

12.29 hrs

BUSINESS ADVISORY COMMITTEE

Eighth Report

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRIRANGARAJAN KUMARAMANGALAM): Sir, I beg to move:

"That this House do agree with the Eighth Report of the Business Advisory Committee presented to the House on the 27th November, 1991".

MR. SPEAKER: The question is:

"That this House do agree with the Eighth Report of the Business Advisory Committee presented to the House on the 27th November, 1991"

The Motion was adopted.

MR. SPEAKER: Now we shall take up the legislative business...

(Interruptions)

PROF. PREMDHUMAL (Hamirpur): Mr. Speaker, Sir...*(Interruptions)*.

MR. SPEAKER: No, today we are not having it...

(Interruptions)

MR. SPEAKER: No, I say, today we are not having it. We have gone to the other item. Please leave it. Please do not swing it like this. If you make it on Monday, it does not make any difference.

PROF. PREM DHUMAL: It is very important, Sir.

MR. SPEAKER: Please do not swing it like this. Now we have gone to the other item. On the coming day we will take up. But then let us not swing it like that. It does not look nice.

SHRI P.G. NARAYANAN (Gopichettipalayam): It is a very serious matter, Sir, affacing the people of Tamil Nadu.

MR. SPEAKER: We will consider it. I also may ask the Minister to look into it. Do not twist the procedure of the House to suit your convenience. Now that we have gone to the other item, we will take it up on Monday. I promise you, we will take it up on Monday. Please sit down now.

12.31 hrs.

TEA COMPANIES (ACQUISITION AND
TRANSFER OF SICK TEA UNITS)
AMENDMENT BILL - *CONTD.**[English]*

MR. SPEAKER: Now we are taking up the legislative Business. Further discussion on the motion for consideration of the Tea Companies (Acquisition and Transfer of Sick Tea Units) Amendment Bill moved on 28th November, 1991. Shri Pius Tirkey is not here. Shri K.M. Mathew.

SHRI PALA K.M. MATHEW (Idukki): I thank you, Sir, for giving me this opportunity. This Bill has only very limited purposes, so, I confine myself to one or two points only.

Some four companies have been nationalised. A commissioner to pay the amounts payable to the employees has been appointed. The claims were received late and those late claims will also be considered. This is what the purport or the gist of the Bill is. But what I want to bring to the notice of the Minister, through you, Sir, is that in tea estates, the conditions of the working people are very poor. In my own State of Kerala, there are so many tea estates and in all those estates, the remuneration and the payments

received by the workers and the staff are very insufficient. Many of the workers are living in poverty and squalor. The basic facilities in the estates, like electricity, drinking water and water for other purposes, and roads through the estates, are in very poor condition and in a very bad shape. They have got a very serious housing problem also. Many of them are huddled in small lines and life in those lines is very difficult and very miserable also. I would urge upon the hon. Minister, through you, to take notice of the poor conditions and the poor payments obtained by the workers and the staff in the tea estates. That is all, Sir.

[*Translation*]

12.32 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

SHRI GIRDHARI LAL BHARAGAVA (Jaipur): Mr. Deputy Speaker, Sir, a Commissioner has been appointed to settle the issue of compensation payable to the tea estate workers. The Commissioner will finalise all their pending cases. I want to say that the entire tea industry depends on women-workers. We can't think of tea industry without women. I want to tell you one thing that the condition of women engaged in tea industry is not good.

Secondly, I want to submit that Assam, West Bengal, Kerala and Tamil Nadu produce 98 per cent of tea. It is mainly produced in Assam and West Bengal. During the middle of the 19th century not only women but their family members also were engaged in tea industry. But priority has been given to women because of their fingers are comparatively very soft and that is why they can pluck the tea leaves efficiently whereas the male hands are not much useful for the purpose. Therefore, this industry has always been depending upon women. The percentage of women workers is 46. Women are treated there as bonded labourers. They are appointed there on contract basis for 5 years. After five years they are removed. They are

employed on contract basis only. There is no arrangement of taking them to their houses from the place of their duty. With the result, these women work as labourers in the fields. They live in small cottages which are called labour lines. They are leading a miserable life worst than an animal. The Central government enacted the Tea Estate Workers Act in 1951. But the State Government does not give due importance to it. After three years, the State Government enacted a law in 1954. The rules under this act for the implementation of the law were framed in September 1955. You had passed the law in 1951 but it was enforced in April, 1959. The Central Government passed the legislation in 1951 and the state Governments gave it the shape of a rule and implemented it after eight years. This is just one example to showing as to how the legislations are treated.

Subsequently, in 1981 you moved an amending bill in the Parliament which was implemented with effect from 26th January, 1991. You made a good choice of the day of implementation. The Labour Ministry of Government of India conducted a survey of tea gardens in 1979 but only those gardens which were registered till 1991 were covered under the survey and the rest were omitted. This survey inflicted a blow of poverty on the labourers as a result of which the number of women workers is on the decrease. On the other hand, it was feasible if women labourers worked more and their number grew. The women are not being given equal wages as well. The male workers get 10-18 paise more in their wages while they do less work but the women are paid less and put in more labour. That is why the number of women workers has decreased. Similarly, the women while going to work in the tea gardens, used to leave their children behind in the creches but there too they were not given adequate facilities. This fact has also been revealed to you through a report. Not only that, the women working in the tea gardens get nominal medical facilities and these too of a very poor quality. There is no facility of school education for them. Then there are no toilets, no bathrooms in the house where the labourers reside and there is no such arrangement available to the women folk. This

is such a situation which needs to be vividly considered.

Mr. Deputy Speaker, Sir, I would like to submit that the women employed to pluck the tea-leaves are asked to do hard labour. They are asked to carry 30-40 kgs. of weight in their baskets. Thus these women have to do the job of a coolie too due to which they get tired. The Trade Unions are only engaged in receiving donation due to the union from the tea gardens. These people are offered work by the corporation of the contractor. Thus, the law of the jungle prevails. What I mean to say is that the women get nominal facilities in the tea gardens. Hindustan Majdoor Sabha is only collecting in donations by threatening them. Therefore, I request you to kindly improve the condition of workers. There are 57 lakh of them. If their condition is not improved, they may be forced to resort to change religion and embrace Christianity. I would like to make an humble submission to the hon. Minister that the situation there is very critical. There is nothing these poor people can call their own. They wear torn clothes, there is no educational facility of housing facility. If they are paid less wages and continue to be poor, the Christian missionaries will take advantage of it. The missionaries offer them the temptation of providing every facility once they convert to Christianity. Therefore, not only Hindu labourers but Muslims also are embracing Christianity due to poverty. This should not be allowed to The Vishwa Hindu parishad will have to reconvert not only such Hindus who had embraced Islam but also those who are becoming Christians.

Mr. Deputy Speaker, Sir, I have portrayed the plight of these poor tea-garden workers. I hope that their condition will be improved. I would, through you, like to request the hon. Minister to kindly consider my constructive suggestions for reply during his speech and accept them.

[English]

SHRI K. THULASIAH VANDAYAR
(Thanjavur): Sir, tea is a common beverage which every citizen of this country consumes.

The women of the gardens are a poem sympathy because they are not properly sheltered and their children's education is not looked after. So, there should be compulsory proper shelter and safety for those people.

The finest tea is exported and the last grade tea is to be consumed by our people. For this, they should prepare nutritious tea in a hygienic and healthier way.

In South India, especially in the Nilgiris, the lot of the people is very concerning the workers who depend upon this, live in a condition which is unhygienic and pitiable. They do not have even proper clothes and shoes to wear. These children are uncared. This matter should be taken up for the betterment of the toiling workers. Tea, which gives foreign exchange to our exchequer should be streamlined and our production should be made substantial. With these words, Sir, I request the Minister to see that the health of the people and the production of tea is better in our country.

SHRI P.C. CHACKO (Trichur): Mr. Deputy Speaker, Sir, I thank you for giving me this opportunity. This Bill which is before the House is an amendment to the Indian Tea Companies Act, 1985. This Bill is moved not with any substantial purpose but for a very minor amendment to the existing Act. I am not sure whether the hon. Minister has gone deep into the matter as to what necessitated such a change in this Act, because in 1985 certain tea companies were nationalised and this legislation is to substantiate that step already taken.

Sir, as we have seen, in the morning the Leftist friends were airing their apprehensions on the unfounded charges of privatisation and things like that. I wish they should be present in this House today. In 1985, the government of India had taken over four sick tea companies and nationalised them. Now for the sake of the workers' cause, the Government is before this House for amending the Tea Companies Act. In retrospect, we are bound to think that the sickness of the Tea Companies also might

have happened because of the irresponsible strike by the Trade Unions as the one going on today in this country. There are so many factors which contribute to the sickness of the tea companies. Such irresponsible strikes might have also contributed. So, I request the hon. Minister to analyse this matter a little more. The Tea Trading Corporation of India is the nodal agency entrusted by the Government of India at the time of take-over of sick tea units. In fact, the Tea Trading Corporation of India should have remitted the statutory dues which was due to the workers at that time and a specific date was also mentioned in the Act itself. But the Tea Trading Corporation of India could not remit Rs. 1.28 crore which was due to the workers at that time. That is why this amendment is necessitated. I request the hon. Minister to verify whether the Tea Trading Corporation of India or anybody responsible for the running of these take-over units are at fault. If a private company does not pay the statutory liability which is due to the workers, nobody is going to come before this House with a legislation. They will be taken to task and they will be prosecuted. We are for the workers interest. We give wholehearted support to this amendment Bill because we are interested in the cause of the workers unlike the Left front trade-union leaders. Today is a sad day in the history of the country because lakhs and lakhs of workers are driven to the street, not knowing why they are asked to strike, not knowing what is the reason for the unauthorised, unlawful strike. These leaders have driven the workers to the street. They have converted this august House a platform for their propaganda today, throwing all the norms, all the conventions of this House in the wind I am not going into the details.

I am only mentioning that they do not support the cause of the workers. They are putting the workers into all sorts of harassment. Sir one day strike means Rs. 800 crores production loss in this country. Senior Left trade-union leaders who are also Members of this House can be happy today that they inflicted an injury of Rs. 800 crores

on this poor nation. That is all they could achieve on this day. These sorts of things are happening in this country.

This Government, in 1985 made a legislation for taking over of sick tea companies. Today for the workers' cause, even for a small thing, for making statutory payments also, we are coming before this House for amendment. This shows the sincerity and commitment of this Government to the cause of workers. I would request our young dynamic Minister who piloted this Bill to go into the details. If any officials of the Tea Trading Corporation have erred, they should not be allowed to go scot-free because we have to look after the interests of the workers. I also want to know whether only other statutory liabilities are to be paid. Then has my esteemed friend, Shri Salman Khursheed to come before the House with another amendment? This is another lacuna in our legislative process. I would like to request you to apply your mind. Suppose Rs. 1.28 crores due to the workers are paid now, though late, we have rectified the whole thing. If there is any more statutory due to be paid, again the valuable time of this august house would be taken for another amendment. This cannot be allowed. Because of lack of time, I am not going into the details.

The hon Minister of State of Commerce Shri P. Chidambaram once replied in the House telling that tea is doing very all companies are doing very well. When I expressed my apprehension he was trying to pacify me. But tea prices are always fluctuating. It may be good now. But what about the sickness of the tea companies? Are we going on war-footing to eradicate the sickness at all? This is the main question.

I may just make one observation. The per acre productivity of tea in this country is the lowest in the world. Some of my friends have cited statistics in this House. I am not going into the details. Until and unless we achieve a competitive productivity right in the world, we just cannot survive. May be because of fluctuation of tea, the present situation may be good enough. But that alone will not help us to solve this problem.

Sickness will recur sickness will go on and we will have to take over more and more of tea estates because we are concerned about the workers. We are not paying lip sympathy to them like the Left front trade union leaders. We are sincere to the workers. So, we have to take more and more tea estates, though we have no resources. So, we have to take steps to eradicate sickness of the tea estates. I have made a suggestion. But I do not know how far the Government is serious about it. I would request both the Ministers that the Government may draw out a very comprehensive re-plantation programme for the Indian tea. Of course it requires a lot of investment. A separate fund may be provided to find out the sources to execute the re-plantation scheme for the Indian tea. Now the productivity is 1600 tonnes or 1700 tonnes per acre. That is what is cited here yesterday, when the world average is 3, 000 kg. per hectare. If this is the productivity, our output in tea will only be 50% of world output. So, for that, we have to go in for high-yielding varieties. Our old plantations cannot survive now. So, we have to have a very scientific and large-scale re-plantation scheme. There is a good model scheme being implemented by the Minister for rubber. The re-plantation scheme is to be introduced and financial assistance should also be made available to the sick units. Taking over always cannot be a solution because the government may not be having the resources. Taking over and development of abandoned estates comes under the definition of financing as per the guidelines of the Reserve Bank of India. But very seldom such abandoned estates are given finance by the financial institutions. So, Government should give instructions that the financial institutions should also take a liberal attitude for assisting these abandoned tea companies for the revival of such estates.

I support this Bill for amending the Tea Companies Act 1985.

I also request the hon. Minister to inform us what action is taken on the lapses of the tea trade that I have pointed out.

With these words, I support this amendment.

MR.DEPUTY SPEAKER:Thank you.

SHRI P.C. THOMAS (Mavattupuzha):
Sir, I am happy that the government has brought this Bill to rectify certain defects which have come in the past and which are mainly regarding the dues which are to be paid to the employees. What has been discussed here is of great importance today as workers are being misled by lot of trade unions and we have been hearing the hue and cry here in the Lok Sabha by the leaders of some of the Opposition parties. Actually, what exactly they want is not being made clear even now. The Government has very clearly and categorically stated that it is not against public undertakings and the Government has also shown by this Bill that whenever the Public undertakings or public Corporations have failed, the Government has always a mind to come to the rescue especially when it affected the workers.

Here I would like to mention about the working of the public undertakings. I think it is very necessary to make a mention about this, because we go on hearing all types of criticism against the view of the Government with regard to the public undertakings, though the Government has made it very clear that the view of the Government is very much to safeguard the public undertakings and to see that the working of the public undertakings is brought forth in a better way. The Opposition alleges that the Government is going to wind up the public undertakings and to see that the sick units are going to be killed. That is not the attitude of the Government. The attitude of the Government is to see that the public undertakings do in a better way. Now we know that efficiency is something which we lack in all fields, in every field, in the field of production, industry, agriculture and in politics, and everywhere. The government has taken a very stern view in this regard to see that the efficiency in all fields especially in the fields of industry, exports, earning of more foreign exchange etc. increases.

I congratulate the Ministry headed by Shri P. chidambaram which is ably supported and aided by the Deputy Minister here. They are doing very well in the field of

export. Within a very short time, say, about a quarter of a year, our exports have increased. Our EXIM policy is something on the basis of which we have found that the exports of our products could be increased to a great extent. The proportion of increase of exports come to 10% in the past. It has come to almost 93% from about 84% which was the percentage before about four months.

13.00 hrs.

Within this short time, we could obtain this position; we could achieve such an achievement. If we concentrate on exports, if we lay much stress on this policy and give support to this policy, I think we can achieve much more. A negative attitude has been taken by some of the Opposition parties as far as this policy is concerned. I think this is time when we have to strengthen the policy of the Government in this regard and to get better results in this regard.

With regard to tea, the export of tea has come to a statement position. As far as the export of the past three years is concerned, this is the situation. In 1988-89, it was 193.7 million kgs. In 1989-90, we could increase it only up to 209.3 million kgs. In 1990-91, it has decreased. The statistics shows that it has come down to 201.9 million kgs, So, we have a target of about 285 million kgs at present. I am sure we will be able to achieve this target. But to achieve this we have to increase our production of tea. The production of tea, I think, is also facing stagnancy in this regard. In 1989 it was about 684 million kgs whereas in 1988 it was 777 million kgs. In 1990-91 it has increased up to 718.67 million kgs. But this is not a happy situation. This is not a leading step which we could take. The stagnancy of our improvement in export is because of every many factors including the increase in domestic consumption.

MR. DEPUTY-SPEAKER: Shri P.C Thomas, you can continue after Lunch.

SHRI P.C. THOMAS: All right, Sir.

MR. DEPUTY-SPEAKER: The House stands adjourned for Lunch to meet once again at 2. P.M.

13.02 hrs

The Lok Sabha then adjourned for Lunch till fourteen of the clock.

The Lok Sabha re-assembled after Lunch at ten minutes past Fourteen of the Clock.

[MR. DEPUTY SPEAKER in the Chair]

[English]

TEA COMPANIES (ACQUISITION AND
TRANSFER OF SICK TEA UNITS)
AMENDMENT BILL- *CONTEND*,

MR. DEPUTY SPEAKER: Shri P.C. Thomas was on his legs. He may continue his speech.

SHRI P.C. THOMAS: I am almost finishing my speech. I was telling that we must step up our production and for that the Government has to take all steps and the cooperation of all the workers and all other concerned is necessary for this.

I also would stress on the need to strengthen the research organisations. We have two research organisations; one in the north and the other in the south. We have to give more strength to these organisations and we have to produce better quality tea keeping in view the larger perspective. I would support this Bill saying that we have to ponder as to whether tea estates or for that matter any agricultural product could be entrusted to the public sector undertaking as such. We see that the TTCI has been actually a failure in this regard. There may be so many reasons. It may be because of mismanagement; it may be because of very many other reasons also. But we see the Government or the Government corporations are very poor cultivators. I don't think that cultivation is to be ever entrusted to such type of undertakings. We have to see if at all

necessary whether something more is to be done in this regard to see that production of tea and other agricultural products could be increased.

Thanking you for the opportunity that you have given me, I support this Bill.

MR. DEPUTY SPEAKER: Shri P. Chidambaram to make a statement.

14.14 hrs

STATEMENT BY MINISTER

Minimum release price for coffee

[English]

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI P. CHIDAMBRARAM): The coffee marketing year is from 1st January to 31st December. The Minimum Release price for coffee ought to be announced before the commencement of the coffee marketing year. The Cost Accounts Branch of the Finance Ministry completed its study which is done once in five years, in 1989-90. Hence, the MRP for 1990 was announced only in March 1990. For succeeding years, the MRP is updated, based on actual data and information gathered from a random sample of small and big estates. The last such update was made in March 1991 and MRP for 1991 was announced only in March, 1991.

When I was in Bangalore two weeks ago, I promised that MRP for 1992 will be announced before 30th November, 1991, and that the method for determining MRP would also be made transparent. I have pleasure today in announcing the MRP.

The Coffee Board sought data and information from 600 estates chosen on a random basis. Based on such information, the cost of cultivation has been worked out as Rs. 14.51 per kg in the case of Arabica and Rs. 10.95 per Kg. in the case of Robusta.

After taking into consideration crop charges, development expenses, return on capital and other charges, the cost of production has been worked out at Rs.23.93 per Kg for Arabica and Rs. 19.21 per Kg for Robusta. Last year, the corresponding MRP was Rs. 21.38 per Kg for Arabica and Rs. 17.32 per Kg for Robusta. Hon'ble Members will appreciate that the increase in the MRP works out to 11.93% in the case of Arabica and 10.91% in the case of Robusta.

MRP forms the basis for fixation of floor price for internal pool sale for auction of coffee by the Coffee Board.

The Coffee Board is also the authority to determine the Price Differential Scale for every season. This is done strictly on the basis of last two years' average market performance of different grades of coffee. After taking into account all relevant considerations, the Coffee Board has, yesterday, finalised the gross initial payment to be made to coffee growers for the season 1991-92 at Rs. 11 per point. Last year the initial payment was Rs. 9 per point. Hon'ble Members will appreciate that the initial payment for 1991-92 is, therefore, a substantial increase over the initial payment last year. I am also pleased to announce that the Coffee Board has decided that the initial payment of Rs. 11 per point will be made without deduction of purchase tax. Purchase taxes of respective States will be deducted from the second instalment of payment.

The initial payment is not strictly related to MRP but coffee growers would always like to know what proportion of MRP is being granted as initial payment.

Let me take 4 benchmark grades Arabica Parchment, Arabica Cherry, Robusta Parchment and Robusta Cherry. The average points for these four benchmark grades would be 90, 65, 67 and 60 respectively. Based on the average points, the initial payment per KG at the rate of Rs. 11 per point for these 4 benchmark grades and as a proportion of MRP are given below in the form of a table.

<i>GRADE</i>	<i>Average Points</i>	<i>Initial payment</i>	<i>Proportion of MRP</i>
		<i>Rs.</i>	
Arabica Parchment	90	19.80	82.74%
Arabica cherry	65	14.30	59.75%
Robusta Parchment	67	14.74	76.73%
Robusta Cherry	60	13.20	68.71%

I may add that these percentages are substantially higher than the percentages of initial payment as a proportion of MRP in the last finalised year that is the year 1990 which was only 58%.

I am sure that coffee growers will welcome that decisions taken on minimum Release Price as well as the decision taken on initial payment for the season 1991.92.

14.17 hrs.

THE COMPANIES (ACQUISITION AND TRANSFER OF SICK TEA UNITS) AMENDMENT BILL—*CONTD.*

[*English*]

MR. DEPUTY SPEAKER: Again, we take up further discussion on this Bill. Shri Rasa Singh Rawat.

[*Translation*]

PROF. RASA SINGH RAWAT(Ajmer): Mr. Deputy Speaker, Sir, I welcome the Tea Companies (Acquisition and Transfer of sick tea Units) Amendment Bill, 1991 moved by the Government but I would simultaneously like to urge upon the Government, through you, that the problem of the workers working in these tea gardens or tea industries-be they managed by the corporation or the

contractor - is very pitiable. Just now, the preceding speakers have highlighted the condition of the women workers working there but there are child labourers too and child labour is a crime under law but because their delicate little fingers are considered to be useful for plucking tea leaves, they are therefore employed in the gardens and exploited by extracting more work and paid less.

Sir, I would through you, like to bring it to notice of the Government that the labourers working in the tea gardens of Assam are made to work more but are paid less that too not on time and then there are no proper residential facilities available the colonies they reside in so such so that there are no basic necessities or facilities like toilet, bath-room etc. present there. What to speak of educational and medical facilities and doctors etc. their basic necessities are not fulfilled. I have to say it with regret that the labour unions active amongst these workers do collect donations from them but do not fulfil their responsibilities in a proper manner, whether they are INTUC people or those of Hind Mazdoor Sabha. They only exploit the workers by extracting donation from them or fulfil their vested interests in collusion with the management.

I would, therefore like to request the Government to pay pay full attention to the workers of the tea-gardens.

Mr. Deputy Speaker, Sir, today India is facing another problem. Tea is our national drink. It is not only an integral part of our foreign trade but also a profitable industry in the country itself; it is one of our main source of foreign exchange earning, it is a chief crop and also a major industry and a trade. Despite all this problem that our country is confronted with at present is that the tea consumption in the country has increased to such an extent that India has lost her first position in its export; this position has been gained by Sri Lanka and India has been pushed back to just second position. Moreover, other countries like Kenya, China etc. have not only started producing tea but have been coming forward. Therefore, measures will have to be taken so that we do not suffer any setback in export of tea and we do not lose our position. It is not a matter only of a single state. As a matter of fact, the maximum consumption of tea is in Maharashtra, then comes Bengal, Tamil Nadu, Kerala, Rajasthan, Punjab and so on. "Every time is tea time". People take tea throughout the day; the Government will have to pay attention to it. It is the responsibility of the health experts to tell whether tea is harmful for health or not but the Government will have to pay attention to control the tea consumption on the country in order to earn foreign exchange, encourage export of tea and to improve the condition of the workers of tea plantations. We will have to put a restraint on our habits so that tea continues to be our chief source of our foreign exchange. If the Government pays attention to it, I think, the continuous increase in tea consumption can be checked, if we go on to consume the whole production of tea in the country itself we would find ourselves in the same position as related by an urdu poet in the following couplet:

"Gaflat Ki Duniyan Mein Agar Yeh Halat
Rahi,

Ayenge Kamastal Kabul Se Aur Kafan
Japan Se".

Therefore it is essential to pay attention
to tea industry.

Mr. Deputy Speaker, the activities of ULFA in Assam have also affected the tea industry. Offices of tea estates are in Calcutta while tea plantations are there in the hilly areas of Assam and Darjeeling. As a matter of fact tea offices should either be at the same place or in the nearby areas of tea plantations so that the officials may visit the place to see the condition of labourers, work and acquaint themselves with their problems. This would help them to find out a way to improve the financial condition of the labourers.

Mr. Deputy Speaker, Sir, we should not take measures for the development of tea industry so that we may attain the export target we have fixed. For this purpose we will have to increase the tea production. Earlier tea was produced only in a few states like Assam, Bengal, Tamil Nadu etc., but it is a matter of great satisfaction that the Government for the first time, have realised that the tea is also helpful in improving the economy. Keeping this fact in view the Government has chalked out a plan to encourage tea cultivation in the hilly areas of Uttar Pradesh. about Rs. 9 Kharab, 9 crores are proposed to be spent under a long term project which has already been approved. I would like to submit that 50,000 hectare land in 25 districts of Uttar Pradesh has been selected for the purpose. Tea plantation should be encouraged particularly in 8 hilly districts where the financial condition of the people has become deplorable due to the earthquake. Tea plantations in these areas would help to improve their condition. It would not only help to meet their requirements but also to achieve the export target and earn foreign exchange. This would also bring about an improvement in the economic condition of the people of hill areas.

Sir, in addition to all this, I would like to submit that the tendency of profiteering has been on the increase. The tea companies as well as the agents or the traders are pocketing the whole profit. They spent a meagre amount on the welfare of the labourers out of their profit. Through you, I would urge upon the government to pay a little attention to the welfare of the labourers also.

When the Government enacted the Tea Plantations Labourers Act in 1951, We thought that it would help improve the condition of the labourers of tea plantations. But I regret to say that after that no State Government bothered to enact a law for tea plantations and for tea plantation labourers for four years. It took quite a long time, it was only after about 7-8 years that some State Governments enacted laws in this regard. When the Government's the parliament's attention was invited to it., an amendment was made in 1982. Since then the Government has started paying some attention to it but not to the extent required. Laws are enacted but not implemented properly. Tea Plantations were nationalised and the claims filed in this regard were not settled within the prescribed period. But at the same time we will have to see that whether the tea plantations are in private sector or in public sector they must run in profit. Labourers should not be exploited there the Government should also see how the production of tea can be increased? Only then we will be able to grow best quality tea. We will be able to compete in the world market and the tea industry will continue to flourish. We will be able to maintain the earlier situation when tea was exported after meeting the requirements of the country. The Government should be cautious enough to see that we may not lose this source of earning foreign exchange.

With these words I think you for the time given to me.

[English]

SHRI BALIN KULI (Lakhimpur): Mr. Deputy Speaker Sir, I have stood up to support this Bill and in support of this Bill, I wish to speak a few words.

Sir, this Bill is very important from various points of view. As I belong to one of the tea growing States namely, Assam, I am very much concerned about this Bill and the tea industry.

Sir, tea is one of the ten foreign exchange

earning items of the country. It brings crores of foreign exchange to our country. Secondly, tea industry has been creating tremendous employment potentiality in the country, particularly in our State of Assam. Nearly 40 lakhs people in our State are depending on this industry. Their lives and culture are inseparable from the tea industry of Assam. In Assam alone, there are 758 tea gardens. More than 50 per cent of tea which is exported is produced from these gardens. But, Sir, there is no modernisation of tea plantation in Assam or in other parts of the country. Very old system of plantation is still persisting in tea gardens. The factories are also not modernised. They are running with old machines due to which accidents occur frequently thereby causing loss of lives of the workers.

Sir, I strongly support taking over of sick tea gardens by the Government. But, Sir, merely taking over by the Government will not solve the problems involved in the sick tea gardens. Government must also find out the causes of the loss incurred by those tea gardens. In Assam, there are many sick tea gardens taken over by the Government. But their problems are still the same. After taking over, the government must place good and efficient machinery for overhauling the old machinery of the sick tea gardens.

Modern methods such as use of fertilizers etc. should also be applied to multiply the tea production.

Sir, before concluding, I want to draw the attention of the House about the plight of the workers in tea gardens. Sufficient number of houses are not available for them. Modern amenities are denied to the workers in the tea gardens. There are no drinking water facilities. There is no electricity and no scope for any amusement. Good educational institutions are not provided for them. Agreements with trade unions and Government are not fully implemented. Facilities such as housing, drinking water and electricity are still not provided to them in sufficient quantity.

Once again, I appeal to the Government

to give a serious thought on the betterment of the tea industry of our country and I urge upon the government to completely ban the selling of tea gardens by private companies. Individual tea growers of Assam should be given encouragement. There are many individual tea growers and owners of small plantations in Assam. They should be encouraged by giving more and more facilities both in cash and kind.

Though this august House, I demand that the Government should compel the tea companies of Assam to invest some portion of their profit for the development of the State of Assam. I also demand that the tea companies must shift their headquarters to Assam from other States.

With these words, I conclude while supporting the Bill.

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI SALMAN KHURSHEED): Mr. Deputy Speaker Sir, as has been pointed out by many speakers from both sides of the House, this essentially is a very simple Bill. This is also essentially a Bill beneficial to the working class of our country and it expresses the concern and sensitivity of this Government towards the legitimate demands and claims of the working class of this country. It is unfortunate that we stand to pass this Bill today in circumstances where the whole House is not present. There should be consensus in our country and in this House on all beneficial provisions when it comes to the working class.

In essence, the Bill concerns only a matter of extension of limitation in order to accept, receive and adjudicate upon claims of workers of the four companies that have been nationalised. Some doubts have been raised from this part of the House as to whether there was some negligence, whether there was an oversight or deliberate wrong doing on behalf of the TICl or any official in delaying the matter of payment of these claims. I should like to point out, at the very outset and make it clear that this is not the case of negligence and this is not a case

where any persons has deliberately overlooked the claims of any worker. This is simply a matter of workers being unable to organise themselves to place their claims before the claims Commissioner within the limitation period including the additional grace period of a month that is provided. We are given to understand that this may have been caused due to the disturbed conditions in the States of West Bengal and Assam, disturbed conditions in which there was large scale absenteeism. Workers were not available and they could not get together to make their claims. Since so many workers are involved and since claims of more than one crore are involved, it was felt necessary to take steps to ensure that their claims are adjudicated and justice is done to the working class.

In the course of the debate on this Bill, several important issues were raised. I should like to thank all the hon. Members from both sides of the floor for having shown deep concern both for the state of the tea industry as well as the state of the workers of the tea industry. In particular, I should like to mention with appreciation the words of hon. Member Shri Girdharilal Bhargava who went to the extent of speaking of the *Komal* fingers of young girls who are asked to work without adequate compensation and pay. He also expressed his hope and desire that when I return to make what he expressed was *meethi-meethi* speech sweet speech - I would be able to pay adequate attention to the points that he had raised.

Sir, when it comes to either plucking of tea or making a cup of tea, I think, we can all say without any reservation, that the ladies' hand is the best. When the ladies stand and stir the tea cup in the home, I hope...

[*Translation*]

SHRI RAJENDRA AGNIHOTRI (Jhansi): The Labour Law provides that a person may be employed only when he attains the age of 18 years and he is entitled to certain facilities of labour welfare. I would like to seek a clarification from him as to whether the cases of such labourers like the working women or

girls in the tea-gardens of Assam as well as other places, who are below 18 years ranging from 11 to 15 years of age and whose names cannot be registered according to the labour rules which provides certain basic facilities to the labourers have been considered in order to ensure the benefits of the court's decision which are not applicable to them mainly because of their under age, to which they are entitled otherwise.

[*English*]

SHRI SALMAN KHURSHEED: If the hon. Member will permit me, I will come back to this point specifically.

[*Translation*]

With your permission I would like to clarify our stand regarding the labour rules later on. I will explain it separately.

[*English*]

Sir, the points which were generally raised by most Members were points that related basically to the sickness of the tea industry, basically to the causes of low productivity, basically as to the causes of fall in the export targets, basically to the causes of inadequate beneficial provisions to the workers in the tea industry. I should like this House to share the information that is available with us as to the progress that has been made in all these fields.

To begin with, Sir, these claims in the present case relate to 3285 workers. All claims of these four tea estates were made after the time of limitation. The total amount of funds that have been placed at the disposal of TTCI - Tea Trading Corporation of India - is Rs. 1.68 crore. Once this bill is passed, we have adequate finance available to look after all the claims that have been made. I might add here that one hon. Member has raised an apprehension and a query as to whether there were any other statutory claims or whether there were any other legiti-

mate claims of the workers that had not been met.

I can give only a solemn assurance to this House that there is no such scheme to our knowledge pending; and if any such thing is brought to our knowledge, we would take immediate action to ensure that full justice is done to the workers of the tea industry.

As far as various schemes concerning refurbishing and the improvement of the tea industry by way of production and quality are concerned, I would like quickly to mention that this year the production upto September is up by 23 million kg of tea as compared to last year. There is, to some extent, fluctuation from year to year because the tea in India is grown in areas which are prone to bad weather, and the bad weather, as you know - coming from the State of Karnataka - can make a heavy toll on the production of tea and coffee. In addition to this, the disturbed conditions in the State of West Bengal and in the District of Darjeeling as well as the State of Assam have caused problems for production.

The export target for 1991-92 is 210 million kg valued at Rs. 1200 crores as compared to 199 million kg valued at Rs. 1,044 crores in the year 1990-91. And I would like to share with you and the House that till date we are this year keeping well on target that we have put to ourselves. The productivity is, in fact, constantly going up and we are making reasonable contribution towards research efforts for providing high yielding quality and providing better production.

The Tea Research Association has recently been brought under the Ministry of Commerce having been earlier funded partly by the ICAR and partly by the Ministry of Commerce. And you will be glad to know that it has already identified a high quality, a high yielding variety of tea bushes which will soon be introduced into the estates. The research and development strategy with thrust on production remains a priority with us and we are giving it full attention. We are also in the

process of giving finishing/finalising touches to a ten-year plan producing as much as 1000 million kg by the year 2000 AD, Considering that we are at present only at a figure which is one-fourth of that, the target seems ambitious. But we have reasonable causes to believe that the effort and the endeavour that is being put into the research and the support that is being given to the tea industry will help us in the next ten years to reach the target of 1000 million kilogrammes.

The plan for the next ten years involves extensive plantation in new areas, extension of existing plantation in filling and replenishment of presently planted bushes and replantation where bushes have become very old.

Mr. Rawat, an hon. Member, made a mention about the possibility of starting of tea industries in certain districts of Uttar Pradesh. The Government welcomes this suggestion and we will make the best possible effort to ensure that tea plantation in Uttar Pradesh is given maximum incentives.

As you will probably know, tea first came to India in the State of what is now the State of Uttar Pradesh. There are six very sick tea gardens in the State of Uttar Pradesh providing good quality of tea but a very very low productivity margin. I myself scheduled to visit Lucknow to be in touch with the State authorities to discuss the plan for reviving the tea gardens in the State of Uttar Pradesh.

Some of the other schemes that we have already under way for increasing production include a Tea Plantation Finance Scheme, the Tea Board's loan for re-planting, extension planting and replacement planting. Loans are given by the Tea Board at the rate of Rs.69,000 per hectare for gardens in the plains, and Rs.79,000 per hectare for gardens in the hills.

Secondly, tea machinery and irrigation equipment hire purchase schemes, the Tea Board's loans for irrigation equipment and tea machinery loan is given up to Rs.10 lakhs to a garden for machinery and up to Rs.

15 lakhs for tea bagging, packeting machinery at any point of time.

Thirdly, the tea replantation subsidy for replanting old bushes, the rate of subsidy is Rs.10,400 per hectare for the gardens in the plains and Rs. 12,400 per hectare for gardens in the hills and, Rs. 15,000 per hectare for the Darjeeling area.

Fourthly, tea area rejuvenation and consolidation scheme a subsidy for rejuvenation pruning and in-filling the rate of subsidy is Rs.3,000 per hectare for rejuvenation and in-filling without inter-planting.

Fifthly, a new tea units financing scheme, special loans and subsidy for extending tea cultivation in the non-traditional areas, the rate of loans under the scheme is Rs. 40,000 per hectare and the rate of subsidy is Rs.25,000 per hectare.

Sixthly, under the Darjeeling Interest Subsidy Scheme, Special scheme for revival of Darjeeling gardens, which have been languishing on account of high cost of production, loans are given from Banks and the Tea Board pays 5.1 per cent interest subsidy on these loans.

Seventhly, for inter-subsidy on bank loans for irrigation and drainage finance is provided by the Board at the rate of 4 per cent and finally there is a scheme for inter-subsidy on extension planting which is given at the rate of 3 per cent.

On the export front, our problem is two-fold. One is the problem of stagnation in production largely because new tracts of land are not so easily available for extensive planting. But even where they are available and production increases, we have the problem of growing internal consumption. Between 50 to 20 millions of kilogrammes of tea is consumed extra every year. While we cannot discourage the increase of consumption in the country, at the same time, we have to ensure that the increase in consumption does not outstrip production so that our export targets can be met, tea being a very major export item as far as our country is concerned.

An important decision that we have taken in the area of exports is to give a full rebate on excise on packet tea exports. Small scale packeters up to a turnover of Rs. 1.5 crores have been exempted from paying excise duty. Steps are taken to introduce special incentive schemes for small growers and taking to tea cultivation, specially in the area of Nilgiris. Exports of tea under bond has been allowed, scales of financing of loan components of the tea plantation scheme and the new tea units financing schemes have been revised upwards, and the Plantation Development coordination Committee has been constituted with representatives from the State Governments for better coordination between the Centre, States and the Tea trade and the industry.

Some hon. Members raised doubts about the pristine quality of Darjeeling tea, or the so-called Darjeeling tea that is sold, and also expressed some grave concern about diluting and defusing of the reputation of Darjeeling Tea. I would like to inform the House that the Tea Board specifically assigns the Darjeeling Tea logo only to those packets which contain at least 60 per cent of Darjeeling Tea. Some concern was also expressed regarding the intention to import tea from outside and a question is often asked, while we are such a vast tea producing country, why should we have to use foreign exchange to import tea. I would like to clarify that the import of tea is allowed specifically for re-export purposes after value addition and not for domestic consumption.

The hon. member, Shri Mumtaz Ansari, has very rightly said, when reflecting upon sick tea estates, that mere acquiring or nationalising of tea estates is not the answer. The answer is to be able to nurse them back to health, and give them back to proper management. He also expressed concern about all the employees of the various tea estates that have been nationalised and what the Government's intention was regarding those employees. I have said that the Government's intentions regarding the work force, regarding the employees, the

labour force of tea industry and as for the whole working class of the country, are very honourable. We are sensitive and concern and, therefore, all the employees of the gardens that were taken over by the TCI were retained. And, therefore, we have today come here to ensure that the claims are justifiably adjudicated.

Sir, the sickness itself, we tried to identify. The sickness of most gardens have been identified as being caused by indifferent management, sometimes due to inadequate financial availability of investment. Tea Board has been advised to get onus of such tea gardens, to draw up rehabilitation plans and to assist them as per those plans.

One of the objectives of the acquisition of these sick tea estates was to nurse them back to health and, while we were nursing them back to health, to ensure that the workers of those tea estates were not adversely affected.

So far as not so sick estates are concerned, the healthy tea estates are concerned, and those areas which are doing well in production of tea, Sir, a question has arisen as to why substantial part of the profits, the income of those tea estates, is not being ploughed back into the tea industry but is fact being diverted to other more profitable ventures and other industries. We now have incentives, thanks to the honourable Finance Minister, under Section 33 (a) (b) of the Income-tax Act to utilise profits for ploughing back into the tea estates, and the disincentive is to apply those funds elsewhere. The incentive under the Income-tax Act was deeply appreciated by the tea industry.

Sir, quite legitimately, a concern was expressed about a provision that is being made for the benefit of the workers. And here, I would like to refer to the specific question raised about minors being employed in tea estates. As far as I understand the working of the tea industry, I would not say that the people below the age of 18 years are not employed but it is not for the Ministry of Commerce, it is not for the Tea Board to

apply the entire law of the land. The different agencies, including the State Government, have to apply different areas of the law. Labour legislation is applicable to workers in the tea estates just as it is applicable to workers elsewhere. To the extent that the Tea Board or the Ministry of Commerce are in the picture of any violation of any law, we would take action promptly any immediately. But knowing the manner in which the tea is being plugged, Sir, it appears to me that it would be more convenient for tea to be plugged by a person who can atleast look over the height of tea bushes and for a very small child, who is not tall enough to look over the height of tea bushes, to plug the tea effectively may not be that convenient or possible.

But to the extent that the hon. Member feels concerned, if he has any specific details on any specific incidents for estates where such a violation is taking place, we will certainly take the utmost steps that are available to us to ensure that such violations of the law do not take place.

In addition to the steps that have been taken to nurse the tea industry and enhance production of tea, we have not over-looked labour welfare in the tea, plantations, which is a legitimate concern expressed by Members of this House. The welfare activities are broadly classified under two major heads - educational stipend and general welfare.

Under educational stipend, the wards of tea garden workers are given grant for continuing studies above the primary stage. This includes tuition fees, hostel charges. A sum of Rs.4.07 lakhs was disbursed as stipend and book grant of Rs. 12,000 as Nehru awards during 1989-90.

Under general welfare scheme, assistance is given to educational institutions, hospitals, health clinics, Indian Red Cross Society, St. John Ambulance Association. The scheme covers financial aid for construction of educational institutions, hostel buildings, health centres, hospitals and for expansion of educational and vocational training and specialised treatment facilities

for the benefit of the tea garden workers and their families. Also scheme for financial assistance for disabled plantation workers and their dependance has also been introduced. During 1989-90 Rs. 13.42 lakhs was disbursed under the general welfare scheme.

In addition to this, the Tea Board provides financial assistance for kidney transplantation, technical training in Jalpaiguri polytechnic, Scouting and guiding in West Bengal, Kerala and Tamil Nadu. Sports activities were also given financial support from Tea Board.

In summary, there has not been any case really for us to feel that the welfare of the tea labour has in any way been neglected or in any way been overlooked.

From one section of the House a demand was raised that since West Bengal Tea Corporation is already looking after certain tea gardens with great deal of efficiency why do we not hand over these four gardens to the West Bengal Tea Corporation. We have already received a formal letter to this effect from the Chief Minister of West Bengal asking that the West Bengal Tea Development Corporation be given over these tea gardens. The matter is under consideration. The Government does not mince words on this. We clearly feel that it is not the work of the Ministry of Commerce or the Government of India to run tea gardens. Our work and duty and obligation is to assist the tea industry in maximising production, in maximising export, improving the quantity and quality. While we improve the quality of tea we also stand committed to improve the quality of workers who produce that tea. So serious consideration is being given to the proposal that has come from West Bengal as well as other proposals that are available with the Ministry of Commerce as to the future of these four tea estates.

As I said, this is a minor amending Bill. We have already taken a lot of time in discussing this bill. I commend the Bill to the House as a beneficial prince of legislation that would come handy to many of the workers of the tea industry.

15.00 hrs

MR. DEPUTY SPEAKER: Now, we take up amendments to the motion for consideration.

I shall now put amendment Nos. 1 and 3 moved by Shri Girdhari Lai Bhargava and Professor Rasa Singh Rawat to the vote of the House.

Amendment Nos 1 and 3 were put and Negatived

MR. DEPUTY SPEAKER: The question is:

"That the bill to amend the Tea Companies (Acquisition and Transfer of Sick Tea Units) Act, 1985 be taken into consideration".

The Motion was adopted

MR. DEPUTY SPEAKER: The House will take up Clause-by-Clause consideration of the Bill.

The question is:

"That Clause 2 stand part of the Bill".

The Motion was adopted

Clause 2 was added to the Bill.

MR. DEPUTY SPEAKER: The question is: "That clause 1, the Enacting Formula and the long Title Stand Part of the Bill.

The Motion was Adopted.

Clause 1, the Enacting Formula and the Long Title were Added to the Bill

SHRI SALMAN KHURSHEED: Sir, I beg to move:

"That the bill be passed".

MR. DEPUTY SPEAKER: The question is:

"That the Bill be passed".

The Motion was adopted

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS: (SHRI RANGARAJAN KUMRAMANGALAM) : Sir, I would like to congratulate our young Minister for piloting his maiden bill so successfully.

MR. DEPUTY SPEAKER: Heartiest congratulations.

SHRI MUKUL BALKRISHNA WASNIK (Buldana): Sir, I also welcome Shri Chitta Basu who has participated in the Government Business.

SHRI CHITTA BASU (Barasat): Sir, I have come to participate in the Resolution on Unemployment. I think you will allow me to speak on this resolution.

15.02 hrs

[English]

RESOLUTION RE UNEMPLOYMENT—
CONTD.

MR. DEPUTY SPEAKER: Before further discussion on the resolution regarding unemployment by Shri Tej Narayan Singh is resumed, I would like to mention that 3 hours and 49 minutes have already been taken on this Resolution, thus exhausting the time allotted for its discussion. The House has now to allot time for further discussion on this resolution. Is it the pleasure of the House that time allotted for this resolution be extended by one hour?

SEVERAL HON. MEMBERS: Yes.

MR. DEPUTY SPEAKER: The time is extended by one hour more.

(Interruptions)