1.25 per kg. In my State of Assam it is Rs. 1.30 per kg. I do not understand why excise duty is different in different zones. It should be uniform throughout the country.

Government should take over marketing of tea. Though the tea gardens are in Assam, the Head Offices are in Calcutta and for which they are not in a position to look after the industry properly. I hope, Government will see that the Head Offices of Tea Board etc. are shifted immediately to Assam.

Tea auction markets are coming up at Gauhati and Siliguri. It should be encouraged. It should be seen that tea produced in that area should be sold there in that particular market by auction. Otherwise how can Gauhati and Siliguri compete with Calcutta auction market.

Assam Government has set up Tea Corporation. The labourers have also formed a Cooperative known as ATCAL. Both of them are running tea gardens. Whenever tea estate is offered for sale, the proprietors do not like to sell it either to the Corporation set up by the Assam Government or to ATCAL. They always prefer to sell it to the private parties. There might be some underhand business. It should be the policy that whenever a tea estate is offered for sale, it must be offered to the labour cooperatives or to the Tea Corporation. I hope that the hon. Minister will give due attention to the development of the Tea industry as well as for the welfare of the labourers.

SHRI, B. K. NAIR (Mavelikara):
Sir, I take this opportunity to participate in this discussion on the Tea (Amendment) Bill. This gives us an opportunity to go into the matter with regard to the wider aspects of the industry.

Sir, one of the main tasks of the Tea Board provided in the Tea Act is that of safeguarding the welfare of the workmen and improving the condition of the employees.

I am sure that the Minister being in charge of this industry will take all steps to see that the condition of the workmen is improved. What is the condition of the workmen? This is an industry which has come to us from the imperial days, from the days of the Britishers. At the time when the Britishers were ruling this country, tea, planters enjoyed all protection. They were themselves rulers in their estates.

Nobody could interfere in their working. No Government, no Labour Department official, could have ever any right to go into their affairs! This was the position. The workers were not allowed to organise themselves. They were paid less than what is necessary for bare subsistence. This was the position then. It was only after Independence in 1947 that trade Unions began to be organised and we passed the necessary legislation concerning the plantation workers.

The tea industry is one of the biggest industries in this country. It earns foreign exchange in crores. It employs about 10 lakhs of labourers which means 30 to 40 lakhs of working population. It also provides indirect employment to traders, salesmen, etc. which means in all a total of about 60 lakhs of our population.

In spite of the excellent financial position of the industry, the planters keep the workers in sub-human conditions.

When we amend the Tea Act, necessary provision should be made for improving the condition of the workmen and safeguarding their welfare. So far, I am sorry to say, the Tea Board has completely failed in this respect.

Sir, the Act provides for a few seats for labour representatives in the Board. But the Board's scheme of welfare so far has been limited to offering a few scholarships to workers, children and some grants. That is all. However, the amount allotted for this purpose is nowhere near what is spent for the benefit of the plantation and of the planters. It is substantially very much below what is justifiable and for too inadequate.

The ILO has recently stated in a report that the plantation workers are the lowest paid workers in the whole world. And we should remember, compared to the position in Malaysia and Sri Lanka our plantation workers' wages are much too meagre. It can not be said that Government has shared any responsibility in the matter of improving the deplorable condition of workers. The entire responsibility for providing housing, medical aid, education, provision of drinking water, etc. for the workmen is being handed over to the planters. Thus, the workers are relegated to the position of second-class citizens. I have one concrete suggestion to make in this connection. Now there is a cess which is being collected from tea and it is used only for maintaining the Tea Board.

[SHRI B. K. NAIR]

Let the cess rate be increased so as to meet the increased responsibility of providing adequate amenities to the plantation workers. A welfare fund can be created on the lines of the Coalmines Welfare Fund. This will be a central fund. With a sufficiently higher rate of cess, you can raise crores of rupees which should be utilised also for the benefit of the workers who fall outside the Plantation Labour Act. This Act provides coverage to the Estates having only 25 acres and employing thirty workmen or more. There are ever so many estates—smaller tea estates—even below ten acres and five acres. These units are created by the planters through fragmentation. For example, an estate of 100 acres can be divided into ten units of 10 acres each, thus escaping the obligation under the Plantation Labour Act. Therefore, I say that a central fund should be created and the cess collected may be utilised so as to cover the estates not falling under this Act for the benefit of the welfare of the workmen.

SHRI VAYALAR RAVI (Chirayinkil): Sir, the Tea Act is mainly for the purpose of giving protection to the plantation industry as well as the workers working there.

The plantations are managed by small growers as well as big growers. I fully support the view expressed by my friend, Shri Bosu, that this Tea Act needs some change.

It is true that the Tea Board is always leaning towards the producers—big producers. This is one of the lacunae in the Tea Act. It is also true that the big plantations are controlled by the foreign owners. And hence some change is called for in this act. I hope the Minister will look into this aspect.

It is true that the Plantation Labour Act unfortunately is not being implemented properly in many States. If at all anything can be said, it can be said only about Kerala. The Plantation Labour Act provides for the medical facilities, schools etc. Nothing has been done at all. I do not know what the Labour Ministry is doing about it. I hope the Minister will see to it that the Plantation Labour Act is implemented satisfactorily. Take the case of Coir Board. They did something for workers. So much is talked about the workers. I do not think the Tea Board Act has done much like the Coir Board so as to protect the interests of workers by way of amenities to the workers, wages, medical facilities etc. etc. I do not think the Tea Board has taken any interest with regard to that at all. I do not think that they have taken steps about which we can all be proud of.

Now coming to Kerala proper, I am afraid some of the Tea Estates are not doing the replantation at all. Without replantation there cannot be any change to the tea garden at all. Re-plantation is a must. You are giving grant and subsidy, of course. The estate owners take the money and they misuse that. They are not resorting to replantation of tea at all. This is one of the major reasons for the sickness. I hope the Minister will look into this aspect of the matter and find out in how many tea plantations, replantations have been done for the last so many years. I am not pleading for the nationalisation of tea industry. I believe that there is a need for Indianisation of tea estates. When anything is decided, the big owners try to escape. Where is some loophole in the Tea Industry Act in the implementation of it. Sir we earn foreign exchange from tea. We must enforce the replantation and make the Tea Estate healthy rather than to plead for nationalisation of the industry at the moment.

I now come to my last point, namely, auction of tea. Auction is done by foreign companies. I know of Messrs. J. Thompson & Co., a big monopolist foreign company controlling the tea market. This is a very serious matter. The Minister should look into this and do something about it. Coming to the tea house in London, I am sorry to make a remark about the poor performance of the tea house in London. You know, Sir, that Sri Lanka, our neighbouring country, can very easily defeat us in the tea market which is because of the poor performance of the Tea House in London. Last time, it was criticised. I hope, the Minister will look into the matter.

Lastly, Sir, I request for implementation of the Plantations Act including bonus. In my constituency there are many Plantations. Then, Sir, as regards the minimum wages for the plantation workers it varies from State to State. The hon'ble Minister must take these into consideration with these words I support the Bill.

SHRI BEDABRATA BARUA (Kaliabor): Sir, inspite of the increase in cess given over a couple of years and being provided with funds the Tea Board has still not succeeded in promoting the cause of tea to the extent desired. The Tea Board—because of the presence of a large number of sterling companies—still retains the anglicised smell. The Tea Board happens to be last bastion indicating the history of British presence in this country. We hope that after the passage of the Foreign Exchange Regulations Act and the consequent India nisation of all sterling companies conditions should be created for the functioning of a truly National Tea Board.

I say this because the Tea Board even today has not promoted the cause of India. Generic promotion of tea helps only the tea industry of the world in general. To say drink tea is not the same thing as to say drink Indian tea.

Under the Foreign Exchange Regulations Act the foreign companies are required to sell 24 per cent of their shares to Indians. The hon'ble Minister knows very well that the Assam Tea Corporation as well as the Assam Tea Employees Cooperative Ltd. are both interested in the purchase of these shares as well as in the purchase of individual tea gardens. They are required to negotiate in London with these foreign companies whose local agents in India are already in possession of the management of these companies. I hope the Central Government will not remain neutral in this situation and just say that it is a matter between the parties. We do not want economic assistance from the Central Government. This Corporation and Assam Tea Co. Ltd. have not enough funds but certainly the Central Government can direct the Department of Economic Affairs as well as the Ministry of Commerce to help the public sector and the workers' organisation to get precedence over the local agents and the private companies in the matter of purchase of foreign shares.

Sir, I will take only one minute more. All the tea companies in Assam are registered outside Assam. This has got all its ramifications and the State of Assam loses revenue and other facilities. Government should not stand neutral but see that their registered offices as well as the head offices of these companies are located or shifted to Assam.

Lastly, Sir, the hon'ble Minister has imposed an export duty on tea to discourage exports. This is not fair to the tea industry and the workers of tea industry in Assam. In other industries export incentives are given to encourage exports. We may not be given export incentives but not export duty should be imposed. Whatever money could be saved by a company from exports should rightly go to the workers who are one of the lowest paid amongst the working class of India.

MR. CHAIRMAN : The Minister.

SHRI MOHAN DHARIA : Sir, several vital issues have been raised by the hon'ble Members during the debate. Several misapprehensions have also been expressed. I would like to take the House into confidence about the state of affairs. For this purpose, naturally I required some time. There are hardly five minutes left before the House takes up Half-an-Hour discussion. It will not be possible for me to do justice in five minutes.

SHRI PRASANNBHAI MEHTA (Bhawngar) : Sir, some Members on this side should also be given chance to speak. The hon. Minister can reply tomorrow.

MR. CHAIRMAN : The discussion will continue tomorrow.

17.30 hrs.

HALF-AN-HOUR DISCUSSION

FERTILIZER FACTORY PROPOSED TO BE SET UP IN KORBA

MR. CHAIRMAN : We will now take up half-an-hour discussion regarding fertilizer factory proposed to be set up in Korba.

डा० लक्ष्मी नारायण पांडेय (मंदसौर) : सभापति महोदय, कोरवा में रासायनिक उर्वरक कारखाना जिसका प्रारम्भिक काफी कार्य पूर्ण हो चुका था उसके बारे में फिर से विचार करते हुए इस प्रकार की कार्यवाही करना कि इस कारखाने का काम शिथिल कर दिया जाये और रामगुंडम के कारखाने को प्राथमिकता दी जाये तथा जिस आधार पर निर्णय लिया गया वह वास्तव में मध्य प्रदेश जैसे प्रदेश के साथ अन्याय है जिस की एक तिहाई जनसंख्या आदिवासियों और पिछड़े जातियों की है तथा पिछड़े इलाके में ही जिस कारखाने का निर्माण चल रहा हो। कार्य बन्द हो जाये यह कभी भी न्यायपूर्ण नहीं कहा जा सकता है क्योंकि मध्य प्रदेश के औद्योगिक पिछड़ेपन के आधार पर तथा, इस आधार को मान कर भी कि इससे पिछड़े इलाके की उन्नति होगी, राज्य का औद्योगिक पिछड़ापन भी दूर होगा इस कारखाने को प्रारम्भ करने के दो, दो तीन तीन बार विचार करने के बाद, अर्थात् 1963 और 1965 में और 1969 में फिर तीसरी बार विचार हुआ और योजना आयोग की स्वीकृति के बाद इस कारखाने का निर्माण कार्य प्रारम्भ