

**Mr. Speaker:** Motion moved:

"That the Bill be passed".

**Shri Sham Lal Saraf:** I spoke very briefly and could not touch on one point. Today the industry suffers from want of adequate and highly trained technical personnel. We have not got proper trained personnel in the higher reaches. There should be no effort spared to send bright men to foreign countries for training in this industry so that it may develop in the proper way.

**Shri Manubhai Shah:** I accept that point.

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

"That the Bill be passed".

*The motion was adopted.*

12.56 hrs.

#### STATUTORY RESOLUTION UNDER INDIAN TARIFF ACT

**The Minister of Commerce (Shri Manubhai Shah):** I beg to move the following Resolution:

"In pursuance of sub-section (2) of section 4A of the Indian Tariff Act, 1934 (32 of 1934), this House approves of the Notification of the Government of India in the Ministry of Commerce No. S.O. 3460, dated the 11th November, 1966, increasing the export duty leviable on tea".

**Mr. Speaker:** Resolution moved:

"In pursuance of sub-section (2) of section 4A of the Indian Tariff Act, 1934 (32 of 1934), this House approves of the Notification of the Government of India in the Ministry of Commerce No. S.O. 3460, dated the 11th November, 1966, increasing the export duty leviable on tea".

**Shri Narendra Singh Mahida (Anand):** On a previous occasion, the question of tea had come in for discus-

sion. I had drawn the attention of the Minister to the fact that Ceylon is scoring over us and their tea is sold more than our tea in foreign countries. Will the Minister assure us that by increasing the export duty, we will be improving our quality also and that we shall be competing in the world market along with Ceylon and other countries in a more effective way? I understand tea was our monopoly for a number of years. We have to take very earnest measures to see that our tea is consumed more in America, Europe and other places.

The other day a Ceylonese Parliamentary delegation was here. We have congratulated them, on their salesmanship on tea that in spite of their tiny size as compared to India, they were doing a greater trade in tea; in that larger spirit, we had congratulated them.

We should also be careful that Asian countries like Ceylon and India should stand together and not compete among themselves when propaganda is conducted in foreign markets. I would request the hon. Minister to evolve some sort of Asian market, where all the countries of Asia producing tea, could get together against the world market and avoid inter-seat competition.

With these comments, I support the Resolution.

**Shrimati Savitri Nigam (Banda):** I would not take much time. But I would like to make one or two points. We have noted with great concern that there has been a decline in our export earning on tea. The reasons are very obvious. The most important reason is that even now many countries import our tea, reblend it, repack it and sell it again to third countries. Thus they capture our potential market in an artificial manner. Therefore, if we develop and refine our packing industry and stop the export of unblended tea, those countries which are used to Indian tea but are getting it from other sources would turn to us and

[Shrimati Savitri Nigam]

would start liking our blendings and flavours.

The second point concerns packing. Many of our products which can otherwise capture any markets because of our quality are not doing so due to our defective packing. The packing industry is not sufficiently developed here. No emphasis seems to have been taken on this either by the Commerce Ministry or the Industry Ministry or other export bodies which have been doing wonderful work otherwise.

I would suggest that we should concentrate on these two aspects. Then I am sure our export earnings on Indian tea would increase, and many more new markets will be available.

The third point is that we are not doing the market surveys. Our organisation which should be active in search of more and more markets is slow and ineffective. If all these points are considered and steps taken, I am sure our export earnings would increase.

13 hrs.

**Shri Sonavane** (Pandharpur): Sir, I would not have spoken if the hon. Minister while moving his motion had given some reason for this motion. What are the reasons that prompted him to increase the export duty. In view particularly of what the hon. lady Member has said, that is, the falling foreign exchange, would not this increase affect our foreign exchange? What steps have been taken in order not to hamper our export and foreign exchange.

Another thing is that competition is faced by us from various other countries. Our propaganda machinery abroad should work to expand the consumption of tea and it has to be geared up. There should not be any slackening in the effort. We would like explanation on these points.

**श्री तुलशी दास जाधव** (नांदेड) : चाय के ऊपर एक्सपोर्ट ड्यूटी आप बिठाने जा रहे हैं। इसके आपको कितनी आमदनी होगी इसका पता मंत्री महोदय को होगा लेकिन मैं कहना चाहता हूँ कि कहीं इसका परिणाम यह न हो कि एक्सपोर्ट ड्यूटी अधिक होने से हमारी चाय का विदेशी बाजारों में भाव ज्यादा हो जाये और वहाँ इसकी बिक्री कम हो जाए और हमें जो फारेन एक्सचेंज चाहिए और जिसकी हमें बहुत ज्यादा जरूरत है, वह हमें ना मिल सके। इस वान्ते यह जो चीज है इसकी तरफ आपका ध्यान जाना चाहिए।

दूसरी बात यह है कि अगर चाय का निर्यात कम हो जाएगा तो इसका परिणाम यह हो सकता है कि देश में इसकी खपत ज्यादा हो जाए। इसका परिणाम यह होगा कि लोग ज्यादा चाय पीना शुरू कर देंगे और आपको जो फारेन एक्सचेंज चाहिए उससे हाथ धोना पड़ेगा। मैं समझता हूँ कि यहाँ इसकी खपत कम करके अगर चाय का निर्यात किया जा सके तो यादा अच्छा होगा। लोगों को यहाँ चाय पीने को न मिले तो भी कोई हरज का बात नहीं है। हमें चाहिए कि हम अधिक से अधिक चाय का निर्यात करें और इसके लिए जो भी आवश्यक कदम हैं वे उठाये।

**Shri D. D. Puri** (Kaithal): Sir, I shall make a very brief observation and want to make only one suggestion in regard to marketing of tea abroad, particularly in London. The Ceylon Tea Centre right in the heart of the town is rather on a scale far superior to anything that we have. I would draw the attention of the hon. Minister to the proposal that was mooted sometime back to have a proper marketing centre in Rome and in other centres of Europe in order to develop consumption of tea in those places.

**Shri Sonavane**: The tea centre at London is quite efficient; we saw it.

**Shri Manubhai Shah:** Sir, the reason why I did not take the time of the House was that this Bill is a routine Bill and on so many occasions we had discussed it. It is the privilege of the House that when some duty is raised, I have to come here. It happens that the reduction in duty on eighty per cent of our tea has not been mentioned in the Resolution because it is not required under the statute. When devaluation took place, Government announced a flat export duty at a specific rate of Rs. 2 per k.g. Representations were received from the tea merchants and tea exporters that such a specific duty was harming the interest of the cheaper quality which formed about 70 or 75 per cent of our exports. Therefore, we had to have the value slab system specific-cum-ad-valorem by which 70 or 75 per cent of tea exports will have to pay just eighty paise per k.g. instead of Rs. 2 or Rs. 1.10 per k.g. This is not an increase in export duty which makes our tea more expensive but it is in a way reduction of the export duties so that cheaper teas can be exported. The rise comes only in respect of those teas like the Darjeeling tea sold at Rs. 12 per k.g. or Rs. 20 or even Rs. 110 per k.g. and Rs. 2 which will be raised to Rs. 3 now will be such an insignificant part of the value that it will not affect the exports at all. It will help us to earn foreign exchange from all angles. The value slab system is better than the previous specific system. True, there have been complaints from exporters and tea planters about the new system; the new system has got to be properly geared up to give results. Our officers are taking care to see these things, and want to ensure that no consignments are held up in Calcutta because of the introduction of the value slab system.

The hon. Member here and that hon. Member there . . .

**Shri Sonavane:** The hon. Minister should say—the hon. Member from Pandharpur or from Bhandara. He says the hon. Member here and there—that is not good language.

**Shri Manubhai Shah:** All right, the hon. Member Mr. Sonavane. The other hon. members did not object.

**Mr. Speaker:** Shri Sonavane is on the panel of Chairmen.

**Shri Manubhai Shah:** Hon. Member Sonavane mentioned about the tea centre and he said that we should see that we are not outstripped by competition. I can say that the best of relations exists between India and Ceylon and the ministers of the two countries meet continuously. Only last week the two ministers of the Ceylon Government were to come, but they could not because they had some other important parliamentary engagement; they are likely to come next month. We also had a conference on tea export in Ceylon last year. The friendliest relations exist between the two countries. We come from the same development region of the world; we can ill-afford to be at cross purposes.

The London Tea Centre is being continuously improved and we will try for extended premises there. In Rome also, our ambassador, His Highness the Maharaja of Patiala has sent proposals to open a new tea centre, and that is under active consideration.

**Shri D. C. Sharma** (Gurdaspur):  
At Patiala?

**Shri Manubhai Shah:** In Rome. The real bottleneck of export is the level of consumption here and production. The consumption of tea in India has risen from 28 million about 10 years back to 190 million kg now. We go on drinking more tea and the surplus left for export is getting reduced. That is the basic factor. The steps we take should aim at increasing production and restraining consumption so that exports could increase. With these words, I commend the Resolution.

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

"In pursuance of sub-section (2) of section 4A of the Indian Tariff

[Mr. Speaker:]

Act, 1934 (32 of 1934), this House approved of the Notification of the Government of India in the Ministry of Commerce No. S.O. 3460, dated the 11th November, 1966, increasing the export duty leviable on tea."

*The motion was adopted.*

13.10 hrs.

CONSTITUTION (TWENTY-THIRD AMENDMENT) BILL

**Mr. Speaker:** Shri Chavan.

**Shri S. M. Banerjee** (Kanpur): On a point of order.

**Mr. Speaker:** Let him move the motion, first.

**The Minister of Law** (Shri G. S. Pathak): Sir, on behalf of Shri Y. B. Chavan I beg to move:

"That the Bill further to amend the Constitution of India, be taken into consideration."

**The Minister of Parliamentary Affairs and Communications** (Shri Satya Narayan Sinha): No time has been allotted to this Bill; this matter did not come up before the BAC. I therefore request you to take the sense of the House how much time the House would like to have for this Bill, because there is a special voting for this, and the approximate time may be fixed so that hon. Members must be informed to be present here in the House.

**Shri S. M. Banerjee:** Sir, in this connection, may I remind you that this is a most controversial Bill; the purpose for which this question has been asked is, because they are short of men.

**Mr. Speaker:** Whether they are short of men or not is not the concern now. The question before the House is, how much time should be given.

**Shri S. M. Banerjee:** Three hours.

**Mr. Speaker:** If he is satisfied if I give three hours, all right.

**Shri S. M. Banerjee:** Yes, Sir.

**Shri Satya Narayan Sinha:** We agree; we shall keep up to that.

**Mr. Speaker:** Shri Banerjee has proposed it and I have accepted it.

**The Minister of State in the Departments of Parliamentary Affairs and Communications** (Shri Jaganatha Rao): The voting will be at 4 O'clock.

**Mr. Speaker:** Yes; the first voting. It is only the approximate time.

**Shri G. S. Pathak:** Mr. Speaker, Sir, this Bill has become necessary because of certain constitutional defects discovered in the appointments of district judges and in the orders of transfers relating to district judges, and the Supreme Court has in two decisions laid down the law which would apply not only to those district judges who were concerned with those cases but also with other district judges because the Supreme Court has given a declaration of law which would apply to all cases.

This Bill does not effect any change in the substantive provisions of any article of the Constitution. It merely seeks to validate the past appointments of the judges and the judgments and orders of transfer, and it really implements the two decisions of the Supreme Court. Those who were found not eligible for appointment by the Supreme Court under the Constitution are excluded. Their appointments are excluded from this Bill; only their judgments are sought to be validated.

Before I proceed further, may I invite the attention of the hon. Members of this House to the relevant articles of the Constitution which created the difficulty and which were the subject-matter of the Supreme