

The House re-assembled 'at Four of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

#### MESSAGES FROM THE COUNCIL OF STATES

**Secretary:** Sir, I have to report the following two messages received from the Secretary of the Council of States:

(1) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Council of States, I am directed to inform the House of the People that the Council of States, at its sitting held on the 7th May, 1953, agreed without any amendment to the Comptroller and Auditor-General (Conditions of Service) Bill, 1953, which was passed by the House of the People at its sitting held on the 29th April, 1953."

(2) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Council of States, I am directed to return herewith the Patiala and East Punjab States Union Appropriation (No. 2) Bill, 1953, which was passed by the House of the People at its sitting held on the 2nd May, 1953, and transmitted to the Council of States for its recommendations and to state that the Council has no recommendations to make to the House of the People in regard to the said Bill."

#### TEA BILL—Contd.

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** Before you begin, Sir, may I make a suggestion? The general discussion is now going on. Much of the general discussion excepting in regard to a few cases will be more on the working of the Act as it should be afterwards, and it will greatly facilitate the work if the general discussion could be cut short. We have already had two and a quarter hours. We might take up the clause by clause discussion and in the third reading stage speeches may be allowed for about two hours on the working of the Act. The third reading discussion might be taken up tomorrow, if necessary. If some such arrangement could be made, it would greatly facilitate business and we could finish the second reading today.

**Dr. M. M. Das (Burdwan—Reserved—Sch. Castes):** The number of Members who have already spoken on the Bill is very small, only two or three.

**Shri K. K. Basu (Diamond Harbour):** Two and a half. We shall decide it at the end.

**Prof. Mathew (Kottayam):** There are several Members who would like to participate.

**Mr. Deputy-Speaker:** As I said the other day, I do not think Government has got any objection. We have two days allotted for this. We have already spent two hours. We have got six hours more before us. Even if we sit till seven P.M.—we will assume—it will be three hours. Still, three more hours will be available. That will be on some other day. Now, I only ask the opinion of hon. Members of the House. There is no doubt about my sitting, but I would urge upon hon. Members also to satisfy themselves about not a minute less than eight hours. Even if we go on with this, possibly the last one hour will be for third reading. There may be so much of discussion as many hon. Members have taken a keen interest in this affair. Let us have an idea. Clause by clause discussion may take about three hours.

**Shri T. T. Krishnamachari:** Two hours.

**Mr. Deputy-Speaker:** I would urge upon hon. Members to consider this. I do not want to say, this ought not to be said in the consideration stage, this does not arise in the second reading stage, or in the third reading stage and so on. We can take up the clause by clause consideration now. Whatever hon. Members want to say upon those matters, let them say it in the third reading. Evidently, the hon. Minister is unable to be here tomorrow. Now, while the clauses are discussed, he would like to be here and settle the discussion. Let us have three hours now and each Member can speak on these clauses. Let us dispose of the clauses in three hours. After all, we are not settling procedure for all time. Occasionally some contingencies arise when in public interest the Minister has arranged already to go elsewhere. But he would like to see this through. So we can dispose of the clause by clause consideration and the discussion can go on later. I will allow as much latitude in the third reading stage as possible.

I give this assurance and I will also instruct whoever be in the Chair in my absence to see that in a matter of this kind they are not strict. After all, no hon. Member will speak irrelevantly. The only point is, whether it should be at this stage or that stage. I will ignore the stages; both the stages can be rolled into one and later on hon. Members can speak. Let us now get into the clauses.

**Shri Punnoose (Alleppey):** In the midst of a speech?

**Mr. Deputy-Speaker:** In the midst of the speech I am not going to close down. Immediately after that let us go into the clauses. Let us hear Mr. Mukerjee.

**Shri H. N. Mukerjee (Calcutta North-East):** We may have one hour for discussion now and the next two hours for clause by clause.

**Mr. Deputy-Speaker:** Very well.

**Shri K. K. Basu:** Three hours in the third reading.

**Mr. Deputy-Speaker:** The balance of hours in the third reading.

**Shri K. K. Basu:** As comprehensive as it can be.

**Mr. Deputy-Speaker:** Shri T. K. Chaudhuri was last on his legs.

**Shri T. K. Chaudhuri (Berhampore):** I was discussing the proposed legislation for the control of the tea industry and the policy that was being followed by our Government in the background of the fundamental problem of the near-monopolistic domination of our tea industry and tea trade, both internal and external, by British interests. Some Members sitting opposite seemed to give vent to a feeling of impatience as I was reading out from the list of British agency houses who control our tea estates. I was, however, only concerned to urge upon this House and the hon. Minister by reference to indisputable facts and data, not unknown to the hon. Minister himself I believe, that we must take a more serious view of the situation.....

**Mr. Deputy-Speaker:** He has taken 28 minutes already. I am not shutting out.

**Shri T. K. Chaudhuri:** I would be as brief as possible. Sir, I have to make one or two points. I am consulting my notes and hurrying through as fast as possible. We must take a more serious view of the situation and must not remain satisfied by merely saying,

as the hon. Minister said the other day, that we have to face the problem squarely and 'recognise the presence of the foreign element in the industry'. He even asked the House not to 'stress' the point because the mere elimination of the foreign element, in his view, did not produce something which was better instead. This, I am afraid, is not facing the problem squarely.

In dealing with tea, we have always to bear in mind that British interests in the Indian tea industry are an integral part of the far-flung economic empire of the great horizontal trusts known as 'agency houses' which still dominate not only tea, they hold a good deal of our jute, coal and engineering industry. They control the major part of our foreign trade and foreign trade finance. They are solidly entrenched in shipping, insurance, imports of tea machinery, tea lining and other accessories of the trade. I was just on the point of mentioning how our tea marketing, both internal and external were controlled by four British firms of Thomas, Carrit and Moran, Creswell and Figgis. Add to this the further fact that London and Mincing Lane, still remain the centre of the world's greatest home consumption and re-sale market, handling about 60 per cent. of the total exports, half of which is from India, and controlling the world tea prices as well as tea prices in India. London still remains the head office of many of the Tea Estate Companies and agency houses which I named the other day. Our policy with regard to tea thus assumes an aspect of what we might call a part of our national strategy against the entrenched power of British finance-capital in this country and outside. It is not merely the question, as the hon. Minister seemed to indicate the other day, of the President of a European Tea Association, one Mr. Hutchison being rather insolent or his successor being very realistic. The real question is whether we are going to formulate our national policy with regard to tea and deal with British vested interests accordingly. I ransacked the 600 and odd pages of the mighty tome which goes by the name of National Plan and I searched in vain for any mention of tea industry there. In that part of the Five Year Plan which is devoted to development plans for industry, tea industry is almost ignored. Yet, the fact remains that tea is our second biggest export industry. Tea provides employment to one million of our working population and tea is also the second biggest foreign exchange earner in our country, accounting for nearly 92 crores of pounds sterling and eleven crores

[Shri T. K. Chaudhuri]

of dollars. In view of all these facts it is pertinent to ask of the Government what they are going to do with over-all power of control with which we are going to vest them in terms of the provisions of the present Bill. Their record in the past with regard to tea, particularly in the background of the so-called crisis, through which the tea industry is said to have passed last year, does not inspire any confidence whatsoever.

Let me come back to the policy of the Government in the background of the crisis which is said to have overtaken the industry last year. The hon. Minister has made a reference to the Raja Ram Rao Committee Report in that connection. To my mind there may not be a more unsatisfactory enquiry with regard to any industry conducted so far as the enquiry conducted by the Raja Ram Rao Committee. The Members of the Committee themselves complained that they were not provided with any clearcut terms of reference about the enquiry. A reference to the crisis was made by one hon. Member in this House, our friend Mr. A. K. Basu and thereupon Government instituted this enquiry and I do not know what other directives were given to them. The Committee were only provided with a sort of a Press Note on the basis of which to direct and guide their enquiry. It is not very clear from that Press Note what the purpose of that enquiry was. The subsequent action of the Government, especially with regard to labour and particularly their policy with regard to minimum wages leads one to believe that the main purpose of this official enquiry was to slash down wages as far as possible, on the plea of crisis. But the Members of the Committee were, however, prevented from recommending a direct revision of the minimum wages by the clear terms of the specific assurances that were held out by the hon. Minister himself and his colleague the hon. Finance Minister in the Council of States in this regard. When this question was raised in this House by our friend Mr. Kamakhya Prasad Tripathi, who is unfortunately absent today, the hon. Minister categorically assured him—he has not denied either of ever having given that assurance of course—I would like to quote his own words. The hon. Minister gave a solemn assurance to him and this House and the working classes outside. He said, I am quoting his words:

"I could give him this assurance that neither will the Committee

make recommendations nor will the Government accept them if they are made, which would jeopardise the position of labour, even to the tiniest extent. I can assure Mr. Tripathi that we do not at all intend in any way to make the position of labour worse than what it is."

That was on the 15th July when he made this statement. The hon. Mr. C. D. Deshmukh went further than this in the other House. Not only did he deny any intention on the part of Government to slash down the minimum wages, he even went to the extent of misleading us into the belief that reduction of minimum wages was not a part of the remedy suggested by the industry to the Government. But, as the Report of the official team itself reveals, it was as a matter of fact precisely one of the main demands of the industry before the Government. They came almost with pistol in hand pointed to the Government and said, either reduce the export duty or reduce the minimum wages. The Government were not agreeable to reducing the export duty; they were not willing to subsidise minimum wages or to undergo any sacrifice with regard to their finances. So, it was ultimately labour which had to suffer, but the official team was handicapped in openly making that recommendation against the clear-cut categorical assurances which were held out by the hon. Ministers and they therefore only contented themselves by giving a sort of tip to the industry what to do in the matter. The industry was directed in effect not to bother the Central Government about this matter and go to the States and approach the State Governments under the provisions of the Minimum Wages Act and get the wages reduced. The hon. Minister was perhaps reading—I am not sure whether he was actually reading—but he referred to one of the reports, made by the Secretary about the so-called 'reasonableness' of the leadership of the INTUC in the matter of demands of labour in tea-estates. I cannot speak for that organisation. Our hon. friends, Mr. Harihar Nath Shastri and Mr. Khandubhai Desai will take care of that. But, I am aware of the fact, and I can assert that with all the sense of responsibility that I can command there was at least one gentleman of the INTUC, Mr. K. P. Tripathi, who fought for the cause of labour, in this House and out and fought against the reduction of the threatened minimum wages to the best of his capacity. I am not in a

position to place all the correspondence that he had with the Government and with the hon. the Finance Minister in this matter, but I have had the opportunity of going through that correspondence and I have also had the opportunity of listening to the various speeches that were made by the hon. Ministers at different times on the matter. I am convinced that Government clearly wanted the minimum wages to be reduced, from the very beginning which they brought about in the end in a round about way.

I tried to raise this question in this House in the course of an adjournment motion which you were pleased to rule out owing to technical reasons. But the hon. the Commerce and Industry Minister made a statement with regard to the minimum wages at that time and that statement more or less reveals clearly the mind of the Government with regard to this question. He said in the course of his statement:

"I may also mention that the action taken by these Governments (that is by the Provincial Governments) in terms of the Minimum Wages Act has resulted in arresting the closure of the estates."

In other words it means that the Government at least accepted the contention of the industry that the tea industry in view of the low prices prevailing in the London and Calcutta tea markets, it could not bear the allegedly high wage structure fixed by the Minimum Wages Act and that it was all for the better that the minimum wages were reduced.

Sir, if any evidence were needed of the intentions of Government with regard to this matter and the policy of the Government, I think this is more than enough. I have already stated that I was not able to find any single formulation of our national policy with regard to tea. The importance of tea in our national economy kept on intruding itself on the attention of our Government from time to time. We find a reference to the crisis in the tea industry in the President's Address to the joint session of this House and the other House; we find a reference to this crisis in the Budget speech of the hon. the Finance Minister. We have often heard the hon. Minister himself making a mention of this crisis, but the unfortunate fact remains that this Government never took any care. I charge this Government of having neglected to take any

care or to go into the whole question in a thorough manner. I can only trust him at his word that he would undertake some thorough-going enquiry into the cost structure of the industry and the claims of labour with regard to that industry at some future date.

The crisis has almost passed. It deserves to be enquired whether the sharp reduction in prices last year and the rise in prices since November last was in any measure due to price manipulation by very powerful British interests who dominate the industry and trade in this country and in the London market. That aspect of the matter has never been gone into. Even the official team have expressed—though they did not commit themselves—great doubts and said that it was somewhat inexplicable and the reasons given are not far from doubt. Even a Britisher himself, Sir Percival Griffiths, had occasion to comment adversely about the practices in the London market. These things have to be gone into. We are particularly concerned with the cost structure of the industry and we are not at all satisfied with the policy of Government in this regard. I personally feel that its object is more or less like what it was the other two Acts, the Tea Licensing Act and the Decontrolling Act. But at the same time when now we are going to constitute a Board, while we are entrusting this Government with so large powers, it is pertinent to ask the Government what they are going to do with this power in respect of our second biggest export industry.

Tea may not merit the name of a basic and key industry in the accepted sense of the term. But at the same time if we look at our national economy, no one can under-rate the importance of tea for our national life, for our national trade, for our national well being and for the large volume of employment it provides to our working population. We demand of the Government that they announce their policy full square before the House and let the House know how they would like to build up this industry, how they would like to control and regulate this industry.

**Mr. Deputy-Speaker:** I will call one representative from Bengal, Assam, and from South India.

I would also suggest to hon. Members when they are speaking they may also speak on any amendments in which they are interested as a part of the general discussion.

**Kumari Annie Mascarene** (Trivandrum): This Bill is a Bill for public utility regulation—regulating the tea industry. I agree with the principle of the Bill and support the Bill wholeheartedly. This is the first time that Government has interfered in the tea industry by way of regulation. We have seen that industries when they get out of control by misuse of competition, monopoly and profiteering, Government have stepped in, not to take up the industry or nationalise it, but to regulate the production and distribution.

The Tea Bill has emerged from the Select Committee with a few changes, a few touches here and there, displaying a graceful figure, but maintaining the framework and the subtle features intact. Though belated this is a welcome measure. As clause 48 puts it the Central Government can “suspend or relax to a specified extent either indefinitely or for such period.....the operation of all or any of the provisions of this Act” as circumstances demand. This Bill is calculated to control the fluctuations in the international market (where the forces of demand and supply have stabilised the prices) which go against our interest, our production and distribution. During the last fifty years we have been caught twice in the adverse currents and had almost sunk to the very depths. There are provisions in this Bill which, if carried out in the spirit in which they are framed, are bound to remedy the evils and maintain our position, our credit and our dignity in the commercial transactions. It will also help in maintaining an equitable balance between capital and labour, between the quality and quantity of the commodity produced, and in maintaining the balance between demand and supply so as to ensure a fair level of prices.

The interference of Government in this economic activity of the tea industry as initiated by this regulation is justified by the provisions of this Bill, especially clause 2 which declares that such interference or control is “expedient in the public interest.” It is with regard to this clause that there had been differences of opinion even among the members of the Congress Party. Tea is an agricultural industry and as such its control is a State subject and the Centre need not have interfered in this matter—that has been the opinion of some of the Members opposite. But I disagree on this.

**Shri A. M. Thomas** (Ernakulam): Who put forward that opinion?

**Kumari Annie Mascarene:** Should I mention the name, Sir? Not in the House; I said opinion on the other side; I did not say opinion expressed in the House. For instance, Mr. Thomas himself has a difference of opinion. Even this Mr. Thomas and the other Mr. Thomas have talked to me on the subject.

**Shri A. M. Thomas:** That the State ought to take up this matter?

**Kumari Annie Mascarene:** No. As an agricultural industry it should be more a State matter than a matter for Central legislation.

**Shri A. M. Thomas:** I deny.

**Kumari Annie Mascarene:** You are not the only Thomas. Why do you doubt? You are a doubting Thomas!

**Mr. Deputy-Speaker:** Now all are agreed.

**Kumari Annie Mascarene:** With regard to that question I submit that there are certain legislations which are called intra-State legislations and others which are called inter-State legislations.

**An Hon. Member:** The question has not been raised in the House.

**Kumari Annie Mascarene:** I am submitting it, I said. In regard to intra-State legislation the State can control and regulate within the State. But the tea industry cannot be controlled in that manner because in respect of tea the production is within the State, but the distribution is without the State and the consumption is also without the State. Therefore some kind of inter-State legislation is required to control this industry and prevent it from deteriorating.

In this matter we are not the only State that has undertaken legislation to control the industry. It is commonplace in the economic development of other civilised countries like America with its federal regulations of business corporations, anti-trust laws and instruments of control and regulation of prices, etc.; and in Soviet Russia starting with the foreign trade monopoly legislation in 1918 and culminating in the present-day planned economy giving rise to the monopoly of foreign trade; and coming to United Kingdom starting with her free trade policy, going through her Imperial Preference she has blundered into the Anglo-American Trade Agreement of 1938 and today she is striving for economic independence. But we on the other hand had just taken the

matter hot and the hon. Minister for Industry and Commerce had risen equal to the occasion in bringing a legislation of this kind so as to avoid a crisis in our tea industry.

It had been the experience of this industry to thrive during a period of inflation following the war. In normal times this industry had risen in the cost of production, and had fallen in the competition of international trade. At this juncture, I regret to point out, our Trade Commissioners have not risen equal to the occasion in warning the Government as well as the producers in time to resort to measures to stem the tide.

The other day I pointed out to the Minister that part (m) of clause 3, as the Minister had explained, did not refer to Trade Commissions but there is a sentence like "pursuant to any international agreement." What I meant was that with regard to international trade the one person to interfere in this is the Trade Commissioner in London, and if I remember aright he is in the Board also. He has so far not done anything for the tea industry in India. I referred this to the hon. Minister and asked him whether there is any explanation. I submit that there is nothing in this Bill to demand that the Trade Commissioner will resort to any measures regarding our interests in London.

These abnormal conditions are brought about by monopolists and profiteering businessmen. And that is why they are very particular about the question of labour. I agree with the speaker who spoke just before me with regard to the conditions of labour. There is nothing in this Bill with regard to living wages. The clause says that in the constitution of the Board the persons employed in the industry will be there. But we have not got any specific reference to labour, whether they will be blenders or labour in the field or trade union workers as a whole. I wish the Minister to introduce some specific provision so as to ensure that the interests of labour will be safeguarded in this industry.

Clauses 4, 10 and 30 of the Bill remedy the evils. The constitution and functions of the Tea Board with a price level fixed by Government together with the provisions to issue licences will control the development and export of tea. Generally speaking, authoritarian price control is characteristic of war-time economics. But in this case we have resorted to this legislation because of the depression of the trade.

Then, I will come to the industry which is in foreign hands. In my State about 80 per cent. of the tea industry is in European hands. The Kannan Devan Co. is almost a foreign pocket in Travancore. They had renewed their lease during the last two years for another 99 years. That means they are there for more than a century. Compared to the money they have invested, they have reaped much more than their capital and interest. Today they are wielding such influence, political, economic and social, in Travancore that they are becoming more or less a foreign element in Travancore.

**Shri Achuthan (Cranganur):** What is the social purpose?

**Kumari Annie Mascarene:** They are getting so many Tamils under their control. The coolies are generally Tamilians and there are lakhs of people who will act according to their European commander and we have seen the results in the last general elections. The duty of the Government is to relieve these foreigners of their economic interests in India and with these few words, I support the Bill.

**Shri Sarmah (Goalghat-Jorhat):** I welcome the Bill. It has come at a most opportune time, coming as it does in the wake of the recent crisis. The recent crisis or sharp recession of price, or whatever you may call it, was, I maintain, partially man-made and partially due to certain world conditions. It is very much to be desired that our Government would even now, or hereafter at their leisure, would try to research into the causes that led to this sharp recession of price last year. The crisis that came into the industry caused great hardships undoubtedly. We should take a lesson from it. It gave a great shake-up. From this, the owners of the tea gardens, particularly the Indian Section should know that the winter comes and they have to make provision for that. I would also remind our Indian planters that if they could lean on their European colleagues to a very considerable extent till August 1947 because the interests of the European planters and those of our Indians were almost on the same footing. But After 1947, when the Government of India used to reap financial benefit to the tune of round about Rs. ten crores annually and the British Food Ministry had to subsidise their own tea consumers to the extent of about 17 million pounds sterling, annually, naturally the Britishers looked after their interests and our Indian

[Shri Sarmah]

friends found that they can no longer depend on them. Let us hope that Indian owners will learn the lesson and try to arrange matters for themselves.

Then, before the crisis we found that the Government was not mindful of the conditions obtaining in this industry except collecting taxes but when the crisis came, everybody approached the Government for this help and that help and Government found that it cannot, as it did in the past, stand aloof and be an onlooker. The Government were obliged to accept certain commitments. They had to come to the help of the growers by underwriting bank guarantee. But the most critical lesson was learnt by the labourers. They found that at the time of crisis, they can hardly look to anyone except a few INTUC workers.

The other day, when Mr. A. V. Thomas made his opening speech, I was listening to him with attention and I heard as if a typical tea planter from anywhere in India was talking. Mr. Thomas was saying that "when the industry cried for bread, what was given was stone. That was how the industry was treated." If the planters complain like that, I do not know what is left for the labourers to say. I am not a spokesman for the Government. The Commerce and Industry Minister can very well look after himself. I would only say that the hon. Minister for Labour and the hon. Minister for Commerce and Industry gave assurances that there will be no reduction in labour wages. Shri Tridib Kumar Chaudhuri who spoke before me also mentioned this. Hon. Shri Giri stated on the floor of the House that at the tripartite conference held in Calcutta recently, an assurance was given by the employers that they would not disturb the wages, at any rate, without consulting the various interests and without consulting the Government. But here comes the press communiqué from the Assam Government and a similar one from the Bengal Government. A Gazette Extraordinary said:

"There will be no issue of food-stuffs at concessional rates and cash compensation as such in lieu thereof will be payable to workers."

I have to explain a little so that hon. Members who have not studied the position of the labourers in the tea industry may know what it means. Wage in the tea industry is extremely low and even in wartime conditions, the industry was not prepared to pay adequate wage. They came by the

back door to exploit the labourers. Foodstuffs like rice, oil, dal, salt, etc., were given at concessional rates in lieu of increment in cash wage. When the tea prices came down in the market some marginal tea estates at once closed down. Even after the tripartite conference in Calcutta, some gardens were closed down and the Government of Assam and Bengal, presumably with the concurrence of the Government of India, stopped those food concessions which were given as a part of the wage. The effect of this press communiqué was this. The wage of an adult tea labourer including foodstuff concessions comes to approximately Rs. 1-13-0 for males whereas average wage of an ordinary day labourer in these years is round about Rs. 2 and out of this Rs. 1-13-0 per diem, Re. 0-11-0 was knocked out, being the foodstuff concession. And Mr. A. V. Thomas says that in place of food, stone was given.

Now, to enable one to understand and criticise the Bill in a constructive spirit certain features of the tea industry have to be clearly borne in mind. The hon. lady Member who spoke before me appropriately said that it is an industrial agriculture or an agricultural industry. For income-tax purposes, 40 per cent. of the industry is taken as agriculture, and 60 per cent. as industry. Then, it employs a large number of human labour, a considerably large number for the agricultural aspect.

Then again it is to be remembered that 80 per cent. of the industry, roughly speaking, is in the hands of the Europeans. Moreover in this industry, about 50 times of the original capital has been taken back in dividends by the owners of the old big tea estates. Those companies who invested say one lakh,—this is by way of illustration—got back Rs. 50 lakhs.

**Shri A. V. Thomas (Srivaikuntam):** Are you talking from facts or imagination?

**Mr. Deputy-Speaker:** He is talking from his experience in Assam.

**Shri Sarmah:** Mr. Thomas is a tea planter and he knows everything from the tea planter's point of view. In all humility I claim to know the industry in all its aspect of land, labour and capital. I happened to be a Member of the Tea Labour Enquiry Committee appointed by the Government of Assam and I was the representative of the Assam Legislative Assembly in the Committee. At one moment when I was drawing out a

balance sheet of the starting company in a particular Tea Estate, unfortunately the Chairman found that the cat is coming out of the bag and the Committee was asked to stop work, soon thereafter the war came. And we were nowhere in the picture. I am prepared to join issue with Mr. Thomas in every aspect of the matter. I am repeating, at the modest estimate, the early owners of the industry, particularly in the Assam zone, the biggest growers of tea, have taken back at least 50 times of their capital. Where one lakh was invested, at least 50 lakhs have been taken back by them. This does not apply to the adventures who took to the tea industry for quick profit. Some people made huge money overnight during war time and purchased tea gardens at an overcapitalised value. For instance a tea garden worth ten lakhs was purchased for 30 lakhs, by Marwari war profiteers. When the crisis came, they were the first people to close down. In one case a concern consisting of several gardens was purchased for Rs. 90 lakhs by a rich person from Calcutta in 1950 December,—I speak from memory about the date. He closed it down leaving about 17,000 labourers overnight on the street. He purchased the garden at an overcapitalised value; when the price recession came, he found that he could not carry on. He had European employees under him. The proprietor carried on his other concerns all right. He shut down five estates within my constituency and 17,000 labourers faced starvation. That is how a section of the Indian tea planters behave in Assam; not all; I refer only to the profit seeking industrial adventurers.

I submit, that although it has been said that the Europeans have a stranglehold over the tea industry—I admit it is so—I am constrained to say that in our part of the country, the European tea planters behave in a way to which, taking everything into consideration, one cannot take much exception. Of course, I yield to none that the entire trade and commerce and industry of the country should be in Indian hands and should be exploited to the advantage of the Indians. We have been under the British rule for a long time. When the Britishers came to Assam, they took the best lands and they are having the industry in their hands. Just as in any other field, we want the entire tea industry of the country also to be in our hands. It may come in course of time. But, at the present moment, perhaps, it will be difficult and we cannot just turn out the non-Indian

interests from tea. This important aspect, which Mr. Venkataraman also brought forward in the Select Committee, taking over this industry received careful consideration. I beg to submit that we should not lightly think of taking over this industry. A huge amount of capital is sunk there. The juice has practically been squeezed out. The trouble and turmoil only is left. If somebody thinks of taking over this industry, he must first think of how to manage and make both ends meet. The agricultural section has perforce to be carried with human labour.

The hon. Minister for Commerce and Industry with great force said the other day that when the crisis came, curiously enough both the planter and labourer combined. The planters said that they would not make any sacrifice. The labourers said that they are unable to make any sacrifice. Everybody sought to place the onus of sacrifice on the Government. Might I not say in the same way that whenever the crisis comes, the Government stands aloof or get away by making airy commitments; the planters can stand aloof by saying, "we cannot run the business because we have not got the money;" but the poor labourer is unable to stand because he is poor and is in a perpetual semi-starved condition without any staying power. When crisis was on, it was stated by the Government that the Public Works Department would provide work for thrown out labourers. What did the contractors of the PWD do? Finding that the labourers were at bay, they wanted to employ them at lower wages and give them harder work. The tea garden labourers being unused to that sort of work, could not do it. The contractors had naturally to give up that idea of employing them. That was the position. Thus the poor labourers suffered the worst of the fall in tea price.

As regards the Government, I submit that they can come in to give proper help to the industry. Coal and transport are two matters of vital importance for the manufacture of tea. The landed cost of coal in the pre-war days was Re. 0-12-0 per maund or Rs. 1-2-0 per one and a half maunds. I am talking of Assam zone. Gradually the prices increased and in 1949-50, the price of coal per maund came to Rs. 1-5-0 or Rs. 2-0-0 per one and a half maunds. The present price is Rs. 3-8-0 per maund or Rs. 5-4-0 per one and a half maunds. Government can see that coal is available at a reasonable rate. The price of coal, particularly in the Assam zone has



[Shri Sarmah]

risen because coal from Ledo and Margherita is given to the Railways and the tea planters are driven, in the language of a Chairman of the zonal ITA, to the costliest dirt. We hope Government will see its way to help the industry by providing coal at reasonable rates and allowing them to take coal from the local collieries.

Another important aspect is transport. The tea industry, at one time in 1951, in Assam, had to lift rice for labourers by air from Calcutta, and the cost came to Rs. 80 per maund. The tea industry is not allowed nowadays to despatch their tea from Assam and North Bengal area by the shortest or the cheapest route. Tea from a particular station, let us take Banarhat in North Bengal to Calcutta by the all rail route via Maniharighat costs Rs. 2-4-0 per maund; by the all-rail route via Bhagalpur, it costs Rs. 2-10-0 per maund; by the route via Dubri, that is steamer, it costs Rs. 3-1-4. It makes a difference of Re. 0-5-2 via Bhagalpur and Re. 0-12-5 via Dubri, per maund. So, firstly, in respect of coal and then in respect of transport, Government can help the industry and ought to do so in view of the large amount they get as duties and taxes from it.

As regards warehousing, there is tremendous difficulty. When there were bulk purchases from the United Kingdom, tea used to be transported quickly to Britain. Now, bulk purchases from Great Britain having ceased, tea has to be dumped for a considerable time at Calcutta or in other places. There is shortage of warehouses. Due to being exposed to weather on account of this shortage the tea deteriorates in quality and the owners of the tea estates do not get an adequate price. These are the ways in which Government can and should help the industry instead of always looking to the labourers and saying that labourers take the biggest chunk of the total cost of production.

5 P.M.

Several Hon. Members rose—

Mr. Deputy-Speaker: How long will the hon. Minister take?

Shri T. T. Krishnamachari: At the most fifteen minutes.

Mr. Deputy-Speaker: We had allotted one hour for the discussion on the consideration motion. Therefore, I will call the hon. Minister straight-away, and give a chance to the hon. Members who rose now to speak during the clauses. The hon. Minister may begin.

Shri T. T. Krishnamachari: I dealt with this subject at considerable length in my opening speech the other day, and tried to anticipate the arguments that would be put forward against the Bill. I find that the expectations which I had in regard to the pattern that the debate will take have been fulfilled in an ample measure.

My hon. friend Mr. Thomas does not agree with me, but I think my hon. friend Kumari Annie Mascarene was quite right in what she said. I had no expectation that Mr. Thomas would agree. In regard to certain provisions of the Bill, he expressed his dissent to me, and I naturally expected that he would say something about it. He took the line of castigating me for being a little indiscreet in my references to planters generally and to the foreign planters in particular. My hon. friend did not perhaps note what I said. In fact, I sent a copy of my speech to every hon. Member. I thought that Mr. T. K. Chaudhuri's criticism of my speech had more or less answered the points raised by my hon. friend Mr. Thomas. There is no denying the fact that 80 per cent. of the control of the tea industry vests in the hands of foreigners. It may be, as Mr. T. K. Chaudhuri said, that one of them may not be co-operative and another may be co-operative, and this is a fact which I did recognise. Perhaps, the Chairman of the India Tea Association has been friendly. This friendliness may be due to an innate feeling of generosity or to enlightened self-interest. Either way, it does not matter. But the fact remains that these people are here in order to get a return from the tea estates. I recognise—and this is a point which Mr. T. K. Chaudhuri would not recognise—that any violent change is not going to do the tea industry any good. So, if they play fair, I do not propose to disturb them, provided they pay decent wages to labour and pay their taxes all right. They think that they act within the four corners of the law and do not hinder our arrangements for putting this industry on a sound basis, but I do not see that there is much use in telling them to go away, because I know that if for the time being they actually go away and sell their estates, they will fall into the hands of people who are much less interested in tea than they are, and it would not do the industry any good; nor the labour any good; nor the other people who are employed therein any good. I know that it is a rather difficult business from our point of view to tell a foreign interest

here bluntly what we think of it, but I thought that I have always been fairly blunt. To the extent to which I would ask them to behave and to the extent that I can indicate the amount of support I am prepared to give them, provided they behave,—to that extent, I have no reason to amend my attitude, because I think it is the fairest attitude that I can adopt towards a foreigner, consistent with my obligations towards the country which we as a Government seek to serve.

The hon. Member Mr. Thomas took exception to my criticising the speeches made by the former Chairman of the Tea Association and the present Chairman of the Coffee Board. I do feel still that the language employed, the tone employed, and the facts utilised to buttress their arguments, are neither fair to Government nor are they intrinsically correct. Every citizen in this country can play politics. He can hold any view he likes. He can criticise the Government. He can call it names. That is the inherent right of every Indian citizen. But I do not think that foreigners can afford to usurp that right in this country. I am afraid that they have to respect the Government, and if they do not do so, they will be unwise. I do not think that the support that Mr. Thomas wanted to muster on their behalf is likely to make them realize, or even make them feel more secure than would do normally. After all, their best supporters in this country are the Government, and it is best for them to convince the Government of their utility. It is purely from a utilitarian angle of view that we feel that their presence is good, provided they do not do anything which is unfair.

I do know a little more than what Mr. Thomas does about the machinations of certain individuals in this regard. They are trying to thwart all that I am doing, and I do not want to mention names. But it is a knowledge which I possess and I can share it with him in private but not in public. Therefore, it would probably be better in the interests of the European tea planters themselves to eliminate the troublesome people who are now in India, because they are not going to do them any good. That is a warning that I would like to utter from the floor of this House. I do feel that in the case of foreign interests, I have to use every forum to indicate Government's wishes in this matter, and I think I am perfectly right in doing so.

In regard to the general composition of the Board, Mr. Thomas had something to say. I can only say this. We have felt that in this case it is much better for us to nominate the various interests. Once again, I repeat that I am prepared to ask the respective interests to send me a panel of names, and if they do send me a panel of names every conceivable effort will be made to see that they are accommodated within the limits prescribed by the rules. I can only give this assurance; I cannot give any more assurance. There is no use talking about democracy. Democracy is democracy for the individual adult citizen in this country; it is not democracy for the vested interests. There is no use saying that. A group of individuals join together and form a club or association and pass a resolution. Government ignores that resolution. You at once turn round and say, "You are flouting democracy." There must be some care and caution exercised in using the word "democracy". I receive telegrams every day from every hole and corner association. Whether it is genuine or not, we do not know. The association complains that merely because it has not been consulted and some order has been passed by Government democracy has been flouted. I stopped the import of ring frames for use in the textile mills, because I found that there are enough ring frames in this country made by local factories through local labour and by the use of locally-produced iron. The textile mills write and tell me that this is undemocratic. They say that No. 3 Committee has not been constituted; that they have not been consulted; and that Government are going in an undemocratic way. I cannot understand this. I am a student of politics. I have read politics from the days of the City States in Greece. Democracy always means the will of the people. It does not mean the will of the vested interests and if the latter is the type of democracy under which we have to function, then God—if there be one—help us.

Now, once the Board has been constituted, I do propose to take it seriously. I have withdrawn Government representation. I do not want Government's voting there. The views of the Board must be expressed very clearly. It is our responsibility to accept them or not to accept them. There are certain cases in which we cannot take their advice, particularly in the matter of appointments. We give them a certain freedom in regard to certain appointments. In

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other matters, we do not take their advice. It was pointed out to me: why should the Board be consulted in the matter of export quotas? Now, that is a specialised job. That is what they are there for. They deal with exporters and we have to see that the export quotas are not misused. Naturally, therefore, when any change in the export quotas has to be made, you have to consult the Board. But in regard to normal administration, Government's voice must be final. It has to act quickly, and it has to act on its own responsibility. There is no point in shoving the responsibility on the Board and Government screening themselves behind the Board. That is why I have expressly avoided any consultation with the Board. In former times, during the British rule, the British were the rulers of this country. All these Boards were used as facades to hide the imperialist cloak under which Government was functioning. They gave some power here and there. They would be consulted, but their opinion would never be taken. On the other hand, I do want that these Boards should function as bodies with real power to control the industry, and I do not propose to interfere unless something goes wrong. I do propose also to keep in close touch with the functions of the Board. There are certain matters like appointments in which it is not good for the Board to have its own cadre. It is much better for the Government of India to spare officers of a certain cadre for servicing the Board. I remember there was formerly a Secretary of the Board. He was appointed, I do not know why. He is a good man, but he was found thoroughly inefficient. The losses of the Board were sustained because of the weakness of the Chairman, because of the weakness of the Secretary. All that the fraud that we know runs into lakhs. We do not know about the fraud about which we are unaware. That is because the officer was appointed as a man with a three year tenure. If, on the other hand, the Government of India send a certain officer and he is not found to have done his work properly he can be taken back and another officer can be sent. He has got his pension, he has got his service, he has got his Provident Fund, he has got his career to look forward to and he will certainly behave properly. By having a separate cadre for these bodies, you are really stratifying men who are employed, and I think it is only fair that the Government of India should appoint somebody from here.

So far as the smaller appointments are concerned, appointments between Rs. 350 and Rs. 1500, the Select Committee has indicated very clearly that the rules must indicate that a Member of the Union Public Service Commission or the Provincial Public Service Commission must be associated, so that it will be at least a guarantee of fair play. We are merely trying to provide checks and safeguards, not trying to take away the power of the Board, in order to prevent abuses.

I do not think there is much difference between Mr. Thomas and myself in regard to other matters except in regard to price control. There, I think I will do justice to Mr. Thomas in saying that he has not understood my scheme. I do not think it is any laughing matter. He thinks I am going to control the export price of tea. I am not. If he can sell his tea at a shilling higher in the foreign market, I shall be quite happy and it will put some more money into his pocket; it is also some exchange coming to me. I am not going to interfere in regard to export prices. Supposing there is a war, and we have to control prices, then we will have control, when there is bulk buying as in the last war. In the case of a war there might be bulk buying again and we may say that we supply equally to the belligerent and neutral countries at controlled prices. There is some such possibility. Otherwise, price control is normally intended for internal purposes. They often ask me for price support. If I am to support a minimum wage structure, I must give a price support in regard to internal consumption. It is necessary to use it for the purpose of internal consumption so that I can give price support to production. There is no intention of hampering the freedom of the tea estates to sell and obtain higher prices, but we do hope that so far as internal distribution is concerned, we will have to see if it is necessary, partly when they are asking us to accept responsibility to give a floor price, to put a floor on the prices so far as internal sales are concerned. It is only to help the industry rather than to hinder that I am bringing in this particular provision. Hon. Member will have noted that identical provisions are to be found in the Industries (Development and Regulation) Bill. I can always have recourse to the supply of Essential Goods Act, but I do not propose to use it against this industry. Hon. Member may take this assurance.

Mr. Basu spoke for the small gardens, and I myself said it is a

matter to which I am applying my mind, and I do think that ought to satisfy Mr. Basu. Mr. Chaudhuri was contrary to his usual habit of balance, and his speech today was a little more vehement than usual. I do not blame him. He represents a point of view, and he feels that labour has not been supported in this particular matter. Nobody who heard or read my speech could say that I myself felt differently, but he wants to lay the blame at the door of Government which I refuse to accept. I do maintain that I have mentioned here on the floor of this House that the Raja Ram Rao Committee will not recommend any reduction in wage and the Central Government are not inclined to recommend any reduction in the minimum wages. I still hold that view. My colleague the Finance Minister still holds that view. But if incidentally somewhere when describing a particular condition, you say what the local Governments have done seems to have produced some kind of confidence and estates have reopened, there is no use connecting two unrelated facts together and saying: "You said so-and-so the other day. Now you approve of the action of the local Government. So you are the person to blame". As a syllogism it is very imperfect. If he writes it down, he will find it is a failure as a syllogism I am sure he has studied logic, and he will find it is a badly constructed syllogism. I refuse to accept any responsibility and even countenancing or approving any reduction in the wages for labour which cannot afford any reduction, though, I do maintain, that sometimes, in the matter of negotiation, we probably have not taken advantage of the proper occasion for negotiation.

I do not propose to deal further with what he said because essentially I do not think we differ, but if he wants to blame me, let him, only I would repeat with all the emphasis at my command that he is wrong in attempting to blame the Central Government; he is wrong in even indicting the Central Government of having made a promise which they have not kept.

My friend Kumari Annie Mascarene has given a very welcome support to the Bill, and she has more or less highlighted some of the points that I have mentioned in support of the Bill. I am grateful to her. The point really is it is a very practical speech that she made, and we cannot run away from practical obstacles that stand in our way. She is quite right

in pointing out that certain of these tea plantations are almost an *imperium in imperio*. The Kanan Devan Hills Produce Co., in Travancore-Cochin practically dominate the economy of that particular area, the Munnar, and wherever you go you will find a lorry belonging to the Kanan Devan Hills Produce Co. They practically dominate the town there. And it is a fact that it is one of the big concerns, one of the big cartels—a cartel unfortunately not Indian—and all that she said is perfectly true.

**Shri Matthen** (Thiruvellah): But they play the game all right.

**Shri T. T. Krishnamachari**: A foreigner has to exhibit enlightened self-interest if he wants to remain in this country. If he does not play the game, he has no right even to stay for one day more. That is not a virtue, but it is because he knows his position. And I do want them to know that position and behave properly, and so long as they behave properly, I have no quarrel with them. But the facts cannot altogether be ignored.

Mr. Sarmah from Assam was very moderate in his criticism, such as he has to mention, but generally he gave support to the Bill, and I am also grateful to him.

I finally mention this. I do not say that this is going to be a *Magna Carta* for the underprivileged in the tea industry. It is not. I do not think I have got that ingenuity to devise a *Magna Carta*, but I do believe that this changes the trend and reverses the gear, and makes Government more directly interested in the tea industry. Government has taken certain powers which they must exercise, and we do hope, with the co-operation of all Members concerned, whatever their views may be on this particular Bill, we would be able to build up our Tea industry on a sounder footing so that we can take the shocks and cyclical changes in prices better than we have done in the last year. And I repeat once again there was 20 years of prosperity in the industry and one year or two years of adversity came and they could not bear it. It shows you cannot leave the industry to its own devices. Somebody has to interfere. I do hope that Government would have the wisdom to act correctly in this matter, to see it uses this particular Bill as an instrument for development of the industry so that all concerned, the national Exchequer, the national wealth,

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and those who are employed in the tea gardens will all benefit therefrom.

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

"That the Bill to provide for the control by the Union of the tea industry, and for that purpose to establish a Tea Board and levy a customs duty on tea exported from India, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

**Clause 2.—** (Declaration as to expediency of control by the Union)

**Mr. Deputy-Speaker:** Clause 2, amendments—Mr. Punnoose.

**Shri Punnoose:** Shall I move it now or speak on it?

**Mr. Deputy-Speaker:** There is only one amendment. He may speak on the clause and the amendment.

**Shri Punnoose:** I beg to move:

In page 1, line 14, for "take under its control" substitute "develop and regulate".

Clause 2 is 'Declaration as to expediency of control by the Union'. In order to make my position clear, it is necessary to make certain general observations. The declaration to control the tea industry by the Government of the Union is most welcome. In our opinion, it is not only a matter of control, but we want much more. The Central Government has to be in charge of the industry in order to develop the industry and also to reorganise it and make it a national asset. I have spoken these words carefully because, to my mind, in spite of the fact that the tea industry earns for us a great amount of foreign exchange, second only to jute, and the industry plays a definite role in our economy, I very much doubt whether this industry, with its record up to date, has been a national asset.

The hon. Member, Mr. A. V. Thomas from the other side spoke yesterday. I have great personal respect for Mr. Thomas. The remarkable success that he has achieved in this enterprise is something which goes to his credit. But when he spoke the other day, I was really surprised. He said: 'Why should Government intervene? Why should Government interfere? Leave the labour to us. It is our look out.' That was a very astounding statement to be made on the floor of this House in 1953. Even in countries where monopoly capital rules the roost, they do

not speak in that strain. That strain has been changed all over the world, but that a man of his realism should speak in that strain has been rather surprising to me.

**Shri A. V. Thomas:** What I really meant was to leave it to the industrialists and to the labour leaders (if I did not make myself clear).

**Shri Punnoose:** What he really means or for that matter any industrialist might mean is not to be judged by their words, but by their deeds. This industry, both foreign and national, has got a record. They cannot hide it.

Mr. Matthen, hon. Member from the other side, was interrupting the hon. Minister and saying that they had played their game—referring to the Kannan Devan Company.

**Shri Matthen:** Yes.

**Shri Punnoose:** What game does he mean? Does he mean that they have earned a lot of income? Does he mean that they have earned more than their investment and its interest? The Kannan Devan Company, to which reference was made by my friend, Kumari Annie Mascarene, has in its possession 215 square miles of the area of the Travancore State. This means one out of every 36 acres of Travancore belongs to that company. Today you can see there, big estates, magnificent buildings etc. They have got their own electrical establishment, powerful machinery etc. But a gentleman who now speaks in praise of this company's achievements must know that it is of the life-blood of our people.

In our parts there is a saying—I have heard it in my boyhood. When people go bad when young men become spendthrifts, lead a bad life, i.e. when they are on the way to ruin, old people would say: 'He is going to Medu'. 'Medu' means hills; Hills means the High Ranges where the estates are, because the way to Hills, the life in the Estates was synonymous to a life of ruin. Malaria took a heavy toll, and there was nothing that could be called human conditions of life. Even today they have got a separate domain of their own. And after all this experience, to say that these British Capital should be allowed to go scot-free and be given a certificate of merit on the floor of this House, is something really not only surprising but a little painful.

also. It is time that we take account of our investment, the investment of the Indian people, in this industry. It employs very easily a million workers. Actually the labour population is much more, because all Enquiry Committee reports say in the estates there is nearly 50 per cent. more than the working people because they have moved from their own villages, 40, 50 or 200 miles away and stay with their kith and kin in the estates. With the result that we are dealing with a big investment, from the point of view of the nation, because the nation has in view the interests of these two million people in the industry.

Then there is the crucial importance of this particular industry with regard to the States. In Assam one out of every ten people is in some way connected with the industry. In Travancore-Cochin, though very often it is being forgotten by the hon. Ministers whenever they speak here, it is a very important industry in our national life. The hon. the Finance Minister was making some reference to the tea industry in his Budget speech. I found then also that Travancore-Cochin was left out. As a matter of fact, our State has the fourth largest acreage under tea cultivation; from the point of view of production as well as the number of workers engaged, we stand third; and when Malabar also is included and the Kerala of our dream comes into being, our position will become much stronger. Therefore, this question of the tea industry has to be tackled with particular care as to the role it plays in the economy of the particular State.

Then, with regard to the British interests, I was listening to the very carefully-worded—at the same time, hard words—speech of the Minister for Commerce and Industry the other day. I wondered how he could give expression to such hard words and at the same time, look very calm. Well today also he was speaking—rather stiff to the British owners. But, without any disrespect to his person, I am inclined not to take those words at their face value. Because his Government has got an industrial policy with a history of five or six years. When the Congress people were organising the country and mobilising the masses, it had an industrial policy; it used to shout against the British capital. But you will see that consistently that stand has been watered down. That attitude of hostility has been mitigated

slowly. First it became one of neutrality, then it became an attitude of toleration, then it developed into an attitude of invitation and today, they are in perfect love! Therefore, when the Minister of Commerce and Industry stands up and says that he is going to have some stiff attitude to the British capitalists, I am rather sceptical about it.

I am a little more amused when the Minister says that we suffer all this exploitation, we allow the President of a particular European Association of Planters a gentleman from Europe, to abuse us because we are democrats. It was reminiscent of Shylock's famous words: 'Sufferece is? the badge of our tribe'. The hon. Minister wants us to believe that sufferece is the badge of his democratic tribe. It seems democracy has to be redefined. If it was the intention of the Congress Party and the Congress Government to implement the democratic desire of the people of this country, I am quite sure they should have taken charge of this industry in which foreign elements have been working ruin and havoc on the people. Having given them all the latitude, now they come to a stage when they themselves have to complain at times.

Now, looking at the Bill as a whole, I do not think there is any intention of controlling the industry or protecting it from the onslaught of British monopoly. This industry, at every stage, is controlled and managed by foreigners; be it at the cultivation stage, or the manufacturing stage or the export stage. At every stage, big foreign capital controls it. Therefore, simply to say that we are going to control it from tomorrow is only to express a desire; you cannot tackle the question in that way. If the hon. Minister says that he is going to bargain hard with the foreign interests I can understand it. Now, what they are doing is, they are going to strike a bargain with the British elements, because he has found out a rather reasonable gentleman in the new President. They have met and they have begun to love each other. It is an instance of love at first sight. They have already compromised. What was the quarrel between the Government and the European planters? The other day, the Minister was saying that labour leaders have been letting down the interests of labour. The fact was that the British industrialists definitely wanted and they persistently demanded that the export duty on tea should be lifted. Government knows where the shoe pinches. They

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opposed it and we winked at the other end. They said let us unite together and deprive the worker of his meagre rights. It came to that. Of course, promises were given on the floor of this House and in statements but they were forgotten and, at the last moment, 20 to 25 per cent. of the wages of the worker has been reduced. Even at this moment, when we discuss the Bill here, in our high ranges in Travancore-Cochin, ordinary normal trade union activity has been banned—not by a written law but by an unwritten law. They would not allow Trade Union workers to enter the estates. They will set up goonda organisations to beat up the workers who take part in union activity. The Police and other local officers are there at their beck and call. Today we are discussing a Bill by which, we are told, we are going to give greater facilities and amenities to the workers. The fact is, if we want to control this industry, you have to take a very definite stand and you cannot play with it. If these foreign elements have invested money in this land, they have taken much more than their due. Is it not time for us to say that we will take charge of this industry in which so much of our human resources have been invested? Are the Government prepared to take that definite attitude, is the question? If this Government is not prepared to take it, some Government at some date will have to take up that position, without which we cannot have any change in the condition in which we are finding ourselves today. This does not mean that I do not attach any importance to the Bill. The Bill is important because it is the result of certain forces that have been working for long years past. Though still not completely united, though to a certain extent torn by internal disunity, still the working classes in the estates are slowly and steadily coming to their own. Secondly, public opinion in this country has been reacting in a way that has induced the Government to take up this position. In our parts it was a definite slogan of the masses, 'nationalise the Kanan Devon Company'. That was one of the definite objectives of the national movement, so that in 1946, on the eve of the first General Election in our State, I remember an occasion when somebody from the audience at a Congress meeting stood up and asked a Congress leader, 'Suppose you take up the reins of Government, will you nationalise the Kanan Devon Company?' He replied: Not only will the Kanan Devon

Company be nationalised, but the Krishnan Devon Company will also be nationalised. But the fact is that not only the Kanan Devon Company, but the Krishnan Devon Company and the Rama Devon Company are all remaining as of old. Public opinion has been clear and definite. The voice of organised labour, the strength of public opinion and all other forces have influenced in bringing this Bill, in the shaping of this Bill. Therefore, we look upon it as an important piece of legislation and we are prepared to support it as far as it goes.

There is the question of the Indian industrialists. With regard to the Indian industrialists, I am afraid, I have to point out one thing. We should expect from the Indian industrialists, our own nationals, who come into this industry, something more than merely making a profit. At the present moment, their record is not very enviable. If Mr. Thomas or anybody would go and sound the opinion of the general masses of workers, he will hear, as I have heard them very often saying, 'after all the Europeans were better' because, the Indian industrialists, born in conditions of colonial slavery, while looking up with jealousy to their British counterparts view with trembling the movement of the workers. These men with feudal bias are sometimes harder to deal with than the British. That attitude has to be changed and the Indian tea planters must take an attitude that would be conducive to the development of this industry in the interests of the nation. They must realise that their future lies in their capacity to mobilise the Indian opinion in their favour. That is what I want to impress upon the Indian industrialists who are today talking of this Bill.

There is the question of marginal and sub-marginal gardens. The Government Report, I mean the Raja Ram Rao Committee report, says that every estate which is at least of 300 acres is economic. If there are Indian estates whose acreage is less than that—and in our State there are many such—Government have to be particularly careful to keep them going. Their difficulty is in the matter of capital. They do not get cheap capital as the big British interests do. Government may have to help them with subsidies to reorganise their business.

Another particular handicap is that even though this industry is hundred years old, there are very few Indian manufacturing experts. I am told that there is not even one Indian who has

learnt whole of the manufacturing side. It has been kept a closed secret. In order to develop this industry on a national scale and national footing, we want several of our people to have a full knowledge of the technique of manufacture. In this line if the British do not help us, we can take the aid of Ceylon and other countries and get the personnel necessary for it.

Another wrong policy that Indian industrialists have been following in the past is that they have failed to build up the necessary reserve. It is a fact that has to be reckoned with and under this measure Government has the power, and Government will have the obligation to make them do this.

Then, I come to the question of exports. We know that 80 per cent. of our tea is exported to the U.K. Looking into the figures published in the Journal of Industry and Commerce which gives the figures of exports from 1947 to 1953, we find that at one time in 1948-49 the total quantity of tea exported was 450.66 million pounds. There we find the names of USSR, Turkey and other countries. But when we come to 1951-52 we find that more and more has been sent to U.K. and our other markets have been shrinking. Both the Raja Rao Committee as well as other reports say that we can expand our markets in Egypt, Iran, USSR and other countries. But the hold of British capital on this industry has been working in a way fatal to our export trade. Then there is the question of labour as well.

**Mr. Deputy-Speaker:** The hon. Member is speaking on the entire Bill on an amendment to a particular clause.

**Shri Punnoose:** May I remind you of the promise you made?

**Mr. Deputy-Speaker:** If the clauses get through today he can speak generally on all these matters tomorrow. There will be three hours for that. I do not mean that he should start again from where he started today, if gets a chance. I shall now put this clause. I also find that his amendment is out of order for the reason that either as an industry or as agriculture it is a State subject under Item 52 of the Seventh Schedule in the Union List. When it is declared that it is expedient to take it under control can the Central Government legislate?

**Shri K. K. Basu:** The words used are "the control of which by the Union is declared by Parliament by law." This is the law of Parliament.

**Mr. Deputy-Speaker:** This is exactly what is copied in clause 2. Unless there is such a declaration we have no right to legislate. The hon. Member by his amendment is trying to strike at the very root of this Bill by not allowing a declaration to be made that control is necessary.

**Shri K. K. Basu:** Here we are discussing a law to be enacted by Parliament. Parliament in its wisdom decides that this is an industry which is to be regulated and developed. It is not that we are going to have separate legislation for this.

**Mr. Deputy-Speaker:** First of all Parliament must make up its mind and declare that this is a subject which they should take under their control. What is the kind of control is another matter which can be regulated later on. Therefore to interfere with this clause is to strike at the root of our jurisdiction.

Anyhow what has the hon. Minister to say?

**Shri T. T. Krishnamachari:** The Chair's stand is quite right. I have no option at all except to use the words of Item 52 of List 1 of Seventh Schedule. I cannot use any other words.

**Mr. Deputy-Speaker:** Is he in favour of this amendment?

**Shri Punnoose:** I have not finished.

**Shri Damodara Menon (Kozhikode):** Mr. Punnoose was going into a general discussion. Am I to understand that such a kind of general discussion will be allowed at the third reading tomorrow?

**Mr. Deputy-Speaker:** Yes.

**Shri Punnoose:** Sir, I have only one point to say. When Government take control of this industry they should take responsibility for the labour as well. The history in the past is that the Central Government through its Ministers make certain statements of good intention regarding labour. Then the State Governments begin playing their own part with the result that labour goes empty-handed. If the Central Government take control of the tea industry, they must naturally and logically take the responsibility towards labour also. We should not allow the Minimum Wages Act, the Plantation Labour Act, etc., to be handed by the State Governments in the way in which they are doing. So far as my State is concerned, I can say that neither of these Acts is being



[Shri Punnoose]

implemented there. The implementation of the Minimum Wages Act is in a state of consultation between the management and Government. We shall make such amendments in this Bill that will empower the Government of India to discharge its responsibility to labour.

**Mr. Deputy-Speaker:** Amendment moved:

In page 1, line 14 for "take under its control" substitute "develop and regulate".

**Shri T. T. Krishnamachari:** There is nothing for me to say. The hon. Member touched upon the question of labour. He forgets that labour happens to be in the Concurrent List. We cannot by any declaration prevent a State from interfering. They are there on the spot. All that we can do in regard to a subject on the Concurrent List is that we can legislate. The executive power is still vested in the State Government. The mere fact that we put in a provision here would not give us that power, because, the Constitution is paramount.

**Mr. Deputy-Speaker:** Whenever any particular legislation regarding an item in the Concurrent List is not satisfactory, hon. Members can come to this House and get legislation passed which will have the effect of superseding that legislation.

The question is:

In page 1, line 14, for "take under its control" substitute "develop and regulate".

The motion was 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.—(Definitions)**

**Shri T. T. Krishnamachari:** I beg to move:

In page 2, lines 25 and 27, for "Theasinensis" substitute "Camellia Sinensis (L) O. Kuntze".

The real point is—I am not an expert—we had some difficulty in regard to the definition of 'tea' even

in the Select Committee and we ultimately came to the definition that is now used. But I am advised by the Agricultural Commissioner, Dr. Uppal that the botanical name for Indian tea plant in vogue is *Camellia Sinensis*. That is Latin. *Theasinensis* is the Chinese tea. And this term has been used in the latest International Tea Agreement. He therefore suggested that this term might be substituted for *Theasinensis*. I felt that there would be no serious objection to calling tea by any name so long as it is tea.

**Mr. Deputy-Speaker:** Why should it not be called by both the names, *alias* such and such?

**Shri T. T. Krishnamachari:** *Theasinensis* is used for Chinese tea which is the original tea. The botanical name for the Indian variety, I am advised, is *Camellia Sinensis*.

**Mr. Deputy-Speaker:** Therefore to avoid escape from the one to the other...

**Shri T. T. Krishnamachari:** And in the International Tea Agreement so far as tea is concerned—because Chinese tea does not figure in it—the term *Camellia Sinensis* has been used. I am therefore advised that this term might be used.

**Dr. M. M. Das:** On a point of clarification. May I know why in the definition of 'tea seed' in the next part (o) the same thing is not used?

**Shri T. T. Krishnamachari:** I am very grateful to the hon. Member for pointing this out. I should like to include that also.

**Mr. Deputy-Speaker:** Wherever it occurs.

**Shri T. T. Krishnamachari:** With your permission, Sir, I shall modify the amendment as follows:

In page 2, lines 25, 27 and 29, for "Theasinensis" substitute "Camellia Sinensis (L) O. Kuntze".

**Shri U. M. Trivedi (Chittor) rose—**

**Mr. Deputy-Speaker:** Does he want to speak on the Bill?

**Shri U. M. Trivedi:** Not on the Bill, on this amendment.

**Mr. Deputy-Speaker:** Very well. Amendment moved:

In page 2, lines 25, 27 and 29, for "Theasinensis" substitute "Camellia Sinensis (L) O., Kuntze".

**Shri U. M. Trivedi:** The difficulty is this that whoever advised the hon. Minister must have either forgotten his botany or knew very little of it. The name Theasinensis is a name originally given in the year 1753 by a wrong analysis of the genus. It was later on thought that Thea was merely the species and the genus was Camellia, and when the genus was developed it was called Camellia Thea. It was further found that that also would not fit in, and it was found that we had in India two different varieties known as Viridis and Bohea. The third is Stricta. The names would be Camellia Thea Viridis, Camellia Thea Bohea and Camellia Thea Stricta. I do not know who gave this advice of putting the name of Camellia Sinensis. Perhaps the hon. Minister does not know the significance of the letter 'L' put there. That stands for Linnaeus, the botanical author who gave his name to Camellia Sinensis, and there was the German author O. Kuntze. All these things have been put together unnecessarily with the result that we will look ridiculous and people who know botany will laugh at us. He must consult proper people. I have studied botany 24 years ago. I do not remember all this now. But I am giving this indication. But whatever I have told him is a potent fact, not that it contains anything wrong, but there may be something more than what I have said. He must consult the proper people and put the correct name at least for the sake of showing to the world at large that we Members of Parliament are not mere ignoramuses and know these things well. Under these circumstances I would request him to consider the name carefully before he suggests it. If he wants to stick to the two varieties which are known as black tea and green tea, they are Camellia Thea Viridis and Camellia Thea Bohea, and, if you want to add the third one also, Camellia Thea Stricta. But then he cannot substitute it by the name Camellia Sinensis. Camellia Sinensis is no indication of any particular variety of tea. It is the general name which is given to the genus Sinensis is not a species. It is the general indicative term for the genus. The species is different. Apart from this.....

**Mr. Deputy-Speaker:** This seems to be in the Agreement. If it is different from whatever name is given in the International Trade Agreement, they will not purchase!

**Shri U. M. Trivedi:** I do not know. The Minister has not indicated this, that he has borrowed this from the International Trade Agreement. If a mistake has been made, let us continue it. But we are learned enough to see that this is not the term.

The next point I want to point out in clause 3 is this: I do not know what is the meaning of this definition 'owner' in part (k). 'Owner' with reference to a tea estate or garden or a sub-division thereof the possession of which has been transferred by lease, mortgage or otherwise, means the transferee so long as his right to possession subsists. This is the definition given in (k) (i). I have read both (i) and (ii). I find that the real owner is no longer the owner and under this it means, that when a man transfers or leases it out the man to whom it is transferred or leased out becomes an owner. This is a wonderful definition! The owner or proprietor of the tea estate is not an owner! But if he transfers it or leases it out to somebody the other man becomes an owner! Why? The man who owns the estate is also an owner!

**Mr. Deputy-Speaker:** The hon. Member forgets that under item (j) of part (k), in the case of lease, where a lease has been effected, the lessee mortgagee or the other person in possession will be treated as owner.

**Shri U. M. Trivedi:** What this (k) (i) says is that only one who has got the proprietorship transferred by lease, mortgage or otherwise is an owner.

**Mr. Deputy-Speaker:** What it says is "with reference to a tea estate or garden or a sub-division thereof the possession of which has been transferred by lease, mortgage or otherwise"—that is a condition precedent. If there is already a lease, the lessee (and not the man who sits at home and has transferred it by lease) that is, the man actually enjoying the lease, will be the owner.

**Shri U. M. Trivedi:** There might still be owners having their own estates, proprietors.

**Mr. Deputy-Speaker:** Owner is always an owner. If he has transferred it by way of mortgage or lease, there is no good looking to the owner who sits at home.

**Shri T. T. Krishnamachari:** Sir, both in the Tea Licensing Act and the

[Shri T. T. Krishnamachari]

original Tea Control Act this has been the definition.

**Mr. Deputy-Speaker:** The lessee or the mortgagee will be treated to be the owner.

**Pandit Thakur Das Bhargava (Gurgaon):** Agents also became owners under definition (k) (ii).

**Shri U. M. Trivedi:** Sir, what has fallen from your mouth is very wise. But what has been stated here is an exclusive term. If you say an "owner" should also include this, that is different.

**Mr. Deputy-Speaker:** It is all right. "Owner" means a lessee or mortgagee.

**Shri U. M. Trivedi:** It does not mean the owner? I must respectfully submit...

**Pandit Thakur Das Bhargava:** With reference to certain things an agent is an "owner".

**Shri U. M. Trivedi:** Sir, my friend is a learned lawyer. I know it. But let me tell him that we, small fry, also can give some indication.

**Mr. Deputy-Speaker:** Nobody disputes. Small fry can do much more work than a big fry!

**Shri U. M. Trivedi:** If you want to describe an owner do not give this definition. You can have it like this, that "owner" shall also include these.

**Mr. Deputy-Speaker:** That is another matter.

**Shri U. M. Trivedi:** Here you have dropped the owner absolutely and only these people are owners. Because of the definition only the transferee or the lessee shall be an "owner". Under (k) (ii) if an agent is employed, he shall be an "owner". That is all right.

**Mr. Deputy-Speaker:** Who is an "owner" with respect to an estate which has been leased?

**Shri T. T. Krishnamachari:** May I submit, Sir, that there is no amendment before the House?

**Mr. Deputy-Speaker:** The hon. Member can always exercise his right to speak on the clause.

**Shri T. T. Krishnamachari:** As I said, identical definitions were used in the original Act, the Tea Licensing Act and the Tea Control Act

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**Shri U. M. Trivedi:** I did not mean to say that the Minister did not look into it. I say that by some circumstances you have escaped the definition

'owner' and you have defined it in such a manner that you have excluded the real owner and only the lessee or the sub-lessee becomes the owner. It is possible—I agree with Mr. Damodaran—that what I am saying may be quite wrong but I would ask him to read it again. Where is the owner, the real owner, whosoever owns this. The learned Chair agreed with it, the Minister agrees with it but I do not find it here. Whenever there is an exclusive Act it always excludes all other definitions of ownership and the Transfer of Property Act could not be of any use to us. Therefore, I submit that in this case either a new clause may be added that an owner means an owner and shall also mean these.....

**Dr. M. M. Das rose—**

**Mr. Deputy-Speaker:** Does the hon. Member want to speak on the amendment? Owner need not be defined.

**Dr. M. M. Das:** I want to speak on the definition.

**Mr. Deputy-Speaker:** Is it necessary to speak on the amendment?

**Dr. M. M. Das:** It is only a clarification. I find that the definition of the word 'tea' has been changed a little in the report of the Select Committee and the words "excluding tea waste" have been omitted. It is a serious omission. There is a line of demarcation between 'tea' and 'tea waste'. Unless both the terms are defined properly, it will be very difficult to collect export duty, because we export both tea and tea waste but the definition of tea is there. We did not define tea waste. I do not know what is the exact purpose of the Select Committee in omitting these three words "excluding tea waste".

**Shri T. T. Krishnamachari:** In regard to this definition, I am sorry I had not included both (n) and (o) in my amendment. The amendment may be modified as I have already indicated.

In regard to the comment made by Mr. Trivedi, I admit I am not a botanist. In fact I have done various things in my life. It is one of the things which I have not been able to do but I am afraid I must depend upon some expert that we have. Maybe he may not be as clever a botanist as my hon. friend would expect but the Agricultural Commissioner, Dr. Uppal, has botanical qualifications. I am afraid we must depend upon his advice because it is the only advice that Government can have. If Government looks small because of any mistake

that we make on this account. I am afraid I have to take the responsibility.

In regard to the exclusion of tea waste, this is one of the matters on which the Select Committee did bestow a lot of time and attention and we had the benefit of the advice of the excise authorities also. After considering all the pros and cons we felt that the exclusion of it will serve the purpose better than inclusion of it which will cause a sort of confusion and the elimination of the words "tea waste" has been done advisedly and not merely from the point of view of the elegance of language. I am satisfied that the administration would not be very difficult because of the elimination of these words.

**Pandit Thakurdas Bhargava:** May I suggest that we wait so far as the definition is concerned. It is not dignified for us to agree to a definition of which we are not sure. We are not sure whether this is accurate or not. By tomorrow the Minister may find out this.

**Shri T. T. Krishnamachari:** There is no point in this. Even tomorrow I will have to come and repeat the same thing. I am not going around to ask somebody else about the correct definition. I have asked the Agricultural Commissioner and he is a qualified man. I must depend upon his word. I do not propose to go round and ask somebody else about this. This is the word we have used in the International Tea Agreement and I am confident that will be all right.

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

In page 2, lines 25, 27 and 29, for "Theasinensis" substitute "Camellia Sinensis (L) O. Kuntze".

The motion was adopted.

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

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill

**Clause 4.- (Establishment and Constitution of the Tea Board)**

**Shri A. M. Thomas:** I beg to move:

In page 2 for lines 41 to 43, and in page 3, for lines 1 to 22, substitute:

"(3) The Board shall consist of a Chairman nominated by the Central Government and the following members not exceeding forty,—

- (a) five persons from Assam to be nominated by such bodies and in such manner as may be prescribed;
  - (b) three persons from West Bengal to be nominated by such bodies and in such manner as may be prescribed;
  - (c) two persons from Madras to be nominated by such bodies and in such manner as may be prescribed;
  - (d) two persons from Travancore-Cochin to be nominated by such bodies and in such manner as may be prescribed;
  - (e) two persons from the House of the People to be elected by the members of that House in such manner as may be prescribed;
  - (f) one person from the Council of States to be elected by the members of that House in such manner as may be prescribed.
  - (g) one each, from each of the States of Assam, Tripura, West Bengal, Madras, Travancore-Cochin, Mysore, Uttar Pradesh and East Punjab to be nominated by the respective State Government;
  - (h) four officials to be nominated by the Central Government; and
  - (i) such other persons to be nominated by Central Government which in its opinion will represent labourers, manufacturers of tea, dealers including both exporters and internal traders of tea and consumers.
- (4) Every nomination shall be notified in the official gazette; and the notification shall specify the term, not exceeding three years, for which the members shall hold office and the date from which such terms shall commence.
- (5) When the term of office of a member expires or is about to expire by efflux of time, or when a member dies, resigns, is removed, ceases to reside in India, or becomes incapable of acting, the body or Government which nominated him may nominate a person to fill the vacancy which has arisen or is about to arise as the case may be.

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(6) If any body, or any Government other than the Central Government fails to make any nomination which it is entitled to make under sub-section (3) the Central Government may itself make the nomination and any person so nominated shall, for all the purposes of the Act, be deemed to have been nominated by the body or Government concerned."

**Shri C. R. Chowdary** (Narasaraopet): I beg to move:

In page 3, line 1, after "who are" insert "citizens of India and".

**Shri T. K. Chaudhuri**: I beg to move:

(i) In page 3, line 3, after "owners of" insert "Indian owned"

(ii) In page 3, line 3, after "gardens and" insert "Indian".

**Shri K. K. Basu**: I beg to move:

In page 3, line 3, add at the end:

"provided that the proportion of Indian owner to the European shall be 3: 1."

**Shri T. K. Chaudhuri**: I beg to move:

In page 3, for line 4, substitute:

"(b) workers employed in tea estates and gardens and organised under the four central trade union organisations viz., the All India Trade Union Congress, Indian National Trade Union Congress, Hind Mazdoor Sabha and the United Trade Union Congress."

**Shri H. N. Mukerjee**: I beg to move:

In page 3, line 4, after "gardens" add:

"including at least one representative each nominated by the four principal all-India Organisations of the working class, viz., the All India Trade Union Congress, the Indian National Trade Union Congress, the Hind Mazdoor Sabha and the United Trade Union Congress."

**Shri K. K. Basu**: I beg to move:

(i) In page 3, line 4, add at the end:

"including the labour and other employees whose number should be proportionate."

(ii) In page 3, line 5, add at the end:

"and the labour working in the manufacturing process."

**Shri H. N. Mukerjee**: I beg to move:

In page 3, line 6, after "internal traders" insert "including small traders".

**Shri T. K. Chaudhuri**: I beg to move:

In page 3, line 6, after "tea" add "including small traders".

**Shri K. K. Basu**: I beg to move:

(i) In page 3, line 10, add at the end:

"to be elected by the Legislature of such State".

(ii) In page 3, after line 14, insert:

"Provided that the number of representative of labour and employee should be equal to the number of representative of manufacturer, owner and dealers."

**Shri Damodara Menon**: I beg to move:

In page 3, after line 19, add:

"Provided that—

(a) the number of persons appointed to represent owners of tea estates, gardens and growers of tea shall not exceed the number of persons appointed to represent persons employed in tea estates and gardens;

(b) adequate representation is given to owners of small-sized tea estates and gardens."

**Mr. Deputy-Speaker**: All these amendments are now placed before the House for discussion. Any hon. Member who has not spoken yet may speak.

**Shri A. M. Thomas**: I have moved an amendment. Those hon. Members who have gone through the present Bill will at once realise that the amendment is more or less on the lines of the section now existing with regard to the constitution of the Board with some minor modifications. I owe a duty to the House to explain the stand that I have taken in the amendment that I have moved now. I can view the subject under discussion with a detachment which perhaps may not be available to my hon. friend and my namesake, Mr. A. V. Thomas. I do not own any tea garden or for that matter any other plantation. I have got no interest in any company which owns any tea plantation. I have therefore no personal interest except the interest which I share with other Members of this House and especially the interest as a representative of the State which has 81,600 acres of tea garden out of 782,000 acres which the country as a whole possesses. I must at the same time admit that I cannot view the matter from the standpoint of the hon. Mover of this Bill who may have his own reasons for making certain substantial changes from the law as it stands, from the experience gained by him in working the law.

he cardinal features of the amendment which I have moved are that the Board should be constituted on regional basis, i.e., the power of nomination must be given to the various organisations engaged in the plantation industry in the various States. I have suggested in my amendment that since these tea plantations are in a limited number of States, the power of nomination is also to be given to the various State Governments, in which these plantations are situated. I would also have added, that the power of nomination of certain representatives should be left with certain labour organisations, had it not been for the fact, which in his speech my hon. friend Mr. Punnoose himself has pointed out from his experience in my State.

**PANDIT THAKUR DAS BHARGAVA in the Chair.]**

There was real difficulty in including labour organisations within the category. Organisations have developed with regard to the tea planters, the same cannot be said with regard to labour. The labourers are not within the fold of one organisation. As a matter of fact, several labour organisations hold the field in these plantations and we have had the unfortunate experience of even breaking of heads as a result of disputes and quarrels between the various labour organisations. So that, we have difficulty in including labour organisations also within the category which should be given the power to nominate to the Board. Nobody will dispute the propriety of having a single Act combining the provisions of the two existing enactments with a view to achieving simplicity and administrative convenience, as has been aimed in the statement of objects and reasons, appended to the Bill as originally introduced. The history of this Bill does not disclose that it has not been given the attention that it deserves, especially in the matter of the constitution of the Board. I am concerned not only with the Tea plantations; I am concerned with other commodity committees also, because the hon. Minister, when he moved the Bill, categorically stated:

"It is also the intention of the Government that the final control exercised on the Tea Board by the Finance Ministry should be strengthened and that the Board follows the pattern that generally Government has in mind in the matter of greater financial control in respect of all such Boards."

It is also stated:

"The constitution of the Tea Board does not follow the pattern

determined by the Tea Board Act of 1949. Ten categories are mentioned in this Bill of persons who should find representation in the Board and the nomination is left to the Central Government. The change has been made because representation in the Tea Board is apt to become stratified. Only the interests closely concerned are now represented in the existing Board. The tea industry is one of great national importance and it is hoped that by providing some representation for persons not directly interested in the various processes which the manufacture of tea and the sale of tea undergoes, national interests would be better served thereby."

Along with this Bill, some other Bills have been introduced in the House: the Rubber Bill, the Coffee Bill and also the Coir Board Bill. All these Bills indicate that the constitution of the Boards will be entirely left to the sweet will and pleasure of the Central Government. I doubt the wisdom of such a provision because, though it may not affect materially the case in hand, with regard to the Tea Board, in a question of the constitution of the Coir Board, for example, I do not think that the Central Government will be in a position to find out.....

**Shri T. T. Krishnamachari:** I am afraid, if my hon. friend wants support for this measure, he should not quote wrongly. In regard to Rubber and Coffee Boards, representation would be provided by the local Government concerned.

**Shri A. M. Thomas:** The Central Government has got the power with regard to the Coir Board.

**Shri T. T. Krishnamachari:** With regard to the Coffee and Rubber Boards, each particular State Government will be nominating.

**Shri A. M. Thomas:** With regard to the Coir Board Bill, which I have got in my hand, the Central Government has got the power to constitute the Board. The clause says:

"With effect from such date as the Central Government may, by notification in the Official Gazette, specify in this behalf....."

**Shri T. T. Krishnamachari:** It is not necessary, Sir. I mentioned only about Coffee and Rubber.

**Shri A. M. Thomas:** My anxiety is that the principle followed in this Bill:

[Shri A. M. Thomas]

is likely to be extended to other commodity boards or committees as the case may be and I should think that the policy underlying such a measure cannot be supported at all. My difficulty has been, whether and to what extent it is desirable to depart from the pattern adopted in the Act as it now stands. According to me, the hon. Minister, either when he introduced the Bill or when he introduced the report of the Select Committee and wanted the House to take it into consideration, has not given cogent and convincing reasons for departing from the pattern which exists in the present Act.

My amendment, which I have moved, is in the direction of changes in the constitution of the Board and some other amendments which I have tabled refer to the scope of its functions to which I will be referring later when those amendments are being moved. My amendment is justified. As I have said already, the hon. Minister has not been able to convince us with regard to the necessity of departing from the present pattern. He has urged that the Tea Board has not been able to rise to the occasion in the recent crisis. Subsequent developments have shown that the tea interests alone are not to be completely blamed for the plight in which we found ourselves some time back. Government itself is not satisfied with the measures it has adopted and it had to change the steps in the light of experience. Granting for argument's sake that the Board and the tea interests did not act up to the situation, what is the remedy? Does the remedy lie in making statutory bodies mere extensions of the Governmental machinery and mere agencies to carry out the directions given by the Government, issued even without taking this body into confidence? I am of a different view. Let us glance over some of the provisions in this Act which will not justify, which will not warrant the power of nomination to the Board being given to the Central Government. The Central Government, even as the Bill stands, has got ample powers to interfere in suitable cases. According to sub-clause (3) of clause 10, it is stated that the Board shall perform its functions under this section in accordance with and subject to such rules as may be made by the Central Government. Then, subsequently, in clause 11, it has been stated:

"The Central Government may, by notification in the Official Gazette, direct that the Board shall be dissolved from such date

and for such period as may be specified in the notification."

In another commodity committees, for example the Central Coconut Committee, for the dissolution of that Committee, the Central Government will have to come before this House. According to section 17 of that Act, the Central Government may, with the previous approval of the House of the People, by notification in the Official Gazette, declare that with effect from such and such a date as may be specified in the notification, the Committee shall be dissolved. In the provision that we have here, there is no such restriction. Under clause 11, the Central Government may at any time dissolve the Board.

**Shri Damodara Menon:** But we are not on clause 11.

**Shri A. M. Thomas:** My point in inviting attention to this is that the change in the constitution of the Board is not warranted because of other provisions in the Bill. In clause 31, you will find it is said:—

"All acts and proceedings of the Board shall be subject to the control of the Central Government which may cancel, suspend or modify as it thinks fit any action taken by the Board."

Further it is said:

"The Board shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act."

Then, again, in clause 32 it is said:

"Any person aggrieved by an order of the Board under section 14, section 15 or section 20 may appeal to the Central Government within sixty days from the date thereof and the Central Government may cancel, modify or suspend any such order."

In the face of these provisions, is it necessary for the Central Government to take upon itself the power of nominating the various persons who should constitute the Board? It is all the more necessary that we should stick to the pattern which exists in the present Act, because the cry has been raised that in our Constitution we have not given any representation on any functional commercial or industrial basis. The persons chosen are to be placed in a position from which they can speak with authority because of the backing of the organisations concerned and even if these persons are nominated from the accredited leaders of those organisations, they will not feel that

they have got the backing of the organisations concerned. The system of nomination will also detract from the representative character of the person chosen. I do not want to discuss this matter on any high democratic principle, but I want to place it on a workable and equitable basis. For example, such representation should not be regarded as a matter of official patronage. The main object of having representative non-official opinion in the Board will be defeated by the power of nomination being vested in the Government. My amendment follows the pattern of the present Act, and there is no justification for departing from it. The minor modifications I have suggested are warranted by provisions in other commodity enactments. According to my amendment, for example, the representatives of Parliament are to be chosen by the two Houses. I do not think anyone will dispute the salutary nature of my suggestion.

There is also another ground on which I am urging this House to accept my amendment. The tea industry is an organised industry and it will give encouragement to similar organisations being established in other agricultural industries. When the affairs connected with commodities like pepper, lemon grass, cashew nut etc. were taken before the Central Government, the difficulty has been felt by the Government that there are no suitable organisations to deal with. Government itself has been finding it difficult to deal with the situation. When I took up the matter of lemon grass with the hon. Minister some months ago, he replied pointing out that the industry is in no way organised, so that it is very difficult for the Government to adopt suitable measures. So the primary thing that is necessary in these plantation industries is that they should be organised. If only the organisations concerned are given the weight they deserve and if only people feel that in statutory enactments due recognition is given to such organisations, there will be some incentive for people to form such organisations and help the Central Government in the control of the various industries.

In my amendment I have also stated that the period of the Board should be fixed. According to the Bill as it stands, the period is to be prescribed by rules to be issued by Government. I think that it would more appropriate to give that power to the Parliament itself, which may fix the necessary period. The power

of nomination had also previously been given to the State Governments. That, I suggest, is quite necessary. The State Governments would be in a better position to find out representatives than the Central Government. As the hon. Minister himself has said, from his Room No. 150 in the Secretariat, he cannot find out suitable persons. If the power of nomination is left with the State Governments of the area where the industry flourishes, it will only add to the representative character of the Board.

At this stage, I do not want to say more. I only hope that the changes suggested by me will be taken in the spirit in which they have been suggested.

**Shri T. T. Krishnamachari:** This amendment is a basic amendment. All other amendments accept the principle of the clause and merely suggest variations. I suggest that this basic amendment may be treated separately and put to vote, and the other amendments may be taken afterwards. This amendment completely alters the picture, so far as the composition of the Board is concerned. If this amendment is accepted, other amendments may not be necessary. If this falls through, then others may be moved.

**Mr. Chairman:** Do I take it that he wants this amendment to be taken first and also put to vote?

**Shri T. T. Krishnamachari:** Yes, Sir.

**Mr. Chairman:** There is no harm. Does anyone want to speak on it?

**Shri N. M. Lingam (Coimbatore):** I do, Sir. The Central Tea Board is the chief machinery through which the provisions of the Tea Act that will be enacted now will have to be implemented, and so, it is of the utmost importance that this Board should be such that it will carry out the policies of the Government. Hitherto under the Tea Board Act of 1949, the Central Tea Board had been almost a defunct body. Now, this Bill proposes to revolutionize, as it were, the functions of the Board by Government trying to control every aspect of the industry, from cultivation up to marketing. Experience has shown, as the hon. Minister has stated, that unless this intermediary between the industry and the Government works in unison with the intention of the Government, the policies of the Government are not implemented. He has instanced the case of the Coffee Board where, on account



[Shri N. M. Lingam]

of non-co-operation with the Government, either, there is a stalemate or Government is forced to take drastic measures.

We have reached a stage where the control of Government over industries—not only the Tea industry, but industries generally—is extensive. So, this Tea industry cannot claim any exception because it occupies a pre-eminent position in the economy of our country. But, at the same time, measures have to be taken to see that all interests of the industry are represented on the Board, and I feel that provision has been made in this Bill for the inclusion of various interests in the industry.

In this connection, I cannot help mentioning that the mysteries of this industry had so far baffled even the intelligence of the Commerce Ministry.

**Shri A. V. Thomas:** What mysteries?

**Shri N. M. Lingam:** I shall presently say what mysteries there are yet to be probed into.

It has been given to the present Minister of Commerce to try to probe into the mysteries and unmask the state of affairs in the industry. As my hon. friend Mr. Tridib Kumar Chaudhuri said, the control of the vested interests over the industry is extensive. Nobody knows the influence of the foreign owners of the tea industry over its auctions, over its export, over the other aspects of the industry. Its ramifications have not been tracked down, and the real causes for the slump that overtook the trade, recently have not been fully gone into. For the first time, the Government tried to appoint an enquiry committee, and that committee—a one-man committee—could not unravel the mysteries not only because its terms of reference were limited, but also because it was not given the facilities to make a thorough enquiry into the industry.

For me it is sufficient that the Minister has assured in categorical terms that he wants the Central Tea Board to be as autonomous as possible. He has, on more than one occasion, reiterated that it is not his intention to interfere with the activities of the Board except in emergencies when it is necessary for Government to veto the decision of the Board in the larger interests of the nation. I think it should reassure any Member in this House, whatever interest he may happen to represent, and this assurance of the Government should be taken at its face value.

I would mention in this connection that one interest has not been sought to be included in the Central Tea Board. That is the small growers. The House may be aware that we have, in the South at any rate, three to four thousand small growers, owning estates ranging from one to 50 acres. These estates have handicaps which are generally not realised by the bigger estates as well as by the Government. These small estates in the South are situate in hilly areas which have very special problems. These estates are subject to soil erosion. The cost of manuring and tending these estates is higher than in the plains. These estates do not have factories of their own and they are as much subject to all the inconveniences at the hands of the Excise staff as the bigger estates are. I would take another opportunity, when the question of control over extension of tea estates is discussed, to urge the desirability of exempting these small estates from the operation of the clause under which extension is regulated. But I would plead that in view of the special difficulties these small estates suffer from, adequate representation should be given to these small growers on the Central Tea Board.

My hon. friend Mr. Thomas said that he was pressing his amendments not on any false notions of unholding any democratic principle, but merely from the point of view of convenience. Here is a pamphlet issued by the United Planters' Association of South India which opposes this proposal of the Government to constitute a Central Tea Board in these terms. It says:

"The proposed amendments include authority for the Government to nominate representatives of growers for the Tea Board in place of the existing practice whereby recognized Associations of growers are asked to nominate their representatives. The industry can only regard such a proposal as highly retrograde and completely opposed to the principles of democratic Governments all over the world."

So, they are trying to make a fetish of democracy. It is on this ground alone that they try to oppose, and I think the hon. Minister has sufficiently spoken about this; it does not require any further comments.

It amazes me that while this Bill seeks to regulate and develop the tea industry, so much fuss should be made about the constitution of the Board by the industry. The real bases

on which the industry could be regulated and developed are: employer-labour relations, expansion of the internal market, promotion of our sales abroad and improvement of the quality of tea. On none of these major issues has the industry made any strong representation. On the other hand, they have complained that they have not been consulted in the framing of proposals for bringing in this measure. And when this question of constituting a Board according to the provisions of this Bill is brought before them, the entire industry has raised its voice of protest. So it is clear that the industry has not at heart the larger question of developing the Tea industry as a whole in the country. In other words, they do not want to behave in a way which will subserve the larger interests of the country. They have been accustomed to unusual protection in the past. It has been a close preserve of the Europeans. I know in the year 1937 when the hon. Minister, Shri V. V. Giri, the Labour Minister here who was then the Labour Minister of Madras, visited an estate, the Collector of the District wrote to the Chief Minister that the Labour Minister had no business to visit the estate and make any comments on the state of the estate. That was the state of affairs. They have not been accustomed to any interference from any quarter. Now that sanctuary which they sought to make of the estates is disappearing and so naturally they are annoyed. But I would appeal to the planting industry to take a larger view of the situation, to take labour as partner to develop the industry on larger, more broad-based grounds. We do not grudge the profit that they are taking to their country annually, situate as we are now. It is not our intention to ask them to go immediately, to evacuate the estates because we know it will paralyse the industry. The country is not ready to take over the estates. But we want them to quote the words of the Minister to 'play ball' so that labour may not suffer, so that the country may receive its revenue, so that employment may be continuous and expanding, so that the welfare of all is assured. I am sorry to say that the industry, 80 per cent. of which is dominated by Europeans, has not risen to the occasion. There has not been reorientation in their outlook. It is primarily because of the past treatment meted out to them by the Government. I do not agree with my friend, Mr. Sarmah, that the juice of the industry has been squeezed out and there is nothing left over. It is not so. On the other hand, the industry is bound to play a great part

with increase in consumption of tea and improvement in quality.

One of the mistakes committed by the deliberate policy of the industry has been not to train Indians to take up the management of these estates.

**Mr. Chairman:** May I request the hon. Member to speak on the amendment.

**Shri N. M. Lingam:** Yes, Sir.

**Mr. Chairman:** The general discussion is over now.

**Shri Nambiar (Mayuram):** There is also tea being served there.

**Shri N. M. Lingam:** I shall finish in five minutes. While the industry was enjoying all the profits in India, it was also trying to develop the tea industry in South Africa, Nyasaland, Kenya and other places.

**Mr. Chairman:** I am sorry to interrupt the hon. Member again. I have already requested the hon. Member to speak on the amendment.

**Shri N. M. Lingam:** Yes, Sir, I am coming to the amendment.

They did not care to train Indians to take their place. I know there are experienced Indian staff in the estates, but they have not been promoted to managerial posts with responsibility. They are importing young men. With the result that today even if they misbehave, we are not in a position to take over the estates.

Therefore, it is necessary that we should have the greatest caution in constituting this Board, a Board which will subserve the objectives of the Government in the interest of the nation. So I oppose the amendment of Mr. A. M. Thomas. I shall reserve other comments to another occasion.

**Shri Barman (North Bengal—Reserved—Sch. Castes):** The amendment of Mr. Thomas raises one fundamental issue. The main question, in the constitution of the Board, is whether the Board should be an autonomous one or an advisory one; and in the latter case whether the powers of the Board will be such that the Government can have implicit reliance on it until and unless some fundamental issue is raised on which Government cannot agree, or whether it shall simply be a Board practically enjoying no confidence of the Government and functioning only as a matter of course. That is the whole thing. Now, if we want that after the constitution of the Board, the Government must have some sort of implicit reliance on it and in 99 per cent. of cases its advice will be taken by Government and complied with, then in that

[Shri Barman]

case the Board must be a nominated one. At the same time, I say, of course, that the industry also should have some confidence in the people who are going to be taken from amongst them. On that, the hon. Minister had said in his introductory speech that he does not know anybody from Assam who is to be taken simply by sitting in the Central Secretariat here. Naturally, as a matter of course, he will have to ask the industry and its organisation. Probably he means—and if it is so, we also agree with him—that he will ask for a panel of names and out of that he will nominate. So the people nominated will also enjoy the confidence of the industry itself. Certainly the Board is interested to know the industry's side of the case from the industry's representative. And after all, it is the whole body that will come to a decision and tender advice to the Government and the Government will in 99 per cent. of cases act on that advice. That being the case, I do not think that Mr. Thomas's amendment is quite all right. The industry may have its representatives according to their own choice. But after all, the Board will be constituted by Government and the Government nominee will dominate and whatever advice is tendered by the industry's representatives will always be looked into to see whether it is correct or that they are making some misrepresentation. Therefore, in my opinion, when Government is taking a great responsibility upon itself Government must constitute a Board on which it can rely.

The position is entirely changed nowadays. There were days when the industry could have carried on without any interference by Government because the industry was not in need of help from Government. But the position is changed now. We have seen the slump of 1930 and how the new gardens—the weaker ones—had been effaced completely and it was subsequently the job of the big gardens to make profit out of the extinction of the smaller units. That is not a healthy state of things. While we talk of industrial development, it is our common idea that side by side with big industries, smaller industries also should grow, because it should not be only the job of the capitalists to run the industry, but other people also should have a fair share in it. That being so, the smaller units must have some security. It cannot have that security from a Board that was existing so long. For instance, under the existing regulation, control on extension of tea-

gardens, there is a limit put in by the Board that no private garden should have an acreage more than 150 and no company garden should have more than 300, and that whatever quota is allowed to India should be proportionately divided. But it has been pointed out by Mr. Basu—and I also agree with him—that the quota has to be raised. But it cannot be raised without Government interference. So in order to help the smaller units, Government interference at this stage is necessary. Now the industry cannot run without the help of Government because they have to deal with labour, they have to deal with food etc. and at every stage they have to rely on Government. Then can we expect the Government agree to have no powers when it is taking up this great obligation? We cannot expect it. Besides, the Government at this moment is so much interested because of the place of the tea industry in the economy of India and in the foreign trade that it cannot be a looker-on to whatever the industry does, whether it rises or falls below the standard.

I do not want to dilate on this matter at length because of the shortness of time, but my own view is that Government's interest in the matter being so vital to the economy of the country, the Government should constitute a Board on which it can ordinarily place implicit reliance. At the same time, the Government has exposed its mind that the industry should also be properly represented because it will nominate persons from out of the panel of names suggested by the industry itself.

So in view of the above, I think the provision, as it is in the Bill, is all right.

**Shri T. T. Krishnamachari:** I do not think I can say very much because I have dealt with this position. This is a fundamental portion of the Bill, namely, the constitution of the Board. I have mentioned that I have no intention of being arbitrary in this matter. I do propose to put in the rules under clause 4 that the representation of appropriate associations should be taken into account in making the nominations. I can also mention that in the case of Parliament, surely the Government would not be impertinent enough to go and nominate the Members of Parliament. We will certainly make a request to the Speaker to arrange for parliamentary representation in such manner as he may determine. It may be election or he may nominate. He will be entirely guided by the House. So far as the

States representatives are concerned, the State Governments will be asked to nominate their representatives and we will not nominate them.

I would assure my hon. friend there, when I say that representation of relative associations is taken into account, that will be put in the rules. Whatever associations are engaged in a particular area will be asked to send up panels. My intention is that labour should have a fair representation, not stinted representation, say one two three or four; it shall have fairly large representation.

**Shri Venkataraman (Tanjore):** They should have equal representation with the planters.

**Shri T. T. Krishnamachari:** The rules will be there. They will be placed in the hon. Member's hands. He can see whether labour representation is adequate or not. Every hon. Member will have his say. Therefore, I will ask the House to give me a chance and see if their views are not accommodated. It is not the intention of Government to take any arbitrary position. If we are going to give different bodies direct representation as such, then there are certain difficulties. One hon. Member has moved an amendment to say that they should be citizens of India. That cuts again at the very roots. There are some non-citizens who own estates. They cannot be altogether got cleared out. It all makes the difference. It will be very difficult to have all these provided for in the Bill. In the rules the relative associations would be taken into account and the categories will be mentioned in the rules and their representation will be taken into account. I hope that in the first Board I will be able to nominate people who will command the confidence of the people whom they seek to represent, and I can accommodate practically every point of view. But, so far as accepting the amendment of my hon. friend Mr. Thomas is concerned, I can as well drop the Bill. After all once it is a question of a Board which is elected on the pattern of the old Act, I have no more interest in it and I can withdraw the Bill, if that particular amendment is passed.

**Shri A. M. Thomas:** My point was that it is not enough that justice is being done but it should appear that it is being done.

**Mr. Chairman:** I do not think the hon. Member can have a second speech. I thought he was going to withdraw his amendment. He cannot have a chance to speak a second time.

**Shri A. M. Thomas:** It should not be an unceremonious withdrawal. In the

face of the assurance given by the hon. Minister that he will take into consideration all these aspects in framing the rules, I crave the indulgence of the House to withdraw my amendment.

**Mr. Chairman:** Has the hon. Member the leave of the House to withdraw his amendment?

The amendment was, by leave, withdrawn.

**Shri Punnoose:** Shri K. K. Basu has moved an amendment which says that the proportion of Indian owner to the European shall be 3: 1. Then, another amendment, which says, add at the end,

"including the labour and other employees whose number should be proportionate."

There is a third amendment which says:

"and the labour working in the manufacturing process".

There is yet another amendment which reads:

"Provided that the number of representatives of labour and employees should be equal to the number of representative of manufacturer, owner and dealers."

Yet another amendment is that the representatives from the States should be elected by the Legislatures of the States.

All these amendments have a common objective, that is to minimise the hold of British interests on the industry and to make the functioning of the Board as democratic as possible. I believe and I have heard from the Minister that all these considerations will weigh with him.

But, with regard to labour I have to bring to his notice that all sorts of difficulties are being raised. Even Mr. A. M. Thomas who spoke so feelingly regarding the representation of the industrialists found that labour was breaking its head.....

**Shri A. M. Thomas:** I spoke feelingly for labour also.

**Shri Punnoose:** The feeling was the other way about. He said there was difficulty in finding out the correct representatives of labour. Very well, after all when this Government is there, I am quite sure that industrialists need not be very much alarmed for blood is thicker than water. But, with regard to labour, they have to be there through their elected representatives. Much of the difficulty

[Shri Punnoose]

that is raised is bogus or exaggerated. There is a certain amount of disunity among the working classes. But, if it is the object of the hon. Minister and the Government of India to see that labour is more united and in a more healthy condition, then this is the opportunity, one way by which it could be done. If elected representatives of labour are given their place, then there will be a greater tendency on the part of labour to unite under healthy conditions.

Then, with regard to States' representation. It is absolutely necessary that the State Legislatures should send their representatives. If the Houses of Parliament can have their representatives, why not the Legislatures of States have the representation? If the Speaker of the House of the People can be requested to nominate the representatives, the Speakers of the State Legislatures can also be requested to do that. With regard to Assam and Travancore-Cochin in particular, this industry is of very vital importance. Not only for the healthy working of the Board but also to create a certain amount of public opinion in this country and a certain amount of public interest in this industry, it is necessary that the Legislatures should be given the right of sending their representatives. Therefore, I will very strongly urge on the hon. Minister to accept that wherever there is a Legislature—with regard to Part C States we will leave it to electoral colleges—it should be given the power to send their representatives.

Another point that we have suggested is that there shall be three Indians for every European on the Board. Then alone we can at least gradually control the industry. Therefore, I would very strongly request the hon. Minister to look into these amendments and accept them.

**Shri Nambiar:** In support of the amendments moved by Mr. Basu, I have to say that the representative of labour should be there on the Board. The hon. Minister may say that this is a general claim that labour always makes. Of course, at every stage we have to make a claim. This is an industry in which you know labour is suffering very much. You may know, Sir, that they are undergoing miseries that they cannot manage in these industries.

Recently, in Assam, you might have seen that 60,000 people have been entrenched as surplus in a very short time. There was also trouble due to that. I come from an area where we

have got some tea industry in the Nilgiris and the Anamalai hills. I have had occasion to visit these plantations and I could see that the men are suffering a lot. Sometimes it so happens that the tea plantation worker is kidnapped and is not to be seen. He is in a forest area and there is none to look after him. His relatives in spite of so many appeals are not able to know of him. Recently we had a case of that sort in the Anamalai plantations. There is no comparison of the tea plantation labour and labour in other sections in this country. When at least they will have a chance of their representative being put on the Board, that will go a long way towards helping the plantation worker. Therefore my request is that when there are so many members on the Tea Board, there should be one representative from each Trade Union. There are several Trade Unions and the hon. Minister can say that the question as to who should be chosen, may be a trouble for him. I may say that at least those Trade Unions which are working in the industry and which have been recognised by the Government, at least they should have their representatives. Labour should have an opportunity to defend its interests. The defence of their interests is a defence of the interests of the industry as a whole. The Government must sympathetically consider this aspect and accept the amendments moved. This is all I have to say.

7 P. M.

**Shri S. V. L. Narasimham (Guntur):** Foreign interests had their day of sway over the economy of our country. Now we are a free India and naturally the desire of free India shall be that the Government of India shall make it its policy to associate only Indian citizens in all matters which will have control over national economy and national industry. So it is I wanted that any person who is a Member of the Board to be constituted shall be a citizen of India and I expect that the amendment shall be accepted by the Minister.

**Shri Damodara Menon rose—**

**Mr. Chairman:** These amendments are so obvious that they do not require any argument. I am anxious that we finish the discussion on this clause. There are 51 clauses and there are only three or four hours left.

**Shri Damodara Menon:** The hon. Minister will not find any difficulty in accepting my amendment, because I only suggest that when persons are appointed to this Board, the persons

appointed to represent the owners of tea estate gardens and growers of tea should not be more than the persons appointed to represent persons employed in tea estates and gardens. I want to see that the vested interests are not over-represented on the Board. I hope the hon. Minister will have no difficulty in accepting my amendment.

Another small point I have made is that adequate representation should be given to owners of small size tea estates and gardens. These provisos will clarify the nature of the representation that may be given.

**Shri T. T. Krishnamachari:** The whole point is this. In regard to the last amendment mentioned by Mr. Damodara Menon, I may mention to him that if he would not exactly stick to the proportion, he will find that labour representation will be respectable in number. There is no question of our deciding it arbitrarily. The whole thing is going to be put in the rules. My intention is to give labour adequate representation. Supposing it is one less or two less—the hon. Member need not pin me down.

So far as representation of labour is concerned, we shall take into account the position of the unions in each particular area and if their representation, as I have said is going to be fair in number, practically every interest can be accommodated. There will not be any difficulty. The affiliations of the different categories of unions are such that they will all find a place. I do propose to give them a fairly wide representation and I shall take into account the representation of labour in every particular area. I am inclined to believe that there are places in which one union has got affiliations, while in another place another union has got affiliations. The point is every union will be represented.

After all hon. Members will realise that I cannot accept an amendment which merely says that Europeans shall be in this proportion and Indians shall be in this proportion. It is neither fair nor decent for us to accept an amendment of that nature. But whatever proposals have been made I shall bear in mind and in making the

rules all the comments made by hon. Members will be borne in mind. The rules will contain them and I shall place them on the table of the House. Hon. Members will then have an opportunity to say something on that occasion. I beg of hon. members not to press their amendments.

**Shri A. V. Thomas:** What about the term of office of the members?

**Shri T. T. Krishnamachari:** Very possibly it is two or three years. I shall put it in the rules; I have not yet decided what it should be.

**Mr. Chairman:** I take it hon. Members do not wish to press their amendments.

**Shri T. K. Chaudhuri:** In view of the assurance given by the hon. Minister, I beg leave of the House to withdraw my amendments.

The amendments were, by leave, withdrawn.

**Shri K. K. Basu:** I too wish to withdraw my amendments.

The amendments were, by leave, withdrawn.

**Shri H. N. Mukerjee:** I want to withdraw my amendments.

The amendments were, by leave, withdrawn.

**Shri C. R. Chowdhary:** I also beg leave of the House to withdraw my amendment.

The amendment was, by leave, withdrawn.

**Shri Damodara Menon:** I too ask for leave of the House to withdraw my amendment.

The amendment was, by leave, withdrawn.

**Mr. Chairman:** The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

*The House then adjourned till a Quarter Past Eight of the clock on Saturday, the 9th May, 1953.*