

[Mr. Deputy-Speaker]  
occasion. I cannot permit you to speak at this stage. The question is:

"That leave be granted to introduce a Bill to regulate the employment of contract labour in certain establishments and to provide for its abolition in certain circumstances and for matters connected therewith."

*The motion was adopted.*

Shri Hathî: Sir, I introduce the Bill.

15.08 hrs.

#### TEA (AMENDMENT) BILL

The Minister of Commerce (Shri Dinesh Singh): Sir, I beg to move:

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

Shri S. S. Kothari (Mandsaur): Sir, under rules 69 and 70, I rise on a point of order. This Bill is incomplete in certain respects.

Mr. Deputy-Speaker: Let him make his speech while moving the Bill for consideration. Then, if necessary, you can raise your point of order.

Shri S. S. Kothari: Under rule 69, a Bill involving expenditure shall be accompanied by a financial memorandum, which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law. The Statement of Objects and Reasons given by the hon. Minister is incomplete. It does not mention how much is the expenditure to be incurred by the Tea Board, what was the expenditure incurred, how much revenue is to be derived and was derived in the past. There is no financial memorandum showing how much expenditure is involved in

collecting the revenue. Without giving any idea about these, the Bill is incomplete, and we do not know the implications of this Bill. How can he charter a ship without rudder and compass? Until the Bill is complete in these respects, it cannot be taken up; so, it should be withdrawn.

Shri Dinesh Singh: Sir, these points were actually raised by the Lok Sabha Secretariat and we have informed them about it. With your permission, I would refer to it. "It is therefore certified that the implementation of the Bill after enactment will not involve any expenditure from the Consolidated Fund of India." Because the cess will come and will be taken over by the tea board in such amounts as and when necessary; it will not be charged on the Consolidated Fund.

Mr. Deputy-Speaker: In view of the statement made that the Central Government is not going to spend any amount and it is the tea board which will spend, there is no point of order.

Shri S. S. Kothari: How much revenue was derived and how much will be derived by virtue of the excise duties which have been imposed? Unless this information is available to the House, how can it consider the Bill at all?

Shri Randhir Singh (Rohtak): His objection is met by proviso to rule 69.

Shri S. S. Kothari: It is irrelevant.

Shri Randhir Singh: It has nothing to do with the Consolidated fund of India. The proviso here is "Provided that where a clause in a Bill involving expenditure is not printed in thick type . . ." (Interruptions.) His objection has absolutely no leg to stand upon.

Mr. Deputy-Speaker: Mr. Kothari raised a very valid point and therefore I permitted him. After the explanation of the hon. Minister, his objections do not stand. So, I have ruled out the point of order.

**Shri Tenneti Viswanatham** (Visakha-patnam): Sir, please do not immediately rule out or rule in. The point he raised is that the cess also becomes a part of the consolidated fund and so a financial memorandum is necessary. It may be that ultimately there would not be any extra expenditure to the State. But all cesses also go into the Consolidated Fund, and therefore, it is absolutely necessary, for him to give the figures of collection and expenditure. How can he go on without giving the particulars? Cesses are not part of the public fund but part of the Consolidated Fund. No money can be drawn from the Consolidated Fund except through legislative sanction. The explanation that he is not going to incur any expenditure now does not convince me.

**Shri S. S. Kothari:** How is he going to finance it?

**Shri Tenneti Viswanatham:** He cannot simply withdraw it from the Consolidated Fund; he must first credit it to the Consolidated Fund.

**Shri Randhir Singh:** Whatever he deposits, he withdraws.

**Mr. Deputy-Speaker:** Let us hear him patiently Mr. Randhir Singh.

**Shri Tenneti Viswanatham:** A cess also, in my humble opinion, forms part of the Consolidated Fund. If the Minister has got to spend out of it, he will have to withdraw it from the Consolidated Fund. That is why the objection is raised, that the Financial Memorandum is necessary. Does the Minister say that these cesses will not be credited to the Consolidated Fund? Does the law provide for it? The Act does not permit it the law does not provide for it.

**Mr. Deputy-Speaker:** I will read out the statement he read; perhaps you have not heard it exactly.

**Shri S. M. Banerjee (Kanpur):** We have heard it; kindly hear our point.

**Mr. Deputy-Speaker:** I will confine to you. What he had said is: "It is there-

fore certified that the implementation of the Bill after enactment will not involve any expenditure, from the Consolidated Fund of India." You can raise that issue: how he can say that? But once the Government makes such an absolutely clear statement, am I not within my rights to rule the point out of order? That is the question.

**Shri Tenneti Viswanatham:** Let us see. There are several occasions when the Government come up with a supplementary demand for grants under the budget. Ultimately, it may not involve the State any extra expenditure. But, however, when it involves the drawing of money from the Consolidated Fund, maybe by withdrawing from one grant to another, the Government have to come before the House. Unless I am told that the cess is not part of the Consolidated Fund, and it is something like a Provident Fund, I would not be convinced.

श्री एस० एम० जोशी (पूना) : उपाध्यक्ष महोदय, श्री तेनेट्टि विश्वनाथन ने अभी जो कहा है उसका मैं समर्थन करता हूँ। आपका ध्यान इस सम्बन्ध में कूल 69(1) की तरफ़ दिलाते हुए कहना चाहता हूँ कि वह जो बयान दिया गया है मिनिस्टर की तरफ़ से वह सन्तोषजनक नहीं है क्योंकि जो पहला बुनियादी नियम है वह यह है कि कितना रुपया इससे मिलेगा और उसके ऊपर कितना खर्चा होगा। अब कहां से आता है, किधर जाता है उस में न जाकर स्ट्रिट यह है कि 100 रुपया मिलने वाला है 90 रुपये उसमें खर्च करने वाले हैं तो हाउस सोचेगा कि उसको देना है या नहीं देना है? इसलिए यह जो कहा जाता है कि कितना खर्चा होगा तो कंसालिडेटेड फंड से अब नेशनल इयर-बावर्ड है इसलिए आपके कंसालिडेटेड फंड के ऊपर कोई नहीं आयेगा। यह बात तो ज़रूरी नहीं है। अखिर किस लिए रखा गया है? यह जो कूल बनाया गया है बुनियादी जो स्ट्रिट है उसके खिलाफ़ ही इसलिए सको बर्ताने देना चाहिए।

**Mr. Deputy-Speaker:** Your vigilance regarding control over the financial disbursement which is the basis of this point is accepted, but when the Government makes an absolutely frank statement about it, are we not going to take it as final?

श्री नथू लिनये : (मुंगेर) : ब्राय सब  
बातों का बात सुनिये तब फैसला करिये ।

**Shri S. M. Banerjee:** I would request you not to argue on behalf of the Minister. I must congratulate my friend Shri Kothari for his vigilance, and that is why he has raised this point of order. "A Bill involving expenditure from the Consolidated Fund shall be accompanied by a financial memorandum, which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law." This is the clause if it is a money Bill. Now, there is a financial memorandum which should be attached to it, if it is a money Bill. I may invite your kind attention to a past ruling when Mr. Kamath was here and he raised the same point. You remember at that time that you were also supporting him. It was the unanimous opinion of the House that that practice should be followed and the Bill should be supported by a Financial Memorandum. The result was that the discussion on the Bill had to be postponed. Now, because the hon. Minister inadvertently, consciously or unconsciously has brought a legislation before this House without the Financial Memorandum, he should not support it. After all the hon. Minister is new. He has committed a mistake. Let him admit it. Let this be postponed. Nothing is going to happen if it is discussed tomorrow. Let him come back to the House with the Financial Memorandum. Wherefrom is he going to meet the expenditure? What is the apparatus? Is the hon.

Minister going to pay from his own privy purse? I suggest, Sir, that this Bill should be postponed.

**Mr. Deputy-Speaker:** You have referred to a previous case. I remember it. Shri Kamath raised that point. But the point is, at that point of time the Minister was not prepared to vouchsafe that no expenditure was involved. Therefore, that Bill was again taken up with a Financial Memorandum. Here the hon. Minister comes with a certificate.

**Shri S. M. Banerjee:** How is he going to meet the expenditure?

**Shri Indrajit Gupta (Alipore):** Sir, the hon. Minister has just now presented to the House a statement, which was read out by you, in explanation of the point raised by the Lok Sabha Secretariat. You again read it out for our benefit and you have raised the question as to whether in the face of such a categorical statement by the Government any point can be raised. I am in a bit of a difficulty in this matter because I find that the statement of the Minister which you read out is in absolute contradiction to what is stated in the Statement of Objects and Reasons attached to the Bill itself. If you will kindly look at the Statement of Objects and Reasons given at the back of the Bill you will find that the last sentence of the first paragraph reads as under:

"The proceeds of the cess are initially credited to the Consolidated Fund of India and released therefrom to the Tea Board to meet its expenses."

It is very clear. It does not fit in at all with what the hon. Minister has said. Here two things are clearly stated, that the cess will be deposited in the Consolidated Fund of India and from there payments are and when required will be made. In the same Statement of Objects and Reasons, if you look further

down, about six or seven lines from the bottom, it is said:

"This Bill accordingly seeks to provide for the levy of the cess not merely on tea exported out of India but on all tea produced in India and for its collection along with and in the same manner as the excise duty on tea."

That means some expenditure is necessary to be involved in the collection. Both the things are here. The Bill seeks to increase the rate of cess, that means more money is to be collected, and, according to the Bill, it has to be collected in the same manner as the normal excise duty is to be collected. Then it has to be deposited in the Consolidated Fund from where it will be disbursed. How in these circumstances has the Lok Sabha Secretariat or you yourself, Sir, have been satisfied with this statement of the Minister that this has got nothing to do with the Consolidated Fund, no additional expenditure is involved and therefore no Financial Memorandum is necessary? I cannot understand it. I would request you to consider the matter carefully. The Statement of Objects and Reasons is in total contradiction to what he has said in his statement.

**Shri Dattatraya Kunte (Kolaba):** The hon. Member who preceded me made the position much clearer, but I want to raise a further point. Take for granted that the Bill is passed and assent is given by the President, though I do not know whether it will be given, then the Ministry will have to write a letter to the authorities to collect the tax. That little bit of paper will cost something. The envelope in which that order is sent, that will cost something and some expenditure is incurred. So, on the very face of it, any Bill which comes before this House entails some expenditure or other on the part of the Government, even though the Minister makes a statement that it

does not involve any expenditure from the Consolidated Fund. I really do not know whether the Minister has applied his mind to this point. Any legislation that is taken up in this House involves some expenditure, and this expenditure which the Government incurs will have to come either from the fund specially provided for it, or the Consolidated Fund of India. In this case, the cess is going to be credited to the Consolidated Fund of India and it is going to be collected like the excise duty on tea. The collection procedure is the same. Therefore, those officers right from the top to the peon below who collect the tax would have their pay, or part of their pay, paid out of the Consolidated Fund. The expenditure might be only Rs. 6 or 10. The Minister might say that he has not made the calculation. But how much money is going to be collected and what is the cost of collection has to be indicated, and that is called the financial statement or memorandum. When any taxation legislation comes before this House, if the Minister says that it will not involve any expenditure, I really would like to know how that tax is going to be collected. He has to issue some orders for the collection of tax and he cannot set the machinery in motion without incurring some expenditure on issuing orders or instructions. Therefore, it is much better that the Minister waits till tomorrow, studies the position and comes before the House with all the information.

**Mr. Deputy-Speaker:** As far as I could make out, the machinery is already in existence. Government is only making legal provision for collection. Beyond that, I do not think there is anything involved in this

श्री मधु लिनवे : उपाध्यक्ष महोदय, प्रश्नी आपने कहः कि इसमें वह केवल सेसे इकट्ठे करने के लिए कोई प्रबन्ध कर रहे हैं। सवाल इसमें यह नहीं है कि वह जो

श्री यशु लियये

सेस है वह टैक्स है या नहीं। अगर यह टैक्स नहीं है तो टैक्स की जो व्याख्या हमारे संविधान में है उसको आप दखिये :

“‘taxation’ includes the imposition of any tax or impost, whether general or local or special, and ‘tax’ shall be construed accordingly;”

तो यह टैक्स है। उसके लिये कंसोलिडेटेड फंड का धाराएं लागू होता हैं। जैसा कि श्री कुंटे ने कहा कि अगर 1 या 2 रु० भी खर्च होने वाला है तो उसका हिसाब किताब माना चाहिये।

इसलिये मैं अत्र करता हूँ कि श्री कोटारी की जो आपत्ति है उसको आप स्वीकार कीजिये और इस बिल को पास करने या उस पर विचार करने को इजाजत न कीजिये। कल फिनेन्शल मेमोरेण्डम के साथ उसके ऊपर चर्चा की जाये।

**Shri Randhir Singh (Rohtak):** Sir, kindly refer to articles 266 and 267. The pertinent point raised was about the terms “tax” and “cess”. If you kindly see article 266, the word used there throughout is “tax”. In clause 25 of the proposed Bill the word used is “cess”.

**Shri Pileo Mody (Godhra):** He should occasionally look at the dictionary.

**Shri Randhir Singh:** Why should he interfere when I am speaking? The possession of a big body does not entitle him to interrupt me. Kindly look at articles 266 and 267 in conjunction with clause 25 of the proposed Bill. It would be clear from that . . . (Interruption).

**Shri Pileo Mody:** Sir, ask him if he ever read Pope: “A little knowledge is a dangerous thing.”

**Shri Randhir Singh:** Mr. Deputy-Speaker; it is really bad. I am addressing you.

Article 266 is about different varieties of taxation which are to be deposited in the Consolidated Fund of India. Clause (3) of article 266 reads as follows:—

“No moneys out of the Consolidated Fund of India or the Consolidated Fund of a State shall be appropriated except in accordance with law and for the purposes and in the manner provided in this Constitution.”

The hon. Minister has made a categorical statement that he is not going to spend a single penny out of the Consolidated Fund of India . . . (Interruption). That is very clear. The cess that is to be collected under clause 25 of this Bill is to be deposited in the Consolidated Fund of India and nothing over and above that deposit is to be withdrawn. The application of article 266 (3) could be there only if it had been a tax and if something over and above that deposit had to be withdrawn. Not a single penny is to be withdrawn from the Consolidated Fund of India. So, whatever objection he has is untenable and redundant and it should be ruled out.

**Shri R. Barua (Jorhat):** Sir, as regards the objection raised by my hon. friend opposite, I myself think that the objection raised about the financial memorandum has got substance in it. First of all, if you read rule 69 you will find that the word “expenditure”, as has been subsequently explained in sub-rule (2), does not mean what expenses we are going to incur in collecting the cess but it means expenditure from the Consolidated Fund of India, because sub-rule (2) says:—

“Clauses or provisions in Bills involving expenditure from the Consolidated Fund of India shall be printed in thick type” in italics.”

Therefore, expenditure under rule 69 means expenditure from the Consolidated Fund.

Now, the purpose of the Bill is to collect the cess and put it in the Consolidated Fund, then take it out from there and give to the Tea Board. That being so, I submit that this requires a financial memorandum as to what is the amount that is going to be collected, how much is going to be transferred therefrom to the Tea Board.... (Interruption). Therefore I think that the objection raised is valid.

श्री कंबर लाल गुप्त (दिल्ली सदर) :

मैं चाहता हूँ कि मंत्री महोदय एक मिनट के लिए ध्यान दें। पहला सवाल यह है कि यह मनीबिल है या नहीं है? मैं समझता हूँ कि इसके बारे में दो रायें नहीं हैं कि यह मनी बिल है। इस सम्बन्ध में मैं आपका ध्यान आर्टिकल 366 की धोर दिलाना चाहता हूँ। उसमें यह लिखा हुआ है :

" "taxation" includes the imposition of any tax or impost".

इसमें इम्पोजिशन शब्द है। जो बिल है उसके अन्दर भी लिखा हुआ है :

"There shall be levied and collected as a cess for the purpose of this Act a duty of excise on all tea produced in India at the rate of four paise per kilogramme."

इसका मतलब यह है कि यह जो सैस है यह टैक्स है और यह मनी बिल है।

अब सवाल यह उठता है कि जो रेट बढ़ा है इस में कोई खर्चा होगा या नहीं होगा। मंत्री महोदय ने कहा है कि इसमें कोई खर्चा नहीं होगा। मैं इसको मानता हूँ। अगर केवल रेट बढ़ा है तो इसमें खर्चा नहीं होगा। लेकिन पोजिशन ऐसी नहीं है। जैसा कि स्टेटमेंट आफ आब-जैक्ट्स एंड रीजंस में लिखा हुआ है इस बिल को लाने का बैकग्राउंड यह है कि टी बोर्ड का खर्चा ज्यादा होता है और उसकी इनकम कम होती है। अभी तक

केवल जो एक्सपोर्ट होता था उसके ऊपर आप सैस लगाते थे। अब आप जो सैस लगाने जा रहे हैं वह इसलिए लगाने जा रहे हैं कि टी बोर्ड का जो ज्यादा खर्चा होता था उसको मीट किया जा सके और इसके लिए न केवल जो चाम एक्सपोर्ट होती है उस पर बल्कि हिन्दुस्तान में जो पैदा होगी उस पर भी यह लगेगा। मैं चाहता हूँ कि आप इसको ध्यान में रखें। अब जो पैदा होती है उसके ऊपर भी सैस लगेगा। हो सकता है कि पहले जो एक्सपोर्ट करने वाले थे वे केवल चालीस भावमी हों, लेकिन पैदा करने वाले दो सौ या पांच सौ भावमी हो सकते हैं। निश्चित रूप से इतनी संख्या इनकी जरूर होगी जो पैदा करते हैं लेकिन एक्सपोर्ट नहीं करते हैं। कितना खर्चा होगा यह सवाल नहीं है। खर्चा जरूर होगा। अगर एक्सपोर्ट करने वालों पर ही सैस ज्यादा कर देते तब तो मैं इनकी बात को मान लेता कि और कोई खर्चा नहीं होगा लेकिन इसका स्कोप एक्सपोर्ट के अलावा हिन्दुस्तान में जो पैदा करते हैं उन तक भी बढ़ा दिया गया है। इसका मतलब यह है कि जिन पर यह सैस लगने वाला है या टैक्स लगने वाला है उनकी संख्या जितनी पहले थी उससे बहुत अधिक हो जायेगी। अब उन सबके पास आपको चिट्ठियां लिखनी पड़ेंगी, आर्डर इशू करने पड़ेंगे, नोटिस भेजने पड़ेंगे, लोग कोलैक्शन के लिए जायेंगे और इससे जरूर जो खर्चा है वह ज्यादा होगा।

मैं समझता हूँ कि जो मंत्री महोदय ने बात कही है वह पेटेंटली गलत है और वह जो स्पिरिट इस बिल की है उसको वायोलेट करती है। फाइनेंसल मैमोरैंडम इसके साथ आना चाहिये था। मैं चाहता हूँ कि मंत्री महोदय इसको प्रिस्टीज का इशू न बनायें। जो नियम है सदन के उनका उन्हें पालन करना चाहिये। इसमें कोई दिक्कत वाली बात नहीं है। दो-तीन दिन बाद वह इस बिल को ला सकते हैं। लेकिन

[श्री कंचर लाल गुप्ता]

धरर कहीं गलती होती है तो यह ठीक नहीं होगा। यह कोई अच्छी कनवेंशन हम स्थापित नहीं करेगे।

know, in the States, the State Governments levy certain taxes and hand them over to the panchayats. Even though those taxes are handed over to the panchayats, none the less, the collections form part of the Consolidated Fund of the State. They are different from the taxes that the panchayats themselves levy. This is a different matter. If, for example, there is a Bill whereby the Tea Board itself is authorised to levy a cess or levy a tax on every pound of tea produced in the country, it is authorised to collect and it is for the purpose of financing itself, that is an entirely different matter. We are not dealing with such a proposition here. Here, we are dealing with a proposition where the Central Government levies a tax on every pound of tea produced in the country. As a matter of fact, the Bill makes it clear that it is an excise duty. it says:

“There shall be levied and collected as a cess for the purposes of this Act a duty of excise on all tea produced....”

Therefore, there will be a compulsory taxation on every pound of tea that is produced. That is what the Bill itself says. The House may come to some kind of an arrangement for the purpose of financing the activities of the Tea Board. That is an entirely different matter. When we are today levying a duty on tea that is produced, then, actually it forms part of the Consolidated Fund. Later on, whether the whole of it is transferred to the Tea Board or a part of it is transferred to the Tea Board, that is absolutely immaterial.

Here, it becomes a financial question and the position is made clear in the Statement of Objects and Reasons itself. Therefore, it is not open to him to come and say that this will not form part of the Con-

solidated Fund. If it does not form part of the Consolidated Fund, are they going to open a separate account? There is no provision for a suspense account in the Consolidated Fund of India. So, I say, he must withdraw it now and let him bring it later on along with the Financial Memorandum.

Shri Srinibas Misra (Cuttack): Sir, I want to draw your attention to p. 2 of the Bill where it is stated:

“The provisions of the Central Excises and Salt Act, 1944, and the rules made thereunder, including those relating to refund....”

So, there is a question of refund which means delayed expenditure. If there is a question of expenditure, the Financial Memorandum must be accompanied with the Bill under rule 69 and under rule 74 we are entitled to have it before we take up the consideration of the Bill.

Shri S. K. Taparia (Pali): Sir, the point possibly could have been less complicated if the hon. Minister had explained a little more about it. In the Bill, he says, it is a duty of excise on all tea produced in India and the Bill, accordingly, seems to provide for the levy of the cess, not merely on tea exported but, he says, in the same manner as excise duty. His possible plea is that since it will be collected simultaneously with the excise, or as an additional excise, no more expenditure will be incurred. It may be the same machinery, it may be the same officials, collecting it. But it will definitely mean separate sets of accounts. Certain more people will be required for transferring these various accounts. It will be absolutely wrong to say that no additional expenditure will be made. If these were the arguments that the Minister had, I would like him to enlighten me on the second part of the question that I have raised, about books and additional expenditure incurred for transferring accounts. How does he justify the statement that those also will not cost any expenditure.

**The Minister of Law (Shri Govinda Menon):** The only question involved is whether Rule 69 of the Rules will be attracted. I agree completely with Mr. Ramamurti that whatever is collected under this Bill will go into the Consolidated Fund. After having gone into the Consolidated Fund, it will depend upon a grant made by this House whether it should go to the Tea Board or not. That is not the effect of this Bill. This Bill does not effect a transfer of funds proposed to be collected under this Bill from the Consolidated Fund to the Tea Board... (*Interruptions*).

**Shri S. M. Banerjee:** What about the machinery for collection?

**Shri Govinda Menon:** Therefore, the only question is this. Here is a Bill, and no controversy need be there whether it is a cess which is proposed to be collected or a tax; whether it is a cess or a tax or anything else, it is a collection which will go into the Consolidated Fund of India. Such a case is not covered by Rule 69. What Rule 69 says is this: 'A Bill involving expenditure'. The Bill itself must indicate that, on the Bill becoming a law, it will involve expenditure. It is not open to us to speculate. Rule 69 says that a Bill involving expenditure shall be accompanied by a Financial Memorandum which shall invite particular attention to the clauses involving expenditure, and the second portion says that such clauses shall be printed in bold type.

Therefore, what you have to do is to examine the Bill and see whether there is a clause which indicates expenditure and if there is no clause indicating expenditure, then the speculation whether further expenditure may be required or not is out of place. Here is a Bill and we are considering whether that Bill can be passed without a Financial Memorandum. For that, the clauses of the Bill have to be examined. Is there one or another clause in the various

clauses of the Bill which involves expenditure? If there is none, then Financial Memorandum is not required.

**Shri Dattatraya Kunte:** I would like to ask the Law Minister one question. I do not want to stifle the discussion but I only want to help the debate.

The Law Minister was pleased to say that the clauses needed to be examined and since there was no specific clause of expenditure, he came to the conclusion that this Bill did not involve any expenditure. When this Bill becomes a law, will the implementation of this law require any expenditure or not? From what source will that expenditure be incurred? It will have to be incurred not from the General Revenues but it will be an expenditure under this Act. Therefore, I am asking him this question. The machinery that is there....

**An Hon. Member:** The machinery is already there.

**Shri Dattatraya Kunte:** ...will have to appropriate the expenditure on collection of the taxes to all those different departments, to all those legislations under which they collect the tax. It may be that you might pass another Act and ask collection to be done by those departments. The Auditor-General will positively raise the objection. I am, therefore, asking the Law Minister to explain whether it is not patent on the face of it that this tax or cess, whatever it is, has to be collected and the machinery for collection will naturally say that the expenses will have to be apportioned accordingly, according to those different taxes, for which they are collecting the money—I mean, the different agencies. That is all. I would like to say.

**Shri Govinda Menon:** No further expenditure is necessary. It is not open to speculation.

**Shri Tenneti Viswanatham:** I am not referring to further expenditure. The cess is collected and it is made part of the Consolidated Fund. What happens then? Does it remain there? It has to be taken out. When it is taken out, it becomes an expenditure.

**Shri Govinda Menon:** Under this Bill, whatever is collected will go to the Consolidated Fund of India. Further transfer of those funds to the Tea Board is not contemplated by this Bill. For that, further executive action is necessary.

**Mr. Deputy-Speaker:** We have had enough discussion on this.

Anticipating an objection of this nature from Members like Shri S. S. Kothari and others, I find that Government have examined this issue very thoroughly . . . (Interruptions) It is not a question of this side or that side. We are following a certain procedure. What the hon. Minister of Law has stated is correct, in regard to the operation of Rule 69; he has said that no expenditure is involved. What he means is that whatever money is collected will go into the Consolidated Fund of India. I shall just read out what he has stated.

**Some Hon. Members:** What happens to the money?

**Mr. Deputy-Speaker:** I shall read out what the hon. Minister has stated. Beyond that I cannot say anything. I am going to overrule all the objections. The matter had been examined in anticipation of certain objections by the concerned Department; it was, therefore, not just one department only. Therefore, I am convinced about it. This is what the Minister has stated:

"The question whether the Bill when enacted will involve expenditure from the Consolidated Fund of India was examined in

consultation with the Ministry of Finance (Department of Revenue) while obtaining the recommendation of the President for the introduction of the Bill in the House and it was found that the Bill does not involve expenditure from the Consolidated Fund of India. It is, therefore, certified that the implementation of the Bill after enactment will not involve any expenditure from the Consolidated Fund of India."

I need not say anything further on this.

**Shri S. M. Banerjee:** This should have been circulated to us.

**Mr. Deputy-Speaker:** After examining all aspects they have come forward with a categorical statement, and I am prepared to take them at their word, and I would permit Shri Dinesh Singh to proceed with his motion now.

**Shri S. S. Kothari:** On a point of order. Under rule 70, the memorandum on delegated legislation is incomplete. Therefore, the House cannot proceed with the consideration of the Bill. It is entirely a new point and I shall explain it to you.

**Mr. Deputy-Speaker:** The hon. Member should resume seat now....

**Shri S. S. Kothari:** It is entirely a new point which I am raising in regard to the memorandum on delegated legislation. You may rule it out of order, but it is a new point. The Central Government are being given the power to increase the rate from about 4 p. per k.g. to about 8.8 p. per k.g. This is a matter coming within the scope of delegated legislation. They have to indicate how much money that involves and how much further expenditure they would incur. But that information has not been given. Therefore, the memorandum on delegated legislation is incomplete. So, this Bill cannot be considered by this House, under rule 70.

**Mr. Deputy-Speaker:** I have already ruled it out. In the memorandum it has been clearly stated that the delegation of legislative power is of a normal character. Therefore, no further amplification of that memorandum is called for.

**Shri S. S. Kothari:** Government are being given the power to increase it to 8.8 per k.g. They should indicate what the exact amount would be.

**Mr. Deputy-Speaker:** This is mere quibbling and nothing else. Let him resume his seat now. Now, Shri Dinesh Singh.

**Shri S. S. Kothari:** You are not allowing me to raise the point. At least let my protest be recorded.

**The Minister of Commerce (Shri Dinesh Singh):** Thank you, Mr. Deputy-Speaker.

The Indian Tea Board which has been set up under the Tea Act, 1953, to look after the development of the tea industry in all its aspects production, export marketing, research etc. derives its revenue at present from the proceeds of a cess levied as a duty of customs on all teas exported out of India. The amount collected from this cess are initially credited to the Consolidated Fund of India, as has already been discussed at length, and then they are voted upon by Parliament and then they are taken out for the Tea Board as and when necessary.

The current rate of the export cess is 4.4 paise per k.g. The proceeds from the export cess have been of the order of Rs. 90 lakhs whereas the payments that have been made to the Tea Board out of the cess collections in recent years have been of the order of about Rs. 2.5 crores. It was possible to manage without augmenting the present source of revenue so far as there were sufficient accumulations in the Consolidated Fund of India from out of the cess on tea. These accumulations have, however, dwindled and it will no longer be possible to release funds to the Tea

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Board from the proceeds of the present export cess. Besides, the activities of the Tea Board have increased considerably and it will be necessary to provide larger funds for its development and promotion of export, if the targets of production of 420 million kgs. and export of 200 million kgs. that have been proposed for the Fourth Plan period are to be realised.

We had sometimes back constituted the Tea Finance Committee to go into this matter. They have fully examined the position, and they came to the conclusion that we have got to bring about an increase in our revenue required to finance the Tea Board's activities in future. They felt that the cess which is now being collected on the export only should be changed to cover all tea being produced in this country and that it should be collected as a duty of excise instead of as a duty of customs.

The Committee also recommended that the rate of 4P per k.g. for the new cess—the present rate, if I may point out, is 4.4P on export only—be applicable on all tea produced, for which we are requesting sanction.

15-52 hrs.

[SHRI C. K. BHATTACHARYYA in the CHAIR]

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The Bill I am moving for consideration seeks accordingly to levy a cess on tea on the new basis, that is a duty of excise on all teas produced in India. It prescribes the rate of 4P per kg. recommended by the Tea Finance Committee, and at the same time, seeks to empower Government to collect the cess at an enhanced rate not exceeding 8.8P per kg. at a later date by notification in the gazette, should such a course become necessary.

One other important reason for bringing forward the Bill is that today we are collecting the cess on the export of tea only. Our whole export programme has been based on giving

[Shri Dinesh Singh]

encouragement to export. Therefore, we would like this to be shared not only by the tea that goes out of the country but all tea produced so that the export trade does not suffer any difficulty by having to bear a larger amount of financial burden.

If the House approves of this Bill, for teas exported there will be a marginal benefit as the effective rate of duty will be reduced from the existing 4.4P per kg. to the proposed 4P per kg. This incidentally, is in accord with Government's policy of discouraging internal consumption of tea and making larger surpluses available for export.

I would not take more time of the House at this stage because I am anxious to hear hon. Members who may have comments to make.

I move.

**Mr. Chairman:** Motion moved:

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

**Mr. Chairman:** Shri Kothari.

**Shri S. K. Tapuriah:** The leading party is always called first.

**Shri P. K. Deo (Kalahandi):** We have been following that system.

**Mr. Chairman:** Shri Kothari. We have only one hour for this Bill. General consideration should not take more than 45 minutes. So 5 minutes to each Member.

**Shri S. S. Kothari:** At least 7-8 minutus.

The expenditure incurred by the Tea Board is not commensurate with the advantages the country is deriving from the activities of the Board. My indictment of the Board is that it has failed to create an image for Indian tea in foreign markets. It has been making propanganda that tea is good. Then, like wise people the Ceylonese step in, and say that Ceylonese tea is good, and all the advantage of the propanganda of the Tea Board is taken by the Ceylonese.

The result is that Indian tea suffers in the foreign market.

May I submit that the Tea Board intensify what I would call a uni-national campaign for popularising Indian tea? This uni-national campaign should try to project the image of India, the image of Indian tea, abroad, and not just go about saying that tea is good and more and more people should drink tea instead of coffee. This uni-national campaign that I am emphasizing is absolutely necessary if Indian tea is to make a mark in the foreign markets and its exports are to be stimulated.

May I submit that calculations have shown that during 1965 the average price realised by tea exported to the UK amounted only to Rs. 2.56 per lb., while the range of retail prices calculated in terms of rupees was Rs. 7.30 to Rs. 42 per lb. in the UK market. The point I am trying to make is a very important one. The entire foreign exchange that should be earned by this country by export of tea is not coming to this country, it is not being derived by this country, and a huge margin of profit is being enjoyed by the UK or US importer. This is because of the ineptitude of the Tea Board. They have not been able to create a machinery for proper blending and marketing of tea abroad.

Similarly, I may give the example of USA. In the USA during 1965, the average price realised by Indian tea by the Indian exporters was Rs. 3.77 per lb, but the retail price in the US market was Rs. 18.78. These figures have been calculated by a person who is entirely in the tea trade, who obtained the figures from the various embassies and calculated them, and I have with me an entire chart showing the differential between the price realised by this country and the price that Indian tea is fetching in the foreign markets from the consumer. That means there is a tremendous margin, and that margin this country has been losing. If the amount of foreign exchange we have

lost on this account is aggregated, I think the Commerce Minister will have a shock; but I am not going to give him a shock.

The Tea Board must take the necessary steps to develop the blending industry and market tea in distinctive packets with Indian labels and try to make these packets directly reach the grocery markets in UK and USA or other foreign markets. So, it is necessary that a tea marketing corporation is established by the Tea Board and that corporation should establish blending factories not only in this country but also blending factories in the UK, USA, Canada and wherever necessary. Those blending factories must blend tea, put them into proper packets, distinctive packets marked Indian tea and those packets should be sold to wholesalers; also, over a period of one or two years, channels of retail trade must be established. The Indian packets should reach the consumer as fast as possible, as directly as possible, with the minimum of intermediaries, so that the maximum of foreign exchange is realised by this country.

16 hrs.

Then I come to the financing of the rehabilitation of the tea industry. What is necessary is that the rehabilitation programme, replantation and new plantation of tea bushes, should be properly implemented, so that the quality of Indian tea is maintained. The Tea Board has hardly been able to touch the fringe of the problem. A Tea Finance Guarantee Corporation was to be established. The Tea Board said it would like to take over the function, and the function was given over to it, but due to its ineptitude it has made a mess of the whole thing. It has not been able to finance properly and in adequate measure, the replantation and plantation, of the tea bushes, with the result that the Indian tea industry and the quality of Indian tea has gradually deteriorated. If this state of affairs is allowed to continue for another three or five years,

most probably, Indian tea would be thrown out of some of the market.

I submit that the Bill does not provide that every notification increasing the duty from 4 paise to 8.8 paise per kg shall be placed before his House. That is why I submitted that the memorandum of delegated legislation is incomplete. It does not indicate how much is the quality of revenue that the Tea Board would derive at 4 paise per kg and how much at 6 paise or 8.8 paise per kg. Every single notification must be placed before the House and its sanction obtained and then only it should be enforced.

The Tea Board should be asked to frame a proper budget of expenditure and a phased programme calculated to create a good uni-national image for Indian tea. I emphasise uni-national; it means Indian tea which must be projected and not any other tea in common with other countries, who take advantage of the propaganda of the Tea Board. The acid test of success for the Tea Board would be the extent to which it is able to promote tea export and popularise Indian tea abroad and bring to this country every single shilling. We have lost enough foreign exchange because of high middlemen's profits. Let us put a stop to it. That is my plea.

**Shri Narendra Singh Mahida** (Anand): Mr. Chairman, the Bill has been brought forward to finance the Tea Board's activities which had increased in India and abroad. To enhance our production in tea and exports, we have to improve the working of the Tea Board. Shri Shantilal Kothari also stressed the point about the improvement of the working of the Tea Board. As their financial need increases, we have to provide them with money. Recently, while speaking on the Finance Bill the hon. Deputy Prime Minister and Finance Minister very rightly stressed the curtailment of tea consumption. Otherwise, tea exports would go down as there would be no exportable surplus. I am

[*Shri Narendra Singh Mahida*].

one of those who do not take ten for the last 21 years and I would recommend to hon. Members here to reduce their tea consumption. India exports about Rs. 115 crores worth of tea every year and is the second largest tea exporting country. Ceylon stands the foremost, though a small country. It has scored over us in tea export. It is our neighbour and we do not want to compete with it, but we should follow the example in propaganda. 14 per cent of our total export trade consists of tea export and we command 35 per cent of the world tea trade. We export 58 per cent of our tea to Western Europe, Africa, West Asia, America, Australia and the Far-east also receives our tea. Tea industry gives employment to ten lakh workers. Our county's total tea production in 1951 was 28.5 crores kilos and it rose to 37.5 crores kilos in 1966. But internal consumption of tea rose from 0.25 kilo per head in 1956-58 to 0.39 kilo in 1962-64. In spite of increased production, our export has not been constant. In 1950-51, out of our total tea production 72 per cent. was exported, while in 1965-66, it dropped to 54 per cent. From 72 per cent in 1950-51, it dropped to 54 per cent in 1965-66. In the fourth Five Year Plan, at the end of the last year, tea export was estimated at 24 crore kilograms, while tea production was estimated as 42 crores kilograms. In 1966, tea production was 37.5 crores kilograms, and tea export was 17.9 crore kilograms. In comparison with 1966-tea production and export during the further Plan--during the fourth Plan we have to increase our tea export to 6.1 crores kilograms and raise our tea production by 4.7 crores kilograms.

I will not read the report but I will quote the pages of the 1966-67 report of the Ministry of Commerce: they are, pages 17, 51, 52 and 53. Now, Indian's Trade with East Europe, a study by the Indian Institute of Foreign Trade, has made some very valuable suggestions.

Mr. Chairman: There is not much time.

Shri Narendra Singh Mahida: I will just quote an important portion from that report. It reads as follows:

"The failure of tea exports to expand at a higher rate must be found in the international market conditions. Firstly, the prices have been rather repressed right through the post-war period. In contrast to other beverages tea never experienced a post-war 'boom' the prices, and more recently there has been a persistent downward trend. In fact, since 1960 'real' prices have generally been about 10 per cent below the pre-war average. Secondly, since the second world war consumption of tea has not expanded much beyond the growth of populations in the predominantly tea drinking countries such as the U.K. Austria and New Zealand. Thirdly, while there is relatively higher demand for quality tea, the major proportion of the increased output of tea is of low grade. Fourthly, India tea faces effective competition from other producing countries in the convertible currency areas."

Lastly, I wish to quote what a Russian scientist has stated about Indian tea. "The cup that cheers is also good for health." Those who drink tea would do well to make proper note of this. Soviet research workers have been able to detect certain vitamins specially Vitamin B complex, in tea. This is the first time that tea has been credited with food value, though it has always been considered a stimulant. A detailed paper on the analysis made by the Soviet scientists will shortly be made available to India for circulation. This has been reported in the *Times of India* dated 12th July, 1967. So, the tea drinking people can get health and Vitamin B complex through the tea. But I request them to drink less tea so that we can export much. That is my suggestion.

**Shri S. K. Tapuriah (Pali):** Sir, I rise to oppose the Tea (Amendment) Bill, 1967. As we sit here, listening to the various proposals and pronouncements and eulogies as we have heard about tea and tea industry just now, we get fully convinced that the only goal which the Government is diligently, relentlessly and with a single purpose of mind following is the goal of ruining the economy, of ruining the country. We on this side of the House have pondered over the various proposals brought forward by the Commerce Minister and we feel that even this Bill is as unfortunate and as bad as the proposal for the sick textile mills corporation which was brought forward sometime back.

The Minister was kind enough to mention just now about the recommendations of the Tea Finance Committee; that the Committee itself has suggested a cess of four paise per kilogram. But what the Minister did not say was that the recommendation was one of the many recommendations made three years back. In three years, what has happened in the Indian economy? In three years, what has happened to the tea industry itself? In three years, what new impositions have been made on the tea industry? We have just been kept in the dark and he has taken the plea that the Committee itself had suggested and we are happy with that. It is absolutely a wrong thing; it will do a lot of harm to the tea industry which is on a downhill ride. During the last decade, as contrary to the figures given by my friend Shri Narendra Singh Mahida, just now, the Indian tea industry is slipping down and down.

Production of tea in India has risen by only 19 per cent in the period 1956 to 1965 compared to production increase in Ceylon which was to the extent of 93 per cent.

Similarly, in export we are now only No. 2 exporter in the world. We

have lost the enviable position of being the largest exporter in the world. Our share in 1953 of exports was 45 per cent and now it has come down to nearly 35 per cent. Our exports have decreased from 211 million kilograms in 1964 to 198 million kilograms in 1965 and further to 178 million kilograms in 1966. This is the sad story. This is how the tea industry is going down hill.

In this alarming situation, rather than waking up to the situation, rather than taking an imaginative bold step to put the industry back to its footing, the Government has decided to impose further taxes by way of this cess. As if the existing burdens were not enough, in the last budget the Finance Minister also put in an excise duty, and now the Commerce Minister comes with this cess. He not only imposes this cess, but he also seeks to take power to increase the cess by a governmental order even up to 8.8 paise per kilogram. This means the Minister himself or the bureaucracy can hike up the rates at their sweet whims whenever they want, without any justification, without any practical reappraisal of the situation.

Since the object of this cess is apparently to collect sufficient revenue to meet the increased demands of expenditure by the Tea Board, I may just say a word or two about the Tea Board. The Tea Board has been a misconceived, ill-developed and, if I may say so, a deformed organisation. It has failed to come up to the aims for which it was established. Its main function was to popularise tea both in the domestic and foreign market, and to undertake propaganda work to achieve this objective. Here the Tea Board has utterly failed as is also evident from the work done by Ceylon which has not only outstripped us in exports but also has maintained itself at a position higher than ours. Since the Tea Board has failed, since you have gone on increasing its expenditure, since you

[Shri S. K. Tapuriah]

have failed to keep up our exports and keep down the expenditure within limits, how long can you ask the industry and in turn the people to pay for the failures of the Tea Board? Why does not the Minister come out with something which will make the Tea Board self-sufficient? If they think that the Tea Board is good, if they think that their policies are good and they are doing the right things, why cannot the Minister do something for the Tea Board itself instead of imposing this additional burden on the poor people. (*Interruption*).

While replying to the debate on the Ministry's Demands the Minister made it sound as if the export of blended tea was a very easy thing. He painted a very rosy picture. He made it sound very easy, very simple and very rewarding. If it is all that, if the export of blended tea is all that glittering as he painted it to be, why does he not ask the Tea Board to do it, make some handsome money and relieve the poor people of this burden of the cess that he seeks to impose?

Sir, the tea industry will not be able to bear this additional burden of Rs. 1.6 crores. We are passing through a very deep recession which we have not faced for the last so many years. At this time the need is to reduce taxes and not to impose more taxes, to leave more savings in hands of the masses, to increase their consuming capacity which in turn will increase production and bring the prices down. It is not the time to put more taxes. Out of the production capacity of goods worth Rs. 5000 crores, the industries with a capacity for production worth about Rs. 4000 crores have been hit by the recession. This is a very inauspicious time for putting in this cess. We have been hearing lately about wage freeze, profit freeze and all that. I very strongly feel, if there is any case for freeze, it is a case for tax

freeze before this Government freezes the entire country into depression and inactivity.

It is really unfortunate that we have at the helm of affairs people who have not been able to take a broad view of the situation, who have not been able to consider properly what is happening in the country and about whom Mr. A. P. Herbert wrote that delightful jingle: "Let's stop somebody from doing something". He wrote:

"Let us stop somebody from doing something.

Everybody does too much,

People seem to think they have a right to eat and drink, Talk and walk and respirate and rink,

Bicycle and bathe and such. So let's have lots of little regulations,

Let's make laws and jobs for our relations,

There's too much kissing at the railway stations—Let's find out what everyone is doing,

And then stop everyone from doing it."

That is what they are going to do to the industries and they are going to put the tea industry to the ruins and shambles.

Shri Bedabrata Barua (Kaleabor): Mr. Chairman, the hon. Member who just preceded me suggested as if the tea industry would be very unhappy about the assistance that has been given to it by the Tea Board. The cess which is collected goes towards the expenses of the Tea Board, which is doing certain promotional and other work and, to that extent, it is most welcome. But, at the same time, I would like to say that the promotional work has come into difficult weather because of the difficulty that Indian tea is facing in the world market. Although our production of tea has gone up as much as targeted we are not able to export even half of our production. It is well known that during the last six or seven years our export of tea has dwindled from 46 per cent to 37 per cent and it is

likely to dwindle further, because of certain contradictions in our tea policy, which requires to be resolved in 1967.

In 1953 when we thought in terms of the creation of the Tea Board, this contradiction did not appear. The first contradiction is between the British and Indian interests which is having a paralysing influence over the functioning of the Tea Board. The Tea Board represents both the British industrialists as well as the Indian tea planters. The British tea planting interests in India have got interests elsewhere also, namely in Africa. In view of the rising costs and other reasons, possibly the British tea interests are willing to go out of India, to bow out of India and it would be the height of ignorance if we are not aware of the moves of the British tea industry and British tea interests, so far as Indian tea is concerned.

Tea garden is a wasting type of plant. Naturally, when replantation is not done by the planters inspite of all the efforts by the Tea Board, there cannot be any increase in the production of tea because the area under tea cultivation, instead of yielding more, yields less. Therefore, unless there is replantation, the production of tea goes down. What is happening today is, in spite of the promotional activities of the Tea Board, the production of tea has not gone up because of the contradiction between the British and Indian interests in the functioning of the Tea Board. The ownership of tea estate is changing hand from British to Indian interests and a lot of foreign exchange is going out of India in the form of repatriation of capital.

As Shri Kothari has stated, the promotion of tea should be a uni-national function. That is right up to a point. But we should not forget that tea has to compete with coffee and other beverages. So, it will be necessary to co-operate with other

countries. At the same time, what is essential to promote the export of Indian tea is first to make arrangements for warehousing in Calcutta. By warehousing I do not mean the type of warehousing which the Tea Board has for storing tea but the type of warehouses which are in existence in the London market which would store tea, and would enable us to process it, blend it and pack it. We do not have that type of blending and that type of packing. We send them in large wooden boxes.

We should remember that we are moving towards a dangerous position. The Food and Agricultural Organisation has come out with the statement that by 1975 there would be at least 1 lakh tons of over production of tea. Will that be at India's cost? That is why it is necessary that we become conscious of the moves of the international tea trade and British interests. In fact, some British interests have already shifted from the tea gardens of Assam to some countries in Africa. In this way they would very much like the sweated labour of Africa to produce tea at cheaper prices and thus ultimately undersell all of us. Unless we do something ourselves to sell our branded tea at cheaper rates and continue in the market, I wonder whether it will be possible for us to push our products. It will be a very difficult thing.

**Shri S. Kandappan (Methur):** The hon. Minister, while moving this Bill, has stated that in order to have more tea to spare for export, they are having this additional excise duty burden on the tea consumers. I am not able to agree with his contention after seeing the performance of the Tea Board in previous years. I find from the figures that it is not that we do not have enough tea to export. Compared to the export in 1965, our export in 1966 has fallen in spite of the fact that our tea production has gone up in 1966. I do not know why they make this excuse that they want

**Shri S. Kandappan:** to put this additional burden for having this tea to spare by reducing the consumption locally in India.

Even this year, I find from reports that in the three-month period ending in June, the export of tea has fallen to the tune of one-third less than what it was in the corresponding period last year. I would like the hon. Minister to explain this phenomenon. While he claims that there is enough scope for the export of tea, at the same time the export of tea is falling. Actually, our market is being captured by Ceylon and East Africa. It may be due to the quality of tea that our export is suffering. If that is the case, I do not know what justification is there for the existence of the Tea Board for such a long time.

Actually, the Government has committed a blunder in claiming...

**Shri Pilloo Mody:** One among many.

**Shri S. Kandappan:** That is true.

..... that they need not have a financial memorandum because they are not charging anything on the Consolidated Fund of India. It is very obvious from the memorandum that the whole Bill is for the sake of promoting the working of the Tea Board.

As one hon. Member from the Swatantra side pointed out, there is enough room for improving the working of the Tea Board. I do not have much time at my disposal to go into the working of the Tea Board but it is quite obvious and patent that the working of the Tea Board has got to improve much in many cases. That is one aspect that the Minister should consider and see that the Tea Board is able to generate something and out of its own finances it can improve the position.

Another important thing to which I would like to draw the attention of the Minister is that when they charge

4 paise per kilogramme for all varieties of tea, I think, it is a gross injustice. First of all, I am not in agreement with the increase. Anyway, they are going to pass this Bill, so even at this late hour I would like to make a plea to the hon. Minister that they should take into consideration one very important aspect that after all tea in our country is not a luxury.

There is an impression in the north that the South Indians are coffee addicts and that they do not take much of tea. In a general way it may be true but as far as the working class is concerned it has almost become a staple food even in the South. In the workshops and factories you could find that people depend too much on tea shops. Some people say that the tea shops are replacing the today shops. Whatever it might be, it has become a staple food of the working class. They consume only low grade tea.

We are told that as far as the low grade tea is concerned, it is not going into the export market and it is only locally consumed. It is being consumed by the working population of the country. So, at least for them the Government should see that they do not impose this tax.

The hon. Minister has referred to the Tea Finance Committee Report. He said that the Tea Finance Committee Report has recommended the additional excise of 4 paise per kilogramme and that he is having this legislation in accordance with the wishes of the Tea Finance Committee Report. I have got the Tea Finance Committee Report here and I would like to draw the attention of the Minister to page 37 of the Tea Finance Committee Report. There is a particular reference to classifying the tea grown in the Nilgiris. In Nilgiris, the tea growth is of a lower grade. But, unfortunately they have classified this.....

**Mr. Chairman:** I think, this reference will suffice for the Minister.

**Shri S. Kandappan:** This Ooty and Cunoor area tea has been classified as a high-grade one when, actually, it is of a low-grade variety. The Tea Finance Committee which has thoroughly probed into the matter has made a specific recommendation. I would like the Minister to implement it and to re-classify it as a low-grade tea along with Gudalur area tea. Let me quote....

**Mr. Chairman:** It need not be quoted; he will see it.

**Shri S. Kandappan:** Don't be impatient.

**Mr. Chairman:** I am not impatient. Please have consideration for others who are waiting to speak on this Bill.

**Shri S. Kandappan:** It says:

"The Committee recommends that in view of the lower prices realised by the product of the Bought Leaf Factories in the Nilgiri area, these factories be grouped into a separate zone and charged excise duty applicable to Zone I."

You are assuring me that the Minister will see to it but I am sorry to say that the Minister has not done anything for three years. This Report came in 1964 and I am making this request in 1967. If the Minister had really gone into it, if he were so serious about implementing the recommendation, he would have done it long ago. For the last 3 years, the Government has not done anything. You are now defending this Government. It is all right that you try to save the time of the House but it should not be at the expense of the poor working people in the country. This Report was submitted in 1964. The Government has not acted on

this particular recommendation for the past 3 years. I would like the Minister to see that this recommendation is implemented without any further delay.

**श्री रणधीर सिंह (रोहतक) :** समापति महोदय, एक वक्त था, अकबर बादशाह ने बीरबल से पूछा कि सबसे बड़ा पत्ता कौन सा है। बीरबल ने कहा कि पान का पत्ता सबसे बड़ा जो हर रोज बादशाह के मुंह तक पहुंचता है। वह बात तीन-चार सौ साल पहले की थी। अब वह खत्म हो गई। आज कल सबसे बड़ा पत्ता चाय का है। वह भी पत्ता नहीं पत्ती है क्योंकि वह गरीब से गरीब के मुंह तक पहुंचती है। हरिजन हो, गरीब मजदूर हो, धानुक हो, गरीब किसान हो, मजबूत हो, कमजोर हो और ऊपर प्रधान तक और कामर्स मिनिस्टर साहब के मुंह तक वह पहुंचती है। यह कितनी मकबूल चीज है और इस चीज के ऊपर हमारे भाइयों ने कितने अदाद व शुनार दे दिये। बड़ी बड़ी बातें कह दीं कि इस का प्रोडक्शन कि कितने लम्बे चौड़े फिगर्स दे दिये जिनको एक आदमी याद भी न कर सके सिवा इसके कि वह देख ले।

मैं सिर्फ एक चीज मिनिस्टर साहब तक पहुंचाना चाहता हूँ, और बात भी ठीक है कि पूत भी प्यारा और खाविन्द भी। चाय अच्छी भी लगती है और बोर्ड भी समझता है कि ठीक काम चल रहा है देश का कि हमको फारेन एक्स्चेंज मिलता है। हम भी समझते हैं कि अगर चाय और चीनी से फारेन एक्स्चेंज नहीं मिलेगा तो फिर कहां से मिलेगा। देश के डिफेन्स के लिये हमको जो सामान बाहर से लाना पड़ता है वह हम कहां से लायेंगे? यह चीज भी हमारे सामने है। (ब्यवधान)

**Shri S. Kandappan:** Why this unwarranted clapping in the House?

**Mr. Chairman:** I see Shri Bimal Kanti Ghosh has come.

**श्री रघुबीर सिंह :** पहले हमारे यहाँ चाय की पाटियां बड़ी बड़ी महफिलों में हुआ करती थीं, बड़ी बड़ी जगहों पर, दरबारों में होती थीं। लेकिन अब चाय की पाटियां जो हिन्दुस्तान में बसने वाले गरीब किसान हैं उनके सन्तानों में होती हैं। इस लिये मैं मिनिस्टर साहब को खास तौर पर तबज्जह दिलाना चाहता हूँ कि इन गरीबों के मुँह से चाय छूट जाये कहां; ऐसा वक्त न आ जाये। हमारा यह देश बहुत गरीब है। गाय का दूध और भैंन का दूध तो गायब हो गया है और ऐसे गायब हो गया है जैसे भेड़ के सिर से साग। दूध तो अब दिखाई नहीं पड़ता है उसकी जगह अब चाय मिलती है। मैं चाहता हूँ कि ऐसा वक्त न आ जाए जबकि चाय भी गायब हो जाए, वह भी गिरना मुश्किल हो जाए। जो वह टैक्स लगा है या सैन बढ़ा है वह तो ठीक है। हमें एक्जिसेज बढ़ाना चाहिये, समान टा का डाएम्पपोर्ट है वह बढ़ाना चाहिये, हमारे कालेजिन के जो दूसरे इतारे हैं वे अच्छे हाने चाहिये। जो चाय की क्वालिटी है वह भी अच्छी होना चाहिये, यह मैं मानता हूँ। दुनिया की मार्केट पर हम छा जायें इसको भी मैं मानता हूँ। ज्यादा से ज्यादा फारेन एक्सचेंज हमें टा से आर्न करे यह भी मैं चाहता हूँ। लेकिन ऐसा न हो कि ऐसा करके हम अपने बच्चों को आने गरीब मजदूरों को बनाना करायें जनता के मुँह से चाय का पाना भाँटना लें। इस बात हम कांशिश यह करना चाहिये कि किसी तरह से चाय का कीमतें इस हद तक न बढ़ जायें कि गरीबों को पढ़ने से बाहर हो जायें।

मैं ज्यादा नहीं कहना चाहता हूँ। मैं आपका मगकूर हूँ कि आपने मुझे समय दिया है।

**Shri Indrajit Gupta (Alipore):** I am totally opposed to this Bill for

some very good reasons. In the first place, I have to point out that, coming close on the heels of the Finance Bill, the Budget proposals, which have already been passed by this House, this Bill, seemingly innocent and innocuous, is really a big fraud and a deception on the people of this country. A huge fraud is being perpetrated on this country by bringing in through the back-door what is in fact a new excise duty, an additional source of indirect taxation. Mr. Morarji Desai, in his Budget proposals, has already once increased the excise duty on tea; in this very Finance Bill which we have passed, he has provided for a special excise duty equivalent to 20% increase. At that time not a word was mentioned, no inkling was given, to this House or the country that, in the name of a cess, within a few days this House would be called upon to vote for a new excise duty. It matters not in the least that this amount may not remain in the Consolidated Fund of India but will eventually find its way from the Consolidated Fund to the Tea Board. As far as the consumer is concerned, at the consumer end, it is the people of this country who will have to pay. I do not know what Mr. Tapuriah meant by saying that the industry was not in a position to stand this burden. But the fact is that the burden will not be borne by the industry, but it will be passed on, as usual, to the consumer. Therefore, this should be opposed lock stock and barrel. It is a part of the same pattern of fleecing the poorer people, the small income-group, in this country and making the price of a common beverage like tea, which is, as my hon. friend said, a common thing drunk even by the poor people in the villages, more expensive. Therefore, we are totally opposed to this.

Secondly, I do not subscribe to the curious philosophy which has been expounded by the Finance Minister, and now again by the Commerce Minister, that internal consumption

must be restrained so that more is available, surplus is available, for export. The figure shows that the export of Indian tea has been falling. So many hon. members have referred to it. Here, in this Annual Report, which they gave us this year, it is clearly stated that the reasons for this fall are something very different. Some specific reasons have been mentioned but nowhere it is stated that the decline in the export is due to the fact that sufficient surplus was not available for selling. The Minister never tells us that if we could have more tea available, then we could have sold more. As if the foreign customers were waiting to buy Indian tea and they did not have enough to give them and so they say that internal consumption must be restrained. Is that the argument for restricting internal consumption? Here, if I may quote one or two sentences from the Ministry's Report this year, it is said:

"Apart from transitional dislocation after devaluation which resulted in lower exports to major buyers such as the U.K., the USSR, and the U.A.R., the decline in exports is attributable to increased despatches of tea from Ceylon and East Africa to the U.K. market and downward pressure on prices due to growing world production. Credit restraints in the U.K. and lower Russian purchases were also responsible for reduced exports."

This blows up the whole theory that we must restrict the domestic consumption so that more tea is available for selling outside. They are not able to sell and this thin fig leaf is used to cover this fresh dose of indirect taxation which is being imposed.

As far as the Tea Board is concerned, I have only one or two words to say. We are not convinced that the activities of the Tea Board justify further expenditure on them.

They should tell us something as to what are the expanded activities which will require greater finances according to this Bill? What are those activities going to be? An hon. friend said here a little while ago that he wanted them to sell the image of Indian tea more effectively. I do not want the Tea Board to sell the image of tea; I want them to sell the tea and not the image. If you go abroad, London or Paris or New York or Brussels or Bonn, you will find that the Indian Tea Board has opened certain tea rooms, restaurants, cafes, for selling Indian tea. That is how the image is being projected. Certain very glamorous looking society ladies; young ladies who are generally daughters of high officials have been exported out of this country for this purpose. The Tea Board has become a good place for channelling young ladies who are daughters of big officials in many cases and sending them abroad to work in those tea rooms. That is what is being done but tea is not being sold.

The Board's main job should be to find out ways and means of doing the packing and blending in this country and not allowing this Indian tea to go out for being blended elsewhere.

**Shri A. K. Sen** (Calcutta-North-West): I have not seen any of them. Will the hon. Member please tell us where those wonderful ladies are to be found?

**Shri Indrajit Gupta:** I shall tell him outside in the lobby, and give their telephone numbers also.

**Mr. Chairman:** Now, I would request the hon. Member to conclude.

**Shri Indrajit Gupta:** Please allow me to conclude. I am being interrupted.

The point I am making is that it is a shame for this country that Indian teas are not allowed to be sold abroad as Indian tea.

[Shri Indrajit Gupta]

The hon. Minister himself has mentioned in his speech on the Demands of his Ministry that.....

**Shrimati Lakshmikanthamma:** On a point of order.

**Shri Indrajit Gupta:** There is no point of order now.

**Shrimati Lakshmikanthamma:** It is not for him to decide but it is for the Chair.

The hon. Member has said just now that some officers' daughters are sent abroad or are exported. What is wrong in sending some girls abroad as sales-girls? They work there in the show-rooms or in the exhibitions. What is wrong in that? Whenever women are sent as sales girls abroad, some of my hon. friends speak about it in such a strain that they laugh at it and mock at it. Is there no respect for a job that is done for this country by those girls? And yet my hon. friend says that he is a communist and he swears by communism.

**Shri Indrajit Gupta:** The hon. lady Member has not understood at all what I had said. I shall explain to her outside in the lobby. I did not mean any disrespect at all to them.

**Shrimati Lakshmikanthamma:** We have to establish a precedent in this connection, because we are expecting more and more girls to come forward and take up jobs in particular spheres. If my hon. friends are going to speak in this fashion, then they would not be coming forward for such work.

**Mr. Chairman:** Will the hon. lady Member now resume her seat?

**Shrimati Lakshmikanthamma:** What is your ruling on my point of order?

**Mr. Chairman:** I fully agree with the hon. Member that Shri Indrajit Gupta should not have provoked ladies.

**Shri Indrajit Gupta:** I had no intention to provoke any ladies.

I was saying that Indian tea was not being sold abroad as Indian tea. The hon. Minister has himself stated in his concluding speech during the debate on the Demands for Grants under the control of his Ministry that Darjeeling tea which we produce is one of the finest qualities of tea in the world and it is being used for blending in other countries. He knows very well that in most of the countries abroad Indian tea is not packaged and sold as Indian tea at all. Although some of the best teas in the world are grown and produced in this country, this is what is happening. What is the Tea Board doing about it?

16-37 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

They do not exercise any control either on this or on the tea warehouses which have been left to the big British firms like Balmer-Lawries. Neither do they go in for packaging and blending in this country nor do they in any way contribute to the real pushing of Indian tea sales abroad just as the Ceylonese and other people have been able to do.

So, we are not at all satisfied with this matter. Even if the cess were to be imposed at all, I would have understood it if the hon. Minister had said that at least those teas which were not exported from this country and those producers who did not produce for export would not be brought within the purview of this cess. In fact, he had himself stated in his speech that this industry was dominated by what he called sterling capital. He himself had given figures in his speech to show that within five years these people had taken about Rs. 30-10 crores out of this country by way of profits alone. They are dominating the whole trade. Even if a cess is going to be imposed, I would like to ask why an equal burden is sought to be put on the other people who have no sterling capital and who are not producing for export. Why should they be brought under the

purview of this cess and put on a par with the foreign sharks who are looting the industry and minting money out of this trade?

I do not understand it. Therefore, I do not wish to take up your time any more. This Tea Board has proved, in my opinion, to be purely incompetent and useless. We have not been given any statement by the Minister as to what are the expanded activities for which additional finances are required. They have not done anything to really promote the export of tea. In actual practice, this cess becomes a further excise duty over and above what Shri Morarji Desai has levied, which will be an intolerable burden on the ordinary people of this country. This Bill should never have been brought forward in this immoral way on the heels of the Finance Bill and, therefore, we are totally opposed to it and we will never support it.

**Shri C. K. Bhattacharyya (Raiganj):** I am associated with an area where a large number of tea estates are situated including Naxalbari. I wish only to make a small point about this Bill.

This Bill is being brought forward on the presumption that Government are much concerned over helping the Tea Board to do its work. That leads to the further presumption that Government are concerned about the Tea Board also. But in actual practice, is it so? I have an instance at hand to show that in matters in which the Tea Board is interested, Government go by the opinion of their officials and not by that of the Board itself.

There are three ways the Board helps and assists the industry: plantation finance, hire purchase facilities for buying equipment and financing irrigation. In September last, the Board intimated that it wanted certain equipments like jeeps and trucks to be included in the hire purchase system. But before it passed a resolution to that effect, the Deputy Chairman of the Board who is an official deputed by Government told the Board that it

would not be accepted by Government. Ignoring his opinion, the Board unanimously passed that resolution and forwarded it to Government. They wanted this assistance on the ground that the price of the jeeps and trucks has gone up and they were very much necessary, by hire purchase, for conducting the operations of the tea industry, particularly because due to the lower availability of profit due to tax and other things, the weaker gardens were not in a position to advance all the money at the same time. But in spite of this unanimous resolution of the Board, which was forwarded to Government in September last, Government made no response. At last, the Board approached Government in this year and in June this year the Board received a reply from Government saying that they are not prepared to accept the resolution of the Board.

My point is that if this is the attitude of Government to the Board itself, for whose benefit this Bill is brought forward, what is the good of bringing this Bill or maintaining the Board itself? If its recommendations are not accepted, the Board may be abolished altogether and this costly paraphernalia in the name of the Tea Board may not be retained at all and what the Board is doing now may be done quite well by a cell kept in the Commerce Ministry, doing the same work that the Board does.

**Shri P. Ramamurti (Madurai):** I think it is very unfair on the part of the Minister to bring a Bill of this sort. He says the various activities undertaken by the Tea Board for the development of the tea industry and promotion of tea exports have expanded considerably. All beautifully vague. What were the activities that have been undertaken so far, what were the results of those activities, why do we want to expand them, in what direction you want to expand them, what will be the expenditure for those different directions of expansion—none of these things is stated before the House. We are just being told that they want to expand, they want more money. This

[Shri P. Ramamurti]

is the wonderful way on which this House is being treated by the Government and the Minister.

Secondly, even before this Congress Government came in, for more than 20 years now this Tea Board has been in existence. During all these years this Board has not fulfilled the essential functions which had been entrusted to it. Expansion of exports—nothing doing so far as this Board is concerned. I can also understand why it has not been able to expand exports, for the simple reason that has been pointed out by many other people, that the tea industry in this country is controlled by foreign interests. The Minister himself had pointed to that when he was speaking initially.

Similarly, as far as the export trade is concerned, that also is today concentrated in the hands of foreign big business houses. Even the blending is being done in foreign countries. These are houses business concerns and business interests who are interested in seeing that the foreign exchange accruing this country does not come to this country, but is retained in some other foreign country. You have left it in the hands of these people.

Therefore, if the Government were really interested in seeing that this country gets the maximum amount by way of export earnings from this industry, the Government should have brought a simple Bill to nationalise the entire tea industry, and take the control of the foreign interests from this vital industry, an industry which is vital for our economic development, which is the biggest foreign exchange earner of our country.

This Government is afraid of doing this, it is afraid of touching the interests of the British people, it is afraid of touching the interests of these foreign people, because how can it dare to touch them when all the while is asking them to come and invest here more and more whatever might be the price that this country has to

pay? it is going on inviting foreign people to come and invest in this country by way of collaboration, by way of this, by what of that.

Therefore, I want to point out that the passing of the Bill is only going to entail more burdens on the common people of this country, it is not going to stop or put an end to this drain on our country's resources by the foreign interests in this country. Therefore, I oppose this Bill,

If the Minister is honest, if the Government is honest, let then withdraw this Bill and bring forward a simple measure completely taking over the tea industry into the hands of this Government, bring about blending in this country, arrange a corporation which will blend the tea in our country, and let us stand on our legs. Let us not go and advertise to this world that a simple thing like blending tea which is grown in our country we Indians cannot do, it is only the wonderful British people that can do it in London. Let us at least wipe of this national shame which has been imposed upon this country for the last so many years.

Therefore, I oppose this Bill.

**Shri R. Barua** (Jorhat): I appreciate the intention of the Government in introducing this Bill to augment the finances of the Tea Board. This leads me to make some observations with regard to the functioning of the Tea Board.

At one stage the Government argument was and is that we must minimise the consumption of tea inside the country in order to augment our exports, but that aggment, on all accounts, seems to have cut no ice. That argument will not carry us any where.

At any rate, this Bill particularly has come for the improvement of the tea industry, for the improvement of quality and other facilities to be advanced to the tea industry through the Tea Board. That leads me to the finan-

ces of the tea board. The total revenue last year was Rs. 2'45 crores as revealed by this report. It is interesting that a report like this is not available to the Members. The schedule in this book makes interesting reading. There is a statement on page 112 whose totals do not tally. We do not know what the arithmetic is. There is an appendix 4 showing the number of registered tea states. It is impossible to say whether the figures are hectares or acres or other measurements. Certain figures are put in. That is the efficiency of the tea board. In the report, the revenue is given but they do not give an account of the expenditure they make. This is the 12th annual administrative report of the tea board upto 31-3-1966. They have also undertaken certain unimaginative ventures. They experiment if tea could be cultivated in Sikkim or Bhutan or Uttarakhand. On the other hand in my own State which is known for tea, they have done nothing in respect of the uneconomic tea gardens. They are supposed to extend credit to such tea gardens. I have got a letter from a friend of mine. He says that he preferred an application for a loan of a lakh of rupees on 1-11-1966. He got a reply on 7-12-1966 that it was under consideration. Thereafter the Calcutta agent informed him that a loan of Rs. 80,000 was going to be sanctioned. That did not come. Then again the agent came and in a letter dated 8-1-67 it was stated firmly that the sanction would come towards the end of January; again on 31-1-1967 it was stated that it would be finalised by 31-3-1967. Again in a letter dated 30-3-1967 they said that sanction would not come before the first week of April and finally on 27-6-1967 they said that the files were in the room of the officer and there was nothing that the department could do to expedite it. That is the way they are functioning. The money collected for the tea board is not properly utilised. They had done nothing to establish the management course or to do research in the universities either in Calcutta or Gauhati. We do not know how the money is spent. The Minister should take pro-

per care to scrutinise the way of work in the tea board to see whether it is doing good to the industry or it is a 'useless appendage for which we have to pay.

**Shri M. H. Gowda** (Chikmagalur): Mr. Speaker, my hon. friends have spoken about exports and other things but they have not spoken much about the difficulties of the growers. Tea or coffee is grown in hilly countries where there are no proper facilities for the growers or planters. They have to provide the housing facilities and other facilities also to the workers and have also to build roads through the estates by themselves. Tea or coffee industry is not so developed as the other industries. The tea planters as well as the coffee planters have to pay the State taxes and also the Central excise duties. Moreover, the excise duty on tea and coffee has been just now raised through the Finance Bill. Tea cultivation has become more difficult since 1953 as the manure, implements and other things are not got at a fair price, and they have got to be obtained through the black market. The Government is not making any effort to get manure and other things at a fair rate.

Tea is drunk by all classes of people, and it is the main food, so to say, of the poor people. The enhancement of the cess from four paise to eight paise, as the Government has said, affects the working poor class among the tea planters. I do not want to say anything more about the growers. The growers are put to very great trouble. Moreover, the consumers also will suffer and they will have to pay more for their cup of tea. As some hon. Members suggested, machinery such as spraying machines, or cutting machines have to be got from foreign countries at the proper time, but we are not able to get them, because, though the people apply to the Government, the Government does not issue licences at the proper time.

In view of these difficulties, request the Minister to withdraw the Bill, or

[Shri M. H. Gowda]

if he does not, I request this august House to throw out the Bill.

**Shrimati Sharda Mukerjee** (Ratna-girl): Mr. Deputy-Speaker, Sir, there has been considerable opposition to indirect taxes, specially on tea, from all sides of the House, and I quite agree with the hon. Member of the Opposition, Shri Indrajit Gupta, when he says that this tea industry has been mainly for the benefit of the British interests during the last so many years. The Tea Board has been in existence, and we have seen that all that it has done with tea is that London still seems to be the controlling centre for the tea market.

As regards the excise duties which have been imposed or are sought to be imposed, it is in additions to the duty imposed in the Finance Bill which has been under consideration here. What is rather strange is that even in the report of the Central Excise Commission of 1963, the Commission has made special reference to the executive powers enjoyed by the Government. With your permission I shall quote from the report:

"Though Parliament is indirectly a consenting party to this arrangement,—  
that means to the rise in the excise duties—

"and has also in some cases itself accepted the rate as a ceiling rate, it is not wholly correct to dilute Parliament's authority in the field of taxation by executive fiat, however desirable the purpose. The extent to which this encroachment has taken place will be evident from the fact that about 180 rates of duty approved by Parliament have proliferated into nearly 1,500 rates or values for assessment by executive decree."

As if this is not enough, we passed an excise duty on tea. Then we have this additional duty, which is supposed

to be for the development of the tea industry. Judged by the perquisites enjoyed by the officers in this industry, there could not be a richer industry than the tea industry, from that point of view. I do not understand how the Tea Board is going to assist in the development of the industry.

17 hrs.

In addition to the excise duty here we have another duty. What is more; the Government now seeks sanction from Parliament to impose this duty immediately at 4 paise per kilogram and to raise it to as much as 8.8 paise per kilogram by a notification. This, I think, is really a very serious encroachment on Parliament's authority. First of all, no specific details are given as to the functions or the expansion of functions of the Tea Board. Secondly, we do not know for what purpose this money is required. They said that tea export has to be increased. They also said that the Tea Board has to expand its activities to increase tea exports. But we do not know by how much, by what notification; the rate will be increased between this 4 paise and 8.8 paise.

Therefore, I think this Bill should have been far more accurate in explaining to the House as to what the activities of the Board were, in what way they are going to be extended, and why this additional indirect levy had to be imposed on a commodity which has come to be an essential commodity for the common man.

**श्री जार्ज फरनेन्डीज (बम्बई दक्षिण) :**  
उपाध्यक्ष महोदय, मैं इस विषयक का विरोध करने के लिये खड़ा हुआ हूँ। टी० बोर्ड का कारोबार बढ़ाने के बजाय इस की बिलकुल खत्म किया जाय, यह मेरी राय है, क्योंकि जिस टी० बोर्ड के द्वारा पिछले कई वर्षों से हिन्दुस्तान की चाय का निर्यात बढ़ाने का प्रयत्न चल रहा है, वह उस में बिलकुल सफल नहीं हुआ है। इस सम्बन्ध में जो आंकड़े हमारे सामने आये हैं उन से साबुत होता है कि सन् 1963 में 2 करोड़

23 लाख किलोग्राम चाय का निर्यात हुआ, 1964 में 2 करोड़ 10 लाख किलोग्राम का और 1965 में 1 करोड़ 99 लाख किलोग्राम का निर्यात हुआ। 1966 में यह और भी गिर कर 1 करोड़ 90 लाख किलोग्राम का निर्यात हुआ—यह है आपके टी बोर्ड का काम। इन पिछले चार सालों में यह बोर्ड चाय का निर्यात बढ़ाने के बजाय 33 लाख किलोग्राम कम निर्यात करने में कामयाब हो पाया है। ऐसे टी बोर्ड को तत्काल बरखास्त करना चाहिये—ऐसा मेरा इस सदन से आग्रह व निवेदन है।

मैं किसी भी माननीय महिला सदस्य का अपमान नहीं करना चाहता और मैं चाहूंगा कि ये मुझे गलत भी न समझे—जब मैं यह कहूंगा कि यह टी बोर्ड दरअसल कई अफसरों और इस मुल्क के अमीरों की तथाकथित खूबसूरत लड़कियों को विदेश भेजने की ट्रबल एजेंसी बन कर रह गया है, इस के सिवाय इस टी बोर्ड में और कोई काम नहीं होता है। मैं मंत्री महोदय से यह कहूंगा कि किसी दिन वह इस बात की जांच करें कि इस टी बोर्ड ने दुनिया के अलग अलग शहरों में जो अपने टी सन्टर्स बनाये हुए हैं, उन में इस सरकार के किन किन बड़े अफसरों की लड़कियां ज कर बठी हुई हैं। मैं इस समय एक ही साहब का नाम लेता हूँ—आपके जा फूड एण्ड एग्रीकल्चर के सैक्रेटरी डायस साहब थे, जब वह यहां फूड एण्ड एग्रीकल्चर सैक्रेटरी बने तब और सभी महिलाओं के क्लेम को हटा कर उन की बेटी को इस काम के लिये लिया गया। मैंने एक ही उदाहरण आपके सामने रखा है।

**Mr. Deputy-Speaker:** The hon. Member can say "some Secretary". Why name the person, when he is not here to defend himself?

**Shrimati Lakshikanthamma:** If some highly placed officers have sons and daughters and they get employ-  
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ment, in whatever capacity, in whatever openings they get, to say that some

खूबसूरत लड़कियां, तो इत में उन खूबसूरत लड़कियों का क्या कसूर है।

**Mr. Deputy-Speaker:** Let us try to conclude this discussion.

**श्री रघुवंर सिंह सास्त्र:** (बागपत) : फरेनेन्डीज साहब अगर कुछ स्पेसिफिक इलीग हैं शन्ज लगा रहेतो इस में कोई अपत्ति नहीं होनी चाहिये। यह तो एक अच्छी बात है कि स्पेसिफिक एलीगेशन लगाई जाय, इस से मिनिस्टर साहब को जवाब देने में आसानी होगी, अगर एलीगेशन बग होगी तो मिनिस्टर साहब कुछ भी नहीं कह सकेंगे। इस लिये मैं चाहता हूँ कि जो स्पेसिफिक एलीगेशन वह लगा रहे हैं, वह सामने आनी चाहिये, उन को उस से रोका न जाय।

**श्री: जाज फरेनेन्डीज :** मैंने तो एक तथ्य बता दिया है, मंत्री महोदय जांच करें और देखें कि किन अफसरों की कौन कौन लड़कियां किन किन टी सन्टर्स को सम्भालने का काम कर रही हैं। यह तो मैंने टी बोर्ड की मार्केटिंग के बारे में एक उदाहरण आपके सामने रखा, अब मैं टी बोर्ड के व्यवहार के बारे में एक सबत पेश करना चाहता हूँ।

टी बोर्ड की यह जिम्मेदारी है कि विदेशों में इस मुल्क की चाय के निर्यात को बढ़ावा दे, इस मुल्क के चाय बागानों को देखें और उन के स्टोरेज की व्यवस्था करे। उपाध्यक्ष महोदय, मेरे पास टी बोर्ड की एक बैंक के मिनिट्स हैं। सन् 1960 में टी बोर्ड ने फैसला किया था कि कलकत्ते में जो बेयर-हाउसज हैं जो कई निजी कम्पनियों के हाथ में हैं, जैसे बामरलरी कम्पनी के हाथ में बेयर हाउस है ऐसी कम्पनियों से उन बेयर-हाउसज को टी बोर्ड अपने हाथ में ले।

[श्री जार्ज फरनेन्डीज]

आपको उन के फैसले को पढ़ कर सुनाता हूँ, जिससे मालूम होगा कि टी बोर्ड को बरखास्त करने की क्या आवश्यकता है —

"In 1960, the Tea Board furnished the necessary guarantee to the Port Commissioners, the main provisions of which are:—

- (i) The Tea Board will take over the new warehouse (Libyan Warehouse) as soon as it is ready for occupation, and run it for a period of 60 years from the date of occupation. The rent will be Rs. 200/- per 1,000 sq. ft. per month for godown space on the ground and other uses, and Rs. 300/- per 1,000 sq. ft. per month for 4,400 sq. ft. of office accommodation;
- (ii) The Tea Board will also take over other public warehouses leased out to M/s. Balmer Lawrie & Co. Ltd. from the date of termination of the lease upto 31st March, 1990. The Port Commissioners will not during this period of guarantee increase the rent of these warehouses beyond the then level of Rs. 133.33 per 1,000 sq. ft. per month."

बहु टी बोर्ड का सन् 1960 का फैसला था, लेकिन उस के बाद इन लोगों ने क्या किया, उस पर कोई अमरल नहीं हुआ और अब एक नई प्रपोजल इन लोगों ने भेजी है —

"A proposal has already been sent to the Secretary to the Govt. of India in the Ministry of Commerce, requesting for approval to the following:—

As it is not possible for the Tea Board to manage Public Warehouses directly involving as it does management of a large labour force, Govern-

ment should agree to the Tea Board sub-letting the warehouses and other Agencies operating in these lines."

उपाध्यक्ष महोदय, एक तरफ 1950 का फैसला है कि जो निजी क्षेत्र के वेयरहाउसेज हैं उन को बोर्ड अपने हाथ में ले, लेकिन 1967 में यह एक नया प्रस्ताव हमारे सामने आ गया जिस में इन वेयर हाउसेज को निजी क्षेत्र की जो कम्पनियाँ हैं, जैसे वामरलारी को फिर से देने की बात नहीं गई है। इस वामरलारी के बारे में कोई विचारधारा इस टी बोर्ड के सामने आई है कि वे हिन्दुस्तान की चाय का बरामद करने का काम करते हैं, हमारे निर्यात के काम में कोई विघ्न की रूकावटें डालते हैं, लेकिन आज यहाँ को या निजी क्षेत्र के लोगों को इन वेयरहाउसेज को देने का प्रस्ताव सामने आया है। उपाध्यक्ष महोदय, मैं यह समझता हूँ कि ऐसे ही बोर्ड को रखने का कोई मतलब नहीं है, इस को बरखास्त किया जाय। इस के रहते हुए हिन्दुस्तान की चाय का निर्यात बढ़ने के बजाय कम हुआ है, हो सकता है कि इन के बरखास्त होने के बाद हमारा निर्यात बढ़ सके।

श्री शिव नारायण (बस्ती) : उपाध्यक्ष महोदय मैं "नो गवर्नमेंट विदम्राउट टैक्सेशन" की पालिसी का समर्थन करता हूँ, लेकिन मैं टी बोर्ड का विरोध करता हूँ। मैं पी० ए० सी० की मीटिंग में कलवत्ता गया था, वहाँ मैंने इस टी बोर्ड के फंक्शन को एक्जामिन किया और जब मैंने इन के कामों के बारे में वेरियस क्वेश्चन्स पूछे तो उन के पास कोई जवाब नहीं था बिलकुल कोरे थे। इस लिये, उपाध्यक्ष महोदय, मैं आने से पहले बोलने वाले मित्र के विचारों का समर्थन करता हूँ कि इस टी बोर्ड को एबालिश करो। टी की प्रोग्रेस के लिये आप 8 पैसा मांगते हैं, मैं 10 पैसा रिक्मेन्ड करता हूँ हम आपको 10 पैसा कैसे देंगे, लेकिन उसकी आप डाइरेक्ट

शोध से लें। उन टी बोर्ड्स का डाइरेक्ट प्राप व्यापार कनेक्ट करें इंग्लैंड और मैनचेस्टर से। सीलोन की टी हम से कम्पटीशन में भागे है इसलिए मैं गवर्नमेंट से कहना चाहता हूँ कि फेयर टालिंग हॉटो चाहिए, फेयर बिजनेस होना चाहिए। हमारे देश में टी बोर्ड्स है उन को आप बैलिडिफ़ पट्टीमाये प्रलबता जो टैक्सेशन और जो पैज का आप को ज़रूरत हो वह आप बयूज करें लेकिन यह जो बिचलिये है वह जो टी बोर्ड है it is a bogus board and a roadblock in the progress of tea gardens. I think, it should be abolished.

मैं इस बिजनेस को समर्थन देना हूँ कि आप मैं ले लीजिए टैक्सेशन बरकरार रहना कि आप इस टी बोर्ड को खत्म कर दें।

**Shri Dattatraya Kunte (Kolaba):** This is a legislation to finance an organisation the merits of which have been so eloquently placed before this House. As against this, the Mover of this Bill simply said that as against Rs. 90 lakhs which were once being collected he wants to make them a gift of Rs. 2 crores and more. This is all the justification that he gave.

If you remember the discussion that we had previously in this House, it was told to us that we send our tea in bulk and—the Minister was himself pleased to say that—let the private enterprise take it over. If tea is to be sent in small quantities and if this is to be done by private enterprise, why at all is the Government having this Tea Board and carrying on this activity, wanting to spend so much money on this organisation which cannot run warehouses because it will have to deal with labour? It is so shameful for this organisation, the Tea Board, which spends Rs. 2 crores and odd, to say that it is not able to do this small activity.

There is one more point which I want to make. Although I know that

the Chair has accepted what the Government has said, now we come to the spirit of the legislation. And what do we find? We find in the long Title the words "levy a customs duty on tea exported from India" are sought to be substituted by "levy a duty of excise on tea produced in India". So, now the customs duty is being repealed as far as the Tea Act is concerned and this is a different type of levy. As far as the amount is concerned, it might be the same but originally it was a customs duty on tea that was being exported and now this is an excise duty on tea produced in India that is being levied. So, even though it might be the same amount that might be collected, this is a new taxation and for this new taxation the Government will have to provide for collection charges also.

As far as the excise duty is concerned, the wording is "tea produced in India". I really do not know whether the Minister also wants to tax the tea produced in the gardens. Then, his legislation to that extent will be *ultra vires* because it goes against entry 14 of List II of the Seventh Schedule. According to this it will be tea produced, before it is processed or anything of the sort is done, that will be taxed because it only says "tea produced in India"; it does not say "tea produced and processed" and all that. Therefore, the wording being so vague, I am afraid, he is coming into difficulty because of List II which is the State List under which all agricultural produce could be taxed only by the State Legislature. The wording as it is creates a difficulty.

Therefore first of all, it is a new levy. The original customs duty is being repealed by this very legislation and it is absolutely a new levy for the collection of which, as I said when the first discussion took place, he will have to provide for collection charges. Secondly, as I pointed out, it is militating against the legislative competence of this House, namely, whether this House could tax agricul-

[Shri Datatraya Kunte]

tural produce. The position is very clear. In addition to this, as I said, the Tea Board does not deserve to be helped at all. If at all anything is to be done, why not the State Trading Corporation or the Ministry itself undertake this responsibility? Then, we might consider the proposal, not at this stage.

**Shri Tenneti Viswanatham** (Visakhapatnam): In addition to what has been said already against the functioning of the Tea Board and the objections that have been raised, I wish to raise the following three objections.

Firstly, there is clause 4 which is unconstitutional. As has already been pointed out by Shrimati Sharda Mukerjee, that the executive is being given the power to tax under this clause. Clause 4 says:

“ . . . the Central Government may from time to time fix, by notification in the Official Gazette, a higher rate, not exceeding 8.8 paise per kilogram . . . ”

They are trying to take power to tax, at the initial stage, at the rate of 4 paise and they want to have power to tax, whenever they like at whatever rate they like, upto a ceiling. It is a taxation power, which cannot be given by Parliament to the executive. It is unconstitutional.

Secondly, there will be some difficulty with regard to the allocation of the amount which they are collecting between the States and the Centre. Look at the language used in the Bill. They are not quite clear whether it is a cess or an excise duty. It says:

“There shall be levied and collected as a cess for the purposes of this Act a duty of excise . . . ”

If it is an excise duty, the States might have a share of it. Probably, I suppose, the draftsman wanted to see

that the States do not get a share from the amount they are going to collect. They must be clear in their mind so that later on they do not get into trouble.

Thirdly, the power of taxation that they are taking is unconstitutional. I believe, one enterprising gentleman may go to the Supreme Court and that particular clause will be, I am sure, held invalid. Let them be clear in their mind. They call it a cess by way of an excise duty. If it is an excise duty, they will have, possibly, to give a share to the States also. Let them be clear about it. Any legislation of this type must be very clear. Do they want to levy a cess or an excise duty? Why are they not clear? Is it a mistake of the draftsman or what?

**Shri Dinesh Singh:** We are quite clear.

**Shri Tenneti Viswanatham:** I am sorry you are not following it.

**Shri Dinesh Singh:** I am very much following it.

**Shri Tenneti Viswanatham:** The Bill says:

“There shall be levied and collected as a cess for the purposes of this Act a duty of excise . . . ”

What is the meaning of this? You are not at all clear. You are not sure of yourself whether it is a cess or it is an excise duty. It cannot be both. That is what I say. All that I say is that the Government must be clear in taxing legislation.

**श्री विनेश सिंह :** उपाध्यक्ष महोदय, मैं उन सभी माननीय सदस्यों का बहुत आभारी हूँ जिन्होंने कि इस चाय (संगोवन) विधेयक पर चर्चा के दौरान अपने सुझाव रखे हैं। जो उनके सुझाव हैं उनका और हमारा पूरा ध्यान है और मेरा मंत्रालय उन सभी सुझावों पर पूरी तरह से विचार करेगा। मैं माननीय सदस्यों को इस बात का विश्वास दिलाना चाहता

हूँ कि जो कठिनाइयाँ या जो मुद्दा उन लोगों ने इस टी बोर्ड के बारे में और उस को सुधारने के बारे में दिये हैं उन के बारे में हम पूरी तरह से गौर करेंगे।

अभी यहां पर कई माननीय सदस्यों ने कहा कि जो चाय बोर्ड है उस को बन्द कर देना चाहिए। अब बंद करने की बात तो दूर रही मैं अगर उम में से दम आदमियों को भी कम करने की बात कहूँ तो उस के विरुद्ध बहुत से माननीय सदस्य खड़े हो जायेंगे और कहेंगे कि आप अनइम्प्लायमेंट बढ़ा रहे हैं। बहुत से माननीय सदस्य जिनको मैं जानता हूँ, फौरन इस पर ऐतराज करेंगे कि यह आप क्या गजब कर रहे हैं कि गरीब बेकार आदमियों को निकाल रहे हैं? ऐसा आप क्यों कर रहे हैं? तो उस वक्त मैं आशा करता हूँ कि माननीय सदस्य श्री कछवाय जो इस वक्त बहुत जोर से टी बोर्ड के एंबोलीशन का समर्थन कर रहे हैं उस वक्त भी मेरा उम में समर्थन करेंगे।

**श्री सु० क० तापड़िया :** किस बात का समर्थन आप चाहते हैं ?

**श्री बिनेश सिंह :** आप के समर्थन में काम नहीं चलेगा।

यहां पर कई बातें कही गईं, जिन के बारे में मैं थोड़ी सी सफाई देना चाहता हूँ। माननीय सदस्य श्री तापड़िया हैं। यहां सदन में तो वह हम से किसी बात में इतनाफा नहीं करते, पर बाहर सेहरबानी जरूर रखते हैं, इस की हम को खुशी है। लेकिन कठिनाई यह है कि हमारी ओर उन की नीति में जमीन आसमान का फर्क है। वह चाहते हैं कि टैक्स लगे नहीं, बढ़ना तो भूलग है। आज मुझे खुशी हुई कि उन्होंने कहा कि टैक्स फ्रीज कर दिये जायें। जितने हम लगाते हैं उस को भी मंजूर करते हैं। आज उन की वद बात सुन कर मुझे खुशी हुई, लेकिन

उन्होंने बहुत सी बातें शायद जोश में कह दीं, जिन के बारे में, मैं समझता हूँ, मुझे थोड़ा सा कहना चाहिये।

अभी उन्होंने कहा कि जो हमारा निर्यात है वह कम होता जा रहा है। कई माननीय सदस्यों ने यही बात कही। मेरे पास जो आंकड़े हैं उन के हिसाब से हमारे निर्यात के आंकड़े वजन में कम नहीं हुए हैं। अगर हम 1960-61 से देखें तो धीरे धीरे वह बढ़ते जा रहे हैं। यह जरूर है कि 1962-63 में वह बहुत ज्यादा बढ़ गये थे, और उतने हम नहीं आ पाये। लेकिन आज जो हमारे निर्यात के आंकड़े हैं वह मेरे पास 1964-65 तक के हैं। उन में 1960-61 से ज्यादा हुए, 1961-62 से ज्यादा हुए, 1963-1964 में ज्यादा हुए। इधर एक साल में जरूर कुछ कमी हुई।

**श्री सु० क० तापड़िया :** 1964-65 के बाद से घटना शुरू हुआ, यह साफ कहिये। जो भी आंकड़े प्रस्तुत किये जायें उन में जब से घटने शुरू हुए उस के बाद के न बोलें, जब तक बढ़ते रहे तभी तक के बोलें तब तो काम नहीं चलेगा।

**श्री बिनेश सिंह :** एक साल कुछ ज्यादा बढ़ गये, यह खुशी की बात है, लेकिन बढ़ जो है वह हम को एक सिलसिले में देखना पड़ना है। एक साल बढ़ गए, खशी हुई, लेकिन मैं निवेदन कर दूँ कि फिर भी पिछले सालों में बढ़े हैं। मैं इस बात को मानता हूँ कि यह बात जरूर है कि जो यूनिट प्राइस है वह कुछ कम हुई है। इस के बारे में कुछ बातें कही गईं। जब मैंने मंत्रालय के बारे में कुछ बातें कही थी तब मैंने खुद ही कई बातें सामने रखी थीं। मुझे बहुत खुशी हुई कि माननीय सदस्य श्री कोठारी ने और दूसरे माननीय सदस्यों ने भी जो बातें मैं ने उस समय कही थी उन का समर्थन किया था कि हम को वहां से ज्यादातर ब्रेक कर के

[श्री दिनेश सिंह]

और चाय के पेकेट तैयार कर के चाय बाहर भेजना चाहिये। श्री तापड़िया शायद इस से सहमत नहीं हैं। यह हमारे लिये दुर्भाग्य की बात है वह आगे बढ़ने वाली दिशा में नहीं देखते हैं, अर्थात् आगे दूसरी दिशा में देखते हैं जो सैन्डों सालों से होता आया है। सवाल यह है कि हमारी चाय की कीमत दुनिया का मंडि में अच्छी नहीं है। अगर हम यहाँ से चाय को बन्द कर के और पैकेट बना कर भेजें तो मैं समझता हूँ कि उस से बहुत अधिक दाम मिलेंगे और हमें यह करना चाहिये।

मेरे क्याल से शायद श्री तापड़िया ने ही कहा था कि सीलोन में 93 प्रतिशत चाय की पैदावार बढ़ गई है। शायद वह 33 फीसदी को 93 फीसदी कह गये। क्या कलं। इस तरह से जब आंकड़े दे दिये जाते हैं तो उन से गलतफहमी फैलने का डर हो जाता है। अगर मैं उन के सामने दस सालों के आंकड़े रखूँ तो 1956 में उत्पादन में 1 लाख, 70 हजार, 359 टन चाय पैदा होती थी और 1966 में 2 लाख, 22 हजार, 313 टन पैदा हुई। इस में पैदावार 51 हजार टन की। मुझे को जो हिसाब लगा कर मिला है उस में 33 फीसदी आता है। 93 फीसदी कहां से आता है यह तो वही बतला सकेंगे।

Shri S. K. Tapuria: I will give my sources tomorrow.

श्री दिनेश सिंह: वह मुझे देने की खुशी होगी। हमारे यहाँ भी चाय बढ़ी है। 1956 में हमारे यहाँ 3 लाख, 8 हजार, 719 टन चाय पैदा होती थी। आज 3,75 हजार टन हमारे यहाँ है। यानी करीब 66 हजार टन बढ़ी है। चूंकि यह तादाद ज्यादा थी इस लिये इनकी बढ़ने के बावजूद 22 प्रतिशत हुई। लेकिन यह नहीं है कि हमारी चाय जो है वह रुकी हुई थी।

जो चाय बोर्ड है, वह क्या काम करता है, यह माननीय सदस्यों को टी बोर्ड का जो पब्लिकेशन है उस से बहुत अच्छी तरह से मालूम हो जायेगा। चूंकि समय कम था, कुल एक घंटा था, और मैं माननीय सदस्यों के सुझाव सुनना चाहता था, इस लिये मैं तफसील में नहीं गया। लेकिन अगर उस में कोई कमी है तो मैं उसे जरूर देखूंगा। आज भी मैं बतलाना चाहता हूँ कि हमारी जो मिनिस्ट्री आफ फाइनेन्स है उस का एक स्टाफ रिआर्गेनाइजेशन यूनिट है जो टी बोर्ड के काम को तय करता है कि किस तरह से वहाँ रिआर्गेनाइजेशन होना चाहिये। इस के अलावा मुझे पता लगा है कि चाय बोर्ड के तीन सदस्य खुद चाय बोर्ड के काम की जांच कर रहे हैं, यह देखने के लिये कि किस तरह से इन्स में तबदीली हो, जिस से उस का काम आगे बढ़े। चाय बोर्ड के कई काम हैं। उन में से यहाँ चाय की पैदावार बढ़ाना भी एक काम है। जो हमारे चाय के पीछे होते हैं उन के बदलने का जो काम होता है उन में भी मदद देता है, जिचाई मैं मदद देना चाहता हूँ, और जो वहाँ के कर्मचारियों की बेफेयर ऐक्टिविटीज हैं उन में भी मदद करता है। कई काम उस के हैं।

एक माननीय सदस्य, शायद श्री फरनेन्डीज, ने एक बात कही कि कुछ अफसरों की लड़कियां इस में बाहर रखी जाती हैं। एक अफसर का नाम भी उन्होंने लिया। मैं नहीं जानता कि उन की लड़की बाहर है या नहीं। मैं कहता हूँ कि कई मतभेद यह बात आई। मैं चाहता हूँ कि सभापति महोदय, आप और माननीय सदस्य इस पर कुछ विचार करें कि यहाँ पर हम लोगों का नाम ले लेते हैं, लेकिन पता नहीं कि वहाँ है या नहीं। अगर मुझे पहले से पता होता तो मैं जांच कर लेता और मुझ को जवाब देने में आसानी होती। मेरी कठिनाई यह है कि यहाँ सरकार की तरफ से हमारी जिम्मे-

बारी हो जाती है कि जो हमारे कर्मचारी हैं, अगर उन के बारे में कुछ कहा जाये तो हम हिफाजत करें। पूरी सूचना पहले न मिलने से दिक्कत होती है। जनता के लोग हैं, अफसर हैं और माननीय सदस्य हैं, लड़के लड़कियां लोगों के होते हैं और लड़के लड़कियां काम भी करना चाहते हैं। अभी श्रीमती लक्ष्मी कान्त-ध्या ने कहा कि लड़कियां क्यों काम से रोकी जायें। लड़कों के बारे में कोई नहीं पूछता। तो लड़के लड़कियों को काम मिलना चाहिये। किसी अफसर की लड़की है इस लिये उसको काम न मिले, यह मुनासिब बात नहीं है। बहुत गलत बात इस देश में होगी अगर हम सिर्फ इस वजह से किसी को रोक लें कि वह किसी अफसर का लड़का या लड़की है।

एक माननीय सदस्य: उस को पहले चांस दिया गया।

श्री दिनेश सिंह: मेरी बात आप पहले सुन लें, उस के बाद कहें। मेरे कहने का मतलब यह है कि अगर किसी लड़की को काम मिला है तो वह उस के योग्य है या नहीं, यह सवाल पैदा होता है। माननीय सदस्य ने कहा कि वह योग्य नहीं, गलत तरीके से उस को रखा गया है। मैं इस को जरूर देख सकता हूँ और अगर एसी गलती हुई तो मैं उस को दूर करने की कोशिश करूँगा। लेकिन सिर्फ लड़की है या लड़का मा, चाहे जिस की लड़की हो, अफसर की हो, माननीय सदस्यों की हो या मेरे किसी साथी की हो, सिर्फ हम लोगों की लड़का या लड़की हो जाने से उसे काम से रोका जाये, तो यह जन राज्य का आधार नहीं बन सकता है।

जहाँ तक सेस की बात कही गई है, मैंने कहा कि जिस आधार पर आज खर्चा हो रहा है उसके आधार पर हमने इस वक़्त आप ने मांग की है, इस सदन से मांग की है कि हमें 4 पैसे को बढ़ती दी जाये सेस में इस में 8 पैसे तक की गुंजाइश रखी गई है,

लेकिन मैं सदन को बतलाना चाहता हूँ कि जो भी खर्च होता है वह सदन मंजूर करता है। सरकार उस में कोई ज्यादाती अपने आप कर लेगी, ऐसी बात नहीं है। जितना खर्च सदन मंजूर करेगा उतना ही होगा। कई सदस्यों ने कहा कि 4 पैसे पर कीलोग्राम बढ़ गया है और बहुत ज्यादा बढ़ गया है। मुझे भी कुछ लगा कि कई माननीय सदस्यों ने कहा, श्रीमती शारदा मुकर्जी भी चली गई अपनी बात कह कर। मैंने सोचा कि मैं पता लगाऊँ। मैंने पता लगाया तो तो एक कीलोग्राम में लगभग 500 प्याले चाय बनती है। पांच सौ प्याले के दाम चार नए पैसे बढ़ गये हैं। अब एक प्याले पर कितना दाम बढ़ता है इसके बारे में हमारे पास ऐसा कोई तरीका है नहीं कि हम आपको —

श्री सु० कु० लक्ष्मण: जितने टैक्स आप लगाते चले गये हैं उन सब को मिला कर बताये तो पता चल जाएगा।

श्री दिनेश सिंह: जितने भी टैक्स लगाये हैं उन सब को हाउस पास करता गया है। अब मैं आज उनके बारे में क्या आपको बताऊँ —

Shri Piloo Mody: Let him work out the tax factor in each sip of tea.

श्री दिनेश सिंह: मांदा जी का जहाँ तक सवाल है ये जब स्कूल में थे तब भी प्रियमेटिक में कमजोर थे।

Shri S. K. Tapuriah: He likes figures all right, but they are different figures.

श्री न० कु० लालू (बुल): कमजोर नहीं थे, कभी पढ़ा ही नहीं।

श्री दिनेश सिंह: पढ़ते तो थे, कोशिश करते तो थे। बूँकि ये मेरे साथ थे इसलिए मैं ऐसा नहीं करूँगा।

[श्री दिनेश सिंह]

जो बातें यहां कही गई हैं, उनका हम पूरा ध्यान रखेंगे। मेरा अनुरोध है कि सदन जो हमने सैंस बिल यहां पर रखा है, इसको पास करे।

**Shri Dattatraya Kunte:** He has not answered my point.

**Mr. Deputy-Speaker:** The question is:

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

*The motion was adopted.*

**Mr. Deputy-Speaker:** If the House agrees, we shall dispose of this Bill and then take up the other item on the agenda fixed for 5.30 P.M.

*Clause 2—(Amendment of Long title)*

**Shri George Fernandes:** I beg to move:

Page 1, lines 6 and 7,—for "levy a duty of excise on tea produced in India" substitute—"levy a duty of excise on tea produced in India for export". (3)

इस संशोधन को पेश करते हुए मैं एक ही बात कहना चाहता हूँ। हिन्दुस्तान में जो चाय हम को मिलती है उसके दाम लगातार बढ़ते गए हैं। मैं आपके सामने दो सालों के आंकड़े रखूंगा। 1963-64 में रिटेल प्राइस चाय की 6 रुपये 24 पैसे किलो थी। 1965-66 में वह बढ़ कर 9 रुपये 36 पैसे हो गई। यह लूज टी की बात मैं कर रहा हूँ। एक तरफ आप देखें कि हिन्दुस्तान के अन्दर चाय के दाम इस तरह से बढ़ते जा रहे हैं लेकिन दूसरी तरफ विदेशों को हम जो चाय भेजते हैं, उसके दाम घटते जा रहे हैं। 1963 में जहाँ यह दाम 5 रुपये 92 पैसे किलो या वहाँ यह 1965 में घट कर 5 रुपये 77 पैसे हो गया। विदेशों को चाय का निर्यात करने के लिए चाय के दाम

इस तरह से घटाना और हिन्दुस्तान में गरीब लोगों को जो चाय मिलती है उसके दाम इस तरह से बढ़ाना उचित नहीं है। इसलिए मैंने आपके सामने एबः तरफों से रखा है अभी तक जो एक्सपोर्ट ड्यूटी थी उसको अब एक्साइज ड्यूटी में सरकार बदलना चाहती है और मैं चाहता हूँ कि वह एक्साइज ड्यूटी उली चाय पर लगनी चाहिये जो चाय कि हम विदेशों को भेजें।

यही मेरी एमेंडमेंट है।

**Mr. Deputy-Speaker:** I shall put it to vote.

**Shri Nath Pai (Rajapur):** What about the Minister's reply?

**Mr. Deputy-Speaker:** He has given a comprehensive reply. He may say something at the end.

I shall now put amendment No. 3 to the vote of the House.

*Amendment No. 3 was put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 3 was added to the Bill.*

*Clause 4—(Substitution of new section for section 25.)*

**Shri Narendra Singh Mahida:** I beg to move:

Page 2,—after line 6, insert—

"(4) Every notification issued under sub-section (1) shall be laid before the House of the People, as soon as may be, after it is published in the Official Gazette."  
(1)

If he accepts my amendment, I have nothing to say. The Statement of Objects and reasons states:

"The Bill further provides that the new cess shall be levied at 4

paise per kilogram with immediate effect and that the Government may, if necessary, levy the cess at such higher rate, not exceeding 8.8 paise per kilogram, as may, from time to time, be fixed by notification in the Official Gazette."

My amendment is that every notification issued under sub-section 1 shall be laid before the House as soon as may be after it is published in the Official Gazette, so that we may know the mind of the Government.

**Shri Dinesh Singh:** I shall lay the notification. We need not have an amendment.

**Mr. Deputy-Speaker:** I put amendment No. 1 to the House.

*Amendment No. 1 was put and negatived.*

**Shri George Fernandes:** I beg to move:

Page 1, line 14,—

after "produced" insert "for export". (4)

Page 1, line 15,—

for "four paise" substitute "two paise" (5).

Page 1, line 18,—

for "8.8 paise" substitute "4 paise" (6).

मैंने चार, पांच और छः नम्बर के अपने संशोधन पेश किए हैं। मैं यह कहना चाहता हूँ कि टी बोर्ड का हिसाब हमें कहीं देखने को नहीं मिलता है। मैंने टी बोर्ड की रिपोर्ट को भी देखा है, उसको पूरा पढ़ा है लेकिन उस में भी मुझे को टी बोर्ड के एकाउंट्स देखने को नहीं मिले हैं। चार पांच दिन तक मैंने अपनी लाइब्रेरी से एकाउंट्स लेने की कोशिश की है लेकिन वहाँ से भी मुझे एकाउंट्स नहीं मिले हैं। एक आडिट रिपोर्ट जो कि साइक्लोस्टाइल है, वह मुझे मिली है। उसको मैंने देखा है। उसको

देखने से मालूम होता है कि टी बोर्ड की इनकम क्या थी।

Income and expenditure account for the year ended 31st March, 1965. Income: moneys received under section 26 of the Tea Act, 1953 Rs. 1,84,83,500.

यह एक साल का है।

Excess of income over expenditure Rs. 68,87,618.

इस तरह से आप देखें तो आपका पता चलेगा कि सैस के द्वारा जो पैसा इनके पास आता है वह काफी आता है और सैस को बढ़ाने की इनको जरूरत नहीं है। चूंकि आप पहले सैकशन को मंजूर कर चुके हैं इसलिए अब मैं आप से यह प्रार्थना करता हूँ कि जो सैम आप बढ़ कर चार पैसे करना चाहते हैं उसको दो पैसे कर दिया जाए और 8.8 पैसे मैक्सिमम जो आपने दिया है उसको 4 पैसे कर दें। यही मेरे संशोधनों का मंशा है। मैं आशा करता हूँ कि मंत्री महोदय इसको स्वीकार कर लेंगे।

**Mr. Deputy-Speaker:** I put amendments 4, 5, and 6 to the House.

*Amendments Nos. 4, 5 and 6 were put and negatived.*

**Shri Tenneti Viswanatham:** I reiterate my constitutional objection to clause 4 of this Bill. We cannot give taxation powers to the executive.

**Mr. Deputy-Speaker:** He has taken note.

The question is:

"That Clause 4 stand part of the Bill."

*The motion was adopted.*

*Clause 4 was added to the Bill.*

**Mr. Deputy-Speaker:** The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

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

**Shri Dinesh Singh:** I beg to move: "That the Bill be passed."

श्री अश्वजित गनी वार (गुडगांव) : मुझे खुशो है कि अल्हादोन का चराग जो गुम हो गया था उसको राजा दिनेश सिंह फिर ले आए हैं। दो करोड़ रुपये वह इकट्ठा करेंगे और एक पैसा भी खर्च नहीं होगा। कोई ऐक्सपेंडिचर नहीं होगा। ऐसी सूरत में इसके लिए उनको मुबारिकाबाद न देना बड़ा पाप होगा। मैं नको मुबारिकाबाद पेश करता हूँ कि उनका अल्हादोन का चराग मिल गया है।

इस बिल को जब यह पास हो जायेगा सुप्रीम कोर्ट रद्द करेगी या इसको राष्ट्रपति जो मंजूरी नहीं देंगे, मुझे इससे कोई बहस नहीं है। लेकिन मैं एगवात जरूर अर्ज करना चाहता हूँ। यहाँ पर सेक्रेटरीज और दूसरे अफसरों को लड़कियों के सिलेशन का जिक्र आया है, उनको चुनकर बाहर भेजने का जिक्र आया है। जिस आनरेबल मेम्बर ने इसका जिक्र किया है अगर इनको लेने में इन बड़ बेटियों को और सुपुत्रियों को लेने में वाकई इनाफ बरता गया है, वाकई में वे डिजर्व करती थीं तब तो कोई एतराज वाजो बात नहीं हो सकती है, अगर वाकई में वे लायिन थीं, तब तो कोई एतराज वाजो बात नहीं हो सकती है। अगर वाको सब बेटियाँ ना लायिन थीं तो फिर कोई एतराज नहीं हो सकता है। लेकिन देखने वाजो बात यह है कि तराजू किसके हाथ में था? श्री दिनेश सिंह के हाथ में था या सेक्रेटरी के हाथ में था। मिनिस्टर साहब ने आया बिल पास करा के रूपा तो ले लिया है,—तब तक उन की मंजूरी टा रहेगा, तब तक ऐसा होता रहेगा—लेकिन जित बोर्ड के लिए वह रूपा ले रहे हैं, वह उस को अच्छा तरह सतिनारागो मो करें। इस बोर्ड को वाकई देते हुए मिनिस्टर साहब ने कहा है कि अगर टा का बरामद कम होती जा रहा है, लेकिन 1960 के मुताबले में वह ज्यादा है। जैसा कि एक आनरेबल मेम्बर ने बताया है, टी को बरामद साल-व-साल गिरती जा रही हैं और सिर्फ पिछले साल वह एक लाख किलोग्राम ज्यादा हुई है।

जिस बोर्ड की यह हालत है कि उस का कोई हिसाब-किताब हमारे सामने नहीं आता है, मिनिस्टर साहब ने अपनी मंजूरी के बल पर उसके लिये इतना रूपा जबईंती मंजूर करवा लिया है, हालांकि इस पर उनका बहुत कम खर्च होगा।

राजा साहब बड़े भद्र पुरुष हैं। मैं उन की बड़ी इज्जत करता हूँ। मैं उन से कहना चाहता हूँ कि टी बोर्ड ने हमारे देखते देखते टी को कामत पहले के मुताबले में तकरीबन दुगनी कर दी है—एक पाउंड टी का जो डिब्बा पहले तान रुपये में बिकता था, वह छः रुपये में बिकने लगा और अब तो वह साढ़े सात रुपये में बिक रहा है। इतनी बड़ी रकम हासिल करने के लिये राजा साहब जो यह अल्हादोन का खिराग ले आए हैं, वह उन को मुबारिक हो, लेकिन वह बोर्ड पर ज्यादा सख्त करें।

आखिर में मैं यह कहना चाहता हूँ कि जो बहनें, बेटियाँ कायिन हों, तब तक उन्हें भी बाहर भेजा जाए। वह इन बातों को तकरीबन जरूर करें कि अफसरों को बेटियाँ जो बाहर गई हैं, वे डिजर्व करती हैं या नहीं।

[عربی عبدالغنى قار : مجھے خوشی  
ہے کہ اللہ دین کا چراغ جو گم ہو  
لکھا تھا اس کو راجہ دیکھی سلگہ پھر  
لے آئے ہیں۔ دو کروڑ روپیہ وہ اکٹھا  
کریں گے اور ایک پوسے بھی خرچ  
نہیں ہوگا۔ ایسی صورت میں اس  
کے لئے ان کو مبارکباد نہ دینا پڑا  
ہوگا۔ میں ان کو مبارکباد  
پھر کرتا ہوں کہ ان کو انہیں دین  
کا چراغ مل گیا۔

اس بل کو جب پاس ہو جائے گا  
 سپریم کورٹ رد کرے گی یا اس کو  
 ریفرنڈم دے گی جسے منظور نہیں دینگے۔  
 مجھے اس سے کوئی بھتہ نہیں ہے۔  
 لیکن میں ایک بار ضرور عرض کرنا  
 چاہتا ہوں۔ یہاں پر سیکریٹریز اور  
 دوسرے افسروں کی لوگوں کا سلوک  
 کا ذکر آیا ہے۔ ان کو جن کو باہر  
 بھیجے گا ذکر آیا ہے۔ جس آئیڈیل  
 سپر نے اس کا ذکر کیا ہے اگر ان کو  
 لے لے میں۔ ان بہو بھیجوں کو اور  
 سپریموں کو انہیں میں واقعی میں  
 انصاف ہوتا کہا ہے۔ وہی میں ۲۰  
 فیروز کرتی نہیں تب تو کوئی اعتراض  
 والی ہت نہیں ہو سکتی ہے۔ اگر  
 باقی سب بھیجاں ناقابل تہیں تو  
 پھر کوئی اعتراض نہیں ہو سکتا ہے۔  
 لیکن دیکھنے والی بات یہ ہے کہ  
 نوازو کس کے ہاتھ میں تھی۔ سہی  
 دیکھیں سلوک کے ہاتھ میں تھی یا  
 سیکریٹری کے ہاتھ میں تھی؟

مگر اے صاحب پنا بل پاس  
 کروا کے روپیہ تو لے لیا ہے۔ جب  
 تک ان کی سہجاری تھی رہے گی۔  
 تب تک ایسا ہوتا رہے گا۔ لیکن  
 جس ہورڈ کے لئے وہ یہ روپیہ لے رہے  
 ہیں۔ وہ اس کی اچھی طرح سے  
 نگرانی بھی کریں۔ اس ہورڈ کی  
 انصافی دینے ہوئے مسٹر صاحب نے  
 کہا ہے کہ اگرچہ ٹی کی برآمد کم  
 ہوتی جا رہی ہے۔ لیکن ۱۹۶۰ کے  
 مقابلے میں وہ زیادہ ہے۔ جیسا کہ  
 کابہ آئیڈیل سپر نے بتایا ہے۔ ٹی  
 کی برآمد سال بہ سال گرتی جا رہی  
 ہے۔ اور صرف پہلے سال وہ ایک  
 لاکھ کلو گرام زیادہ ہوئی ہے۔ جس  
 ہورڈ کی یہ حالت ہے کہ اس کا

کوئی حساب کتاب ہمارے سامنے  
 نہیں آتا ہے۔ مسٹر صاحب نے  
 اپنی سہجاری کے بل پر اس کے  
 لئے انڈیا روپیہ زیرو دستی منظور کروا  
 لیا ہے۔ حالانکہ اس پر ان کا بہت کم  
 خرچ ہوا۔

راجہ صاحب بڑے بہدر پرس ہیں۔  
 میں ان کی بڑی عزت کرتا ہوں۔  
 میں ان سے کہنا چاہتا ہوں کہ ٹی  
 ہورڈ نے ہمارے دیکھتے دیکھتے ٹی کی  
 قیمت پہلے کے مقابلے میں تقریباً  
 دوگلی کر دی ہے۔ ایک پائونڈ ٹی  
 کا تہہ جو تین روپیہ میں ہکتا تھا  
 وہ چھ روپیہ میں بک رہا ہے۔ اتنی  
 بڑی رقم حاصل کرنے کے لئے راجہ  
 صاحب جو یہ الہہ دین کا چرچا لے  
 آئے ہیں۔ وہ ان کو مبارک ہو۔  
 لیکن وہ ہورڈ پر زیادہ سختی کریں۔

آخر میں میں یہ کہنا چاہتا  
 ہوں کہ جو ہمیں، بھیجاں لائبل  
 ہیں۔ صرف انہیں کو باہر بھیجا  
 جائے وہ اس بات کی تفتیش  
 ضرور کریں کہ انہوں کی بھیجاں جو  
 باہر گئی ہیں، وہ فیروز کرتی ہیں یا  
 نہیں۔ ]

श्री वि. वि. वि. : उपाध्यक्ष महोदय,  
 मैं एक बात जरूर कह देना चाहता हूँ, यानी  
 कोई गलतफहमी न हो। मैं कहना चाहता हूँ  
 कि स्टाफ कम होने का कारण मैं नहीं सोच  
 रहा हूँ। इन बारे में कोई गलतफहमी  
 नहीं हानी चाहिए। मैंने तो यह कहा था कि  
 मालाव नदस्य काले हे हि बर्ड का बन्द  
 कर दिया जाये, लेकिन उन्ने बहुत से लोग  
 बेकार हो जायेंगे। मैं उनका बेकार नहीं  
 करना चाहता हूँ।

शर साहब ने जो कुछ कहा है मैं उस  
 पर पूरा ध्यान रखूंगा।

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

**Shri Piloo Mody:** With a smile on his face, he has taken Rs. 2 crores away from the country.

**Mr. Deputy-Speaker:** Have you counted correctly? Your mathematics is very poor.

**Shri Piloo Mody:** You have got only his word for it; it is not worth much.

17.42 hrs.

#### TUTICORIN HARBOUR PROJECT

**Shri Anbazhagan (Tiruchengode):** Mr. Deputy-Speaker, I deem it my duty to bring this matter for the consideration of the hon. Minister by this discussion, though it is for a short period. The hon. Minister must understand the intense feeling of the people of Tamilnad and the grave doubts of the Madras Government expressed recently about the genuine interest of the Union Government in implementing the Tuticorin Harbour project. Tuticorin has been port from times immemorial. It has been in the days of ancient Tamil kings an important port exporting goods to the western as well as to eastern countries. Even at the time of the Britishers, they had many schemes to develop the port and in the year 1919 they had a scheme and spent about Rs. 30 lakhs. According to the present value of the rupee it will be, I feel, more than Rs. 10 crores. They had other schemes also to develop the port but somehow the port has not become an all-weather port or deep-sea harbour. Even after the advent of freedom, the claim has been there, and the State Government had been very often pressing upon the Centre to start that scheme and make the Tuticorin harbour an all-whether port as well as a deep-sea harbour, especially when the Tuticorin deep-sea harbour is not only intended to make the Tuticorin port a beautiful one, but because of the region which is a very backward one and the economic conditions of the people there are very

poor, and the conditions may change for the better because of the port development alone. The avenue for their life and their future prospects are more and more binding upon the harbour and its development. The Central Government has also agreed as early as 1959 to consider the project and at the time of the second Five Year Plan, Mr. Nehru had given an assurance to implement the project, and he has more or less inaugurated it by accepting it in principle. Afterwards, our late Prime Minister, Lal Bahadur Shastri, inaugurated it in the month of November, 1964.

17.45 hrs.

[SHRI C. K. BHATTACHARYYA in the Chair].

The scheme is not a haphazard one. There have been many reports on the scheme. The Chatterji scheme of 1954, the Sethusamudram Committee's scheme of 1955, the Chacko scheme as well as the Mathrani scheme of 1959, and also finally the Intermediate Ports Development Committee's report of 1960. All these stand in good stead to support the project. Because of the Intermediate Ports Development Committee's report, the scheme was accepted and it was implemented to a certain extent.

Now, I feel that because the figures given in the reports and the statistical figures that have been given in respect of the traffic potentiality of the Tuticorin harbour vary from each other. Even after it is being inaugurated the Ministry is more or less vacillating in proceeding with the implementation of the scheme. I doubt whether the Ministry is sincere and keen in implementing the scheme. It should not consider the scheme from the commercial point of view, or from a moneylender's point of view. It should take the project as one designed for the welfare of the area, for the welfare of the region, for the development of Tamil Nad. The Chief Minister of Madras has stated very clearly that it is a must for Tamil Nad. From the point of view that we should have a Sethusamu-