

[Shri H. R. Bhardwaj]

and consequential thereto, as passed by the Lok Sabha, be taken into consideration."

*The question was put and the motion was adopted.*

THE DEPUTY CHAIRMAN: Now, we shall take up clause by clause consideration of the Bill.

*Clauses 2 to 9 were added to the Bill.*

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

SHRI H. R. BHARDWAJ: Madam I move:

"That the Bill be passed"

*The question was put and the motion was adopted.*

# **I. STATUTOR RESOLUTION DIS- APPROVING THE TEA COMPA- NIES (ACQUISITION AND TRANS- FER OF SICK TEA UNITS) ORDI- NANCE, 1985 (No. 3 OF 1985).**

## **II. THE TEA COMPANIES (ACQUI- SITION AND TRANSFER OF SICK TEA UNITS) BILL, 1985.**

श्री सत्य प्रकाश सलवीय (उत्तर प्रदेश) : उपसभापति महोदय मैं आपकी अनुमति से प्रस्ताव करना हूँ कि यह सभा राष्ट्रपति द्वारा 8 अप्रैल, 1985 को प्रख्यापित चाय कम्पनी (रुग्ण चाय यूनिटों का अर्जन और अन्तरण) अध्यादेश, 1985 (1985 का संख्यांक 3) का निरनुमोदन करती हैं।

माननीय उपसभापति महोदय, यह अध्यादेश, 8 अप्रैल, 1985 को लागू किया गया था और उसी अध्यादेश को जीवित करने के लिये यह वर्तमान विधेयक 1985 प्रस्तुत किया गया है।

इसमें इस बिल का प्रावधान है कि जो 4 बीमार चाय की यूनिटें हैं उनका प्रबंध सरकार अपने हाथ में लेना चाहती है। सरकार को इस काम की जानकारी थी कि 8 अप्रैल, 1985 को उनका प्रबंध कार्यकाल समाप्त हो रहा था, इसलिए अध्यादेश के माध्यम से कानून लाने के प्रस्ताव का मैं विरोध करता हूँ। जिस समय यह अध्यादेश लाया गया था उस समय लोक सभा भी सत्र में थी, ठीक उसके कुछ दिन पहले राज्य सभा का सत्र समाप्त हुआ था। 8 अप्रैल को यह अध्यादेश जारी किया गया और 8 अप्रैल को ही राज्य सभा का वर्तमान सत्र जो 19 तारीख का प्रारम्भ हुआ था वह आहुत किया जा चुका था। मेरा ऐसा विचार है कि जब सरकार को इस बात की जानकारी थी कि पिछले अध्यादेश का कार्यकाल 8 अप्रैल को समाप्त हो रहा है तो सरकार को कम से कम लोक सभा में और राज्य सभा में अपना विधेयक लाना चाहिए था जिससे कि सदस्यों को इस बात का मौका मिलता कि वे विधेयक पर अपनी राय देते और उसके बाद सबकी राय सुनने के बाद एक विधेयक पारित किया जाता।

इसके बाद मेरा यह आरोप है कि जानबूझकर अध्यादेश के जरिये यह विधेयक लाया गया है। संविधान निर्माताओं ने कभी सपने में नहीं सोचा था कि इस देश में जो सरकार आयेगी वह अंतरण अध्यादेश के जरिये शासन करना चाहेगी। मैं संविधान की धारा 123(1) की ओर इस सदन का ध्यान आकर्षित करना चाहता हूँ जिसमें इस बिल का प्रावधान है कि अध्यादेश किन स्थितियों में लाया जा सकता है। मैं इस बात को मानता हूँ कि सत्र चाहे लोक सभा का चलता हो और राज्य सभा का न चलता हो या राज्य सभा का चलता हो और लोक सभा का न चलता हो तो अध्यादेश असंवैधानिक नहीं होगा। लेकिन संविधान निर्माताओं की यह मंशा नहीं थी। 123(1) में इस बात का प्रावधान है कि :

"If at any time, except when both Houses of Parliament are in session,

the President is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require."

मैं यह निवेदन कर रहा था कि जब संविधान सभा में 23 मई, 1949 को अनुच्छेद 123 पर, जो कि उस वक्त अनुच्छेद 102 था, विचार हो रहा था तो उस वक्त के संविधान सभा के सदस्य श्री एच० वी० कामथ ने एक संशोधन रखा था और वह यह था कि जब संसद का कोई भी सदन सत्र में न हो उसी समय अध्यादेश जारी किया जा सकता है। जब सरकार को इस बात की जानकारी थी, बखूबी इस बात की जानकारी थी कि 8 अप्रैल को उनका प्रबंध काल समाप्त हो रहा है तो शुरू में सरकार को विधेयक लाना चाहिए था। लेकिन फिर भी इस विधेयक के पीछे जो भावना है उसका मैं स्वागत करना हूँ क्योंकि विधेयक के शुरू में ही इस बात को कहा गया है कि 3 हजार कर्मचारियों के नियोजन का मामला है, उनके जीवन पर बुरा प्रभाव पड़ रहा है और पाशोक लुकसा तथा बाह तुक्वेर चाय यूनिट की बाबत 10 अप्रैल, 1985 को और पोटोंग चाय यूनिट की बाबत 10 जून 1985 को जो प्रबंध ग्रहण की अवधि समाप्त हो रही थी इसलिए यह अध्यादेश प्रस्तुत किया गया।

मेरा निवेदन यह है कि केवल जो चार चाय की कम्पनियाँ हैं इनके लिए ही क्यों प्रबंध के अधिग्रहण के संबंध में सरकार विधेयक लायी है क्योंकि जो चाय बागान हैं वहाँ के जो मजदूर हैं उनका शोषण उन चाय बागानों के मालिक किता करते हैं क्योंकि जब भारत में अंग्रेजों का राज था तब उस समय चायबागानों के मालिक ज्यादातर विदेशी लोग होते थे, अंग्रेज लोग होते थे जो हमारे देश के मजदूर रहते थे उनको वे समझते थे कि गुलाम देश के हैं इसलिए मजदूरों के साथ वे गुलामी का व्यवहार करते थे। आज भी जो चायबागान के मालिक हैं उनको करीब करीब एक करोड़ अड़सठ लाख 35 हजार रुपये हम

मुआवजे के रूप में देने जा रहे हैं। वहाँ जो भूमि है या जिस भूमि पर चायबागान हैं, वह उनके मालिकों को बिल्कुल मुफ्त दी गई थी या बहुत कम रुपये पर लीज के आधार पर दी गई थी। इसके अतिरिक्त जो बड़े-बड़े बैंक हैं या वित्तीय संस्थाएँ हैं उनसे आर्थिक सहायता ले करके इन लोगों ने चायबागान के काम को वहाँ पर प्रारम्भ किया है। तो मेरा यही निवेदन है कि जो गरीब लोग हैं और जो गरीबों का पैसा है, चाहे वह इस देश की जनता का पैसा हो या किसानों का पैसा हो, उनके पैसे से कोई भी मुआवजा इन बड़े-बड़े लोगों को नहीं देना चाहिए और यदि देना भी है तो केवल नाममात्र का दीजिए, क्योंकि जैसा मैंने शुरू में भी कहा कि वह जमीन उनको मुफ्त में मिली है और साथ-साथ बैंकों से कर्ज ले कर के तथा वित्तीय संस्थाओं से कर्ज लेकर के चाय बागान का काम उन्होंने वहाँ शुरू कर रखा है। लेकिन फिर भी आज चाय दिन-प्रति दिन मंहगी होती जा रही है। मैं यहाँ पर एक आंकड़ा प्रस्तुत करना चाहूँगा कि सन् 1983 में चाय 27 रुपये प्रति किलोग्राम मिलती थी, सन् 1984 में 35 रुपये प्रति किलोग्राम, 1985 में 47 रुपये प्रति किलोग्राम से 52 रुपये प्रति किलोग्राम के हिसाब से मिलने लगी। आज से 15-16 वर्ष पूर्व डॉ० राम मनोहर लोहिया बराबर कहा करते थे कि एक दिन ऐसा आयेगा, जबकि इस देश में चाय लोगों को एक रुपये या दो रुपये प्याला मिला करेगा। आज ठीक वही स्थिति हो गई है। चाय बागान के मजदूरों का शोषण होता है। उनके रहने के लिये मकान नहीं हैं। उनके बच्चे अगर बीमार पड़ जाते हैं तो उनके लिये दवाइयों की व्यवस्था नहीं है। उनके बच्चों के लिये शिक्षा का कोई प्रबंध नहीं है। तो मेरा सरकार से यह निवेदन है कि जितने भी चाय बागान हैं उनका अधिग्रहण करने के लिये एक व्यापक और विस्तृत विधेयक इस सदन के अन्दर लाये जिससे कि उसके ऊपर विचार-विमर्श के बाद मजदूरों के हित में वह कानून पास हो, जो उन मजदूरों के लड़के हैं उनके हित में वह पास हो, तभी इस देश के गरीबों का हित होगा।

**उपसभापति :** मालवीय जी, जरा संक्षेप में बोलिये, क्योंकि ज्यादा समय नहीं है चाय के लिये। डेढ़ घंटे में चाय खत्म करनी है।

**श्री सत्य प्रकाश मालवीय :** सरकार से दूसरा मेरा निवेदन यह है कि जो वहां के मजदूर हैं और जो वहां के श्रमिक हैं, चाय कंपनियों का जो मुनाफा है उसमें उनकी भी भागीदारी होनी चाहिये। इन शब्दों के साथ मैं अपने विचार, इस विषय पर समाप्त करता हूँ।

**उपसभापति :** जबकि हम लोग चाय पर डिसकशन कर रहे हैं, मैं खाने के बारे में आपको एक सूचना दे दूँ। आज जो हमारे पार्लियामेंट्री अफेयर्स के मंत्री हैं, उनकी तरफ से सभी सदस्यों के लिये रात के खाने का इंतजाम है।

**श्री अश्विनी कुमार :** (बिहार) : मैडम, आपने सूचना ऐसे समय दी है जबकि यह सदन खाली हो चुका है। अगर आप यह सूचना पहले देतीं तो बहुत से लोग उपस्थित रहते ?

**उपसभापति :** आईदा उपस्थित रहेंगे, इसीलिये दी है।

**श्री अश्विनी कुमार :** खाने का टाइम क्या है ?

**उपसभापति :** जब यह खत्म होगा, उसके बाद।

THE MINISTER OF FINANCE AND  
COMMERCE (SHRI VISHWANATH  
PRATAP SINGH): Madam Deputy Chair-  
man, I beg to move—

“That the Bill to provide for the acquisition and transfer of the sick tea units specified in the First Schedule and the right, title and interest of the tea companies in respect of the said tea units with a view to securing proper reorganisation and management of such tea units so as to subserve the interests

of the general public by augmenting the production and manufacture of different varieties of tea which are essential to the needs of the economy of the country and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration.”

Madam, the House is aware that Pas-hok, Looksan, Vah-Tukvar and Potong tea gardens were taken over by the Government because of constant neglect, mismanagement and creation of encumbrances by the erstwhile owners of these gardens. The future of 3000 workers was at stake. The Government took over management of these gardens under the Tea Act. And the Government invested considerable amounts and made improvements. But there was uncertainty about the future and it thought it proper and necessary to improve it and to make large investments in it. But, to make large investments in it, the ownership should not remain uncertain and for the sake of that, the Government has now come up with these proposals to nationalise these units.

A point was made by Shri Malviya that it is not in the spirit of the Constitution and it was not the intention of the farmers of the Constitution that such an Ordinance should be issued in such a situation and this was his first objection. But, Madam, if it were not the intention and if it were not the desire of those who framed this Constitution, why then has this provision been made that if one House is not in session, such an Ordinance can be issued? So, it should be wrong either technically or morally. Technically, there is nothing wrong. Morally also it is correct because the honourable Member himself endorses the purpose of the Bill. So, on both the grounds it stands. Because of the time limit, it would expire had we not issued the Ordinance and then extension would be necessary and short extensions would not serve the purpose and it would have expired. So, it was thought necessary to do this.

But it is well within the Constitutional provisions and the purpose is also one, you see, with which, by and large, even the House agrees. This has been for a good purpose only and so, this action should be taken.

SHRI M. KALYANASUNDARAM  
(Tamil Nadu): Such Ordinances should be  
welcomed.

**SHRI VISHWANATH RATAP SINGH:** I am not saying that. But it is well within the Constitution, technically and otherwise also. Technically it is correct and morally also, it is right to have nationalised them.

Another point made was that only four have been nationalised. It is for the first time that tea gardens have been nationalised and this time also a question mark is put. At least, it should be welcomed because, for the first time, the tea gardens have been nationalised and the Government has taken the initiative and this also dispels the fear that the Government will not shoulder its responsibility of steering the economy of the country. But here is a positive proof that, where it is needed, the State will come forward to steer the economy and shoulder the responsibilities in respect of the economy.

Then, another point was made about the compensation. It was stated that large sums of money by way of compensation are being paid. Under the scheme of compensation, I may inform the honourable Member that, under Category I, priority will be given to labour dues. Then, under Category II liabilities in which the State Governments have an interest will be paid. Then, under Category III, the Central Government and the commercial banks will be paid, and then come the other categories. By then all the compensation would have been exhausted by the time you complete Category III. Even commercial banks will be fully paid. Then comes Category IV relating to the taxes of the Central Government. Category V

relates to the liabilities of secured loans and Category VI covers other dues and then come the owners. But the honourable Member, Mr. Malaviya, mentioned "*nam matra ke liye*". It is not *nam matra ke liye*. What finally reaches their hands is nil. So, this fear is also dispelled.

Then, about the domestic prices, there is the pressure of prices on the external markets and the consumption in the country has been going up, consumption of tea. Production has jumped from 544 million kgs. in 1979 to 644 kgs. in 1984. But what is left for exports is almost the same amount, not much of an increase. So, the increase of production has been taken up by domestic consumption. And when there is pressure of price in the international market, it is reflected in the domestic market. However, the Government took the step of banning CTC tea export in 1983, and again in 1984 it imposed restrictions, and there was a control on the rise in prices and there was a little fall also.

This year, to ensure that CTC tea which is mainly consumed in the country is available to the country, it has been decided that only 70 million kgs. will be exported and 4 million kgs. will be available to the country and about 35 million kgs. of traditional teas will be available. So, this will be able to take care of the domestic demand. These are the measures which have been taken for domestic prices.

The question was proposed.

THE DEPUTY CHAIRMAN: Mr. Dipen Ghosh.

**SHRI DIPEN GHOSH (West Bengal):** Madam, Deputy Chairman, the Bill which has been brought by the Government is a welcome measure, but I should say that it is not enough.

THE DEPUTY CHAIRMAN: Like the time. (*Interruptions*) Four minutes and 59 seconds. (*Interruptions*)

SHRI DIPEN GHOSH: I know. You should not encroach upon my time by saying that.

THE DEPUTY CHAIRMAN: It will be inclusive of my time. (*Interruptions*)

SHRI DIPEN GHOSH: It is a welcome measure, but not enough, because the Minister himself has stated the reasons behind the taking over of these particular four gardens and nationalising and vesting them in the Tea Trading Corporation of India as of mismanagement and mishandling of these four tea gardens.

In fact, the present tea industry requires to be wholly nationalised, in view of the same reasons for which these particular four tea gardens were initially taken over and are now proposed to be nationalised.

Madam Deputy Chairman, there are already at least four more tea gardens in other district of Darjeeling which are either sick or closed or mismanaged, and these four tea gardens should immediately be taken over by the Government so that these four tea gardens can further contribute to the earning of foreign exchange through the export of tea. Besides as regards other tea gardens, particularly in that area that is, Darjeeling, though the Darjeeling tea is the most famous tea from the point of view of earning foreign exchange also, are mostly old and the gardens require re-plantation. And expansion of coverage to the new areas is also necessary. But the present owners of these gardens are not even drawing the money which is offered by the Government for re-plantation or expansion of coverage. According to one information, only 40 per cent of the amount allotted for renovation and rejuvenation of the tea gardens was taken by these tea planters, and in fact the present owners of tea gardens are only interested in plucking the two-leaves and one bud and selling it either in the home market or abroad to make profit and take away those profits from the tea gardens and invest them elsewhere. So they are com-

pletely ignoring and overlooking the question of re-plantation and the question of expansion to new areas. So naturally I should say that the Government should nationalise the entire tea industry with particular reference to four other tea gardens in Darjeeling to make this present measure a fool-proof and all covering one. Other closed or sick gardens apart from these 4 gardens have to be nationalised by expanding the scope of the Bill. These gardens should be nationalised by the Government.

Madam, in this Bill the responsibility of running these nationalised gardens has been sought to be vested in the TTCI. The Minister must be aware that the TTCI itself is a sick organisation and it is running into losses, thanks to inept handling of the trade by the management of the TTCI. Perhaps only 3 months back a Committee was constituted by the Union Commerce Ministry to go into the question of the future of TTCI, whether it should be wound up or it should be allowed to function as a subsidiary of the STC or it should be merged with the STC. I do not know what decision exactly has since been taken by the Union Commerce Ministry. I can at least hope that by vesting the running of these 4 nationalised gardens with the TTCI, the Union Commerce Ministry is interested to give a production base to the TTCI which has so far been dealing only with tea trade. This is one of the suggestions made by TTCI employees. I am associated with their Association. I had submitted a memorandum in writing to the Minister of State for Commerce, Mr. Sangma that the TTCI should be given a production base. It was also the recommendation of the Committee on Public Undertaking. So, vesting the running of these 4 tea gardens simply with TTCI is not enough. There are other tea gardens managed by the public sector undertakings. Andrew Yule Company has been owning a large number of tea estates. But the main business of Andrew Yule is engineering and other things. Since the management and control of Andrew Yule

expenditure could easily be economised. We have got our foreign officials. The TTCI itself has got people knowing the foreign market about tea. Actually, in order to secure tea orders, the Accounts Officer should not go or the Manager of the factory should not go and have a trip throughout the world. I would appeal to the hon. Minister to look into this aspect, particularly when the TTCI itself is suffering from financial constraints and it is depending heavily upon the Government subsidy. Naturally, this type of expenditure could be economised. You should look into it. Otherwise, even if there may be a good intention in nationalising these four Tea Gardens and giving the responsibility of running them to the TTCI, the people who are running these public sector organisation have got some under-the-carpet connections with the private sector. They go round the world on Government expenditure for securing orders. But all the orders are not delivered or the orders are not attended to by the public sector. Naturally, I should say that apart from what I have said about the nationalisation of the entire Tea industry and particularly those four Tea Gardens which are already closed in Darjeeling, we should review the functioning and the working of those funds which are being maintained by the Tea Board for the improvement of the tea industry to what extent they could be utilised by the planters, to what extent those funds could economically be utilised, and to what extent the Tea Board could oversee the proper implementation of those schemes for improving the tea gardens and the tea industry because there is much corruption and there are many irregularities and malpractices in this matter.

Secondly, in the year 1956, there was a Plantation Enquiry Committee and that Committee had gone deep into the causes of the ills that were affecting this industry. That Committee had suggested certain remedial measures. I think, the time has come when such an Enquiry Committee should be constituted to go into the basic causes of the ills of the Tea

[Shri Dipen Ghosh]

industry and to suggest remedial measures. And I would hope that the hon. Minister, while replying to this Debate will take note of these points, and even if he does not think it fit to reply immediately, at least, I should submit before the Minister, that he should please look into the matter. Please cleanse this organisation of this type of irregularities and corruption and give a solid production base to the TTCI not only by vesting the management of these four nationalised units but also the other tea gardens which are owned by the Government of India and run by certain other organisations, whose main business is not tea, like the Andre Yule, the Barma Lawrie and others. Thank you.

**उपसभाध्यक्ष [डा० (श्रीमती) सरोजिनी महिषी] :** आप सब से प्रार्थना करती हूँ कि आप पांच मिनट में खत्म कर दें।

**श्री रामानन्द यादव (उत्तर प्रदेश) :** जब भी मैं बोलने लगता हूँ आप मुझे से ही कहती हैं। संयोग से मेरा आप से ही मिलन हो जाता है, सुखद मिलन।

मैं इस बिल का तहे-दिल से समर्थन करने के लिये खड़ा हुआ हूँ। मैं तो चाहता था कि जितने टी स्टेट्स हैं इस देश में सब का राष्ट्रीयकरण करके सरकार ले ले। लेकिन यह संभव नहीं है क्योंकि बहुत सी सरकार के सामने कठिनाइयाँ हो सकती हैं। महोदया, ये जितने टी स्टेट्स हैं ये सभी बड़े पूँजीपति घरानों के हैं। इसमें जो जमीन है वह सरकार ने फ्री आफ कास्ट इन लोगों को दी थी जिस वक्त ये टी गार्डन शुरू हुये थे। इसमें जो पैसा खर्च हुआ है वह प्रायः सभी पैसा जो नेशनलाइज्ड बैंक्स हैं उनसे या दूसरे सरकारी मदों से पैसा लिया है। इसमें जो लेबर काम करने वाले हैं वे मोस्टली ट्राइबल्स होते हैं या गरीब तबके के होते हैं। यहाँ जो पैसा या तनख्वाह मिलती है वह बहुत ही कम मिलती है। लेबर सस्ती है और इस वजह से यह टी गार्डन के जो मालिक हैं उन्होंने शुरू-शुरू में काफी पैसा कमाया।

महोदया, ये जो टी स्टेट्स आनर्स हैं इन की मनोवृत्ति हो गई है कि टी स्टेट्स में बैंकों से पैसा ले लो और उसमें थोड़ा सा खर्च कर दो और कुछ दिनों के बाद उसे सिक करके छोड़ दो और इन्हीं पैसों से, उसके मुनाफे से दूसरी इंडस्ट्री खोल लो, उस पैसे का दूसरी इंडस्ट्री में डाइवर्सन कर लो। यह सरकार को रोकना चाहिये। ये टी गार्डन जो हैं बहुत ही पुराने हो गये हैं। जितने भी टी स्टेट्स हैं उनमें से बहुत कम इसके मालिक हैं, नये टी गार्डन बनाने की कोशिश की है। इसी कारण से, ये पुराने हो जाने की वजह से टी स्टेट्स प्रोडक्शन काफी गिर गया है। अच्छी टी पैदा नहीं हो पाती। यह जो टी बोर्ड बनाया इस टी बोर्ड का काम था कि जो टी स्टेट्स हैं उनको रेनोवेट किया जाए, उनका रकबा बढ़ाया जाए, नये टी स्टेट्स खुलें लेकिन ऐसा नहीं हुआ। पैसे टी बोर्ड से टी स्टेट्स को मिले। मानोपॉलिस्ट्स लोगों ने, इन टी गार्डन के मालिकों ने इसका दुरुपयोग किया। हमारे एक साथी ने बताया कि जो पैसा टी गार्डन के लिये एलोकेट हुआ था उसका 40 परसेंट ही खर्च हो सका और 60 परसेंट पैसा जो टी गार्डन के मालिक हैं वे खा गये। यह जो टी गार्डन के मालिक हैं उन लोगों ने एक नया हथकंडा शुरू किया है। क्यों किया है, मैं यह समझ पाने में असमर्थ हूँ। मुझे ऐसा लगता है कि इसके पीछे उनका कोई फाइनेंशियल राज है। जो टी गार्डन के मालिक हैं, बड़े-बड़े टी स्टेट्स के मालिक हैं उन्होंने छोटा-छोटा बनाना शुरू कर दिया है। इसका क्या कारण है इसकी ओर सरकार को ध्यान देना चाहिये। 1950 में इस देश में जितने लेबर थे उसका 20 फीसदी आपके टी गार्डन में काम करते थे। इससे आप अन्दाजा लगा सकते हैं कि टी गार्डन में एम्प्लायमेंट की कितनी वासिबिलिटी है। अगर नये टी स्टेट्स खोल जायें, छोटे-छोटे किसानों को टी बोर्ड पैसा दे या नेशनलाइज्ड बैंकों से उनको पैसा मिले और वे टी गार्डन बनायें तो काफी लोगों को एम्प्लायमेंट मिल सकता है। नये लोगों को इससे काम मिलेगा, ट्राइबल्स लोगों को मिलेगा, पुअर सैक्शन को मिलेगा, जो स्थाई रूप से रहने वाले लोग हैं उनको मिलेगा। इनके

लिये न टी बोर्ड काम करता है और न सरकार करती है। तो मेरा यह कहना है कि जो छोटे-छोटे किसान हैं, जो हिली ट्रैक में रहते हैं जिनकी जमीन भी टी पैदा करने लायक है उनको पैसा देना चाहिये।

लेकिन छोटे किसानों को पैसा नहीं देते हैं। इसलिए मेरा कहना यह है कि मुझे पर भी सरकार को सोचना चाहिए। अगर कोई व्यक्ति हिली ट्रैक का रहने वाला है, बैंक से टी की खेती करने के लिए पैसा लेता है तो उसको इस काम के लिए पैसा दिया जाना चाहिए। मुझे याद है, बिहार राज्य में रामगढ़ एरिया में छोटा नागपुर का इलाका पहाड़ी इलाका है। वहां पर 20 वर्ष पहले टी गार्डन शुरू हुए। वहां पर उसी तरह की जमीन है जिस तरह की जमीन दार्जिलिंग में या सिबीगुड़ी में है। इसलिए आज आवश्यकता इस बात की है कि बिहार के इस क्षेत्र में भी टी गार्डन बनाये जायें। बिहार में छोटा नागपुर का क्षेत्र और संथाल परगना, ऐसे क्षेत्र हैं जहां पर टी उगाई जा सकती है। अगर वहां पर टी गार्डन खोले जाएंगे जो वहां के लोगों को इम्प्लायमेंट के लिए बाहर नहीं जाना पड़ेगा। इसलिए मैं चाहता हूं कि सरकार को इन क्षेत्रों में टी गार्डन खोलने की इजाजत देनी चाहिए। छोटे किसानों को टी की खेती करने के लिए प्रोत्साहित किया जाना चाहिए।

इसके बाद उसके प्रोसेसिंग का सवाल पैदा होता है। सरकार टी प्रोसेसिंग के सेन्टर्स खोल सकती है और लोगों को इसके लिए ट्रेनिंग भी दे सकती है। इससे लोगों को काम मिलेगा। मैं चाहता हूं कि इस तरफ भी सरकार को ध्यान देना चाहिए। आप जानते हैं कि हमारे देश में एक जमाना था जब हमारी टी इंडस्ट्री 14 परसेन्ट देश का फॉरेन एक्सचेंज अर्न करती थी। लेकिन आज वह स्थिति नहीं है। आज इस इंडस्ट्री को इतना फॉरेन एक्सचेंज नहीं मिल पा रहा है। मैं पूछना चाहता हूं कि इसके क्या कारण

हैं? वर्ल्ड मार्केट में हमारी टी की क्या पोजीशन है। आज स्थिति यह है कि हमारी टी आस-पास के देशों की टी से अच्छी नहीं मानी जाती है। सिलोन की टी बेटर है... (व्यवधान) वह सस्ती हो सकती है। लेकिन यह भी एक फेक्टर है। चायना की टी पसन्द की जाती है। आज यह भी स्थिति हो गई है कि टी का प्रोडक्शन घट रहा है। हमें टी पर मुनाफा भी अच्छा नहीं हो रहा है। जितना हमारे देश में टी का कल्टीवेशन बढ़ना चाहिए उतना नहीं बढ़ रहा है। हमारी टी का एक्सपोर्ट भी कम हो गया है। हमारी ईल्ड भी पर एकड़ घट गई है। इसलिए आज जरूरत इस बात की है कि इन सब बातों की तरफ तुरन्त ध्यान दिया जाय। सरकार को इस तरफ शीघ्र ध्यान देना चाहिए।

मान्यवर, टी गार्डन में लेबर की क्या स्थिति है? लेबर के रहने के लिए न तो कोई घर होता है और न ही उनके लिए कोई मेडिकल का प्रबन्ध होता है और न ही किसी तरह का रिलीफ उनकी दिया जाता है। जितने भी लेबर लाज हैं उनको टी गार्डन के मालिक इम्प्लोमेंट नहीं करते हैं। इस प्रकार से ये गरीब लोग तबाह हो रहे हैं। उनके बच्चों को शिक्षा देने के लिए कोई प्रबन्ध नहीं है। टी गार्डन में जो मजदूर काम करते हैं उनके लिए होस्पिटल की कोई फेसिलिटी नहीं है। वे लोग बहुत परेशान रहते हैं। पिछले साल सरकार ने इस तरफ कुछ ध्यान दिया था। यह कहा गया था कि टी गार्डन के जो मालिक हैं वे निश्चित रूप से इस दिशा में कदम उठावें और मजदूरों के लिए वेलफेयर मेजर्स लें। लेकिन जैसा आप जानते हैं, टी गार्डनर्स के औनर्स ने इस दिशा में कोई कदम नहीं उठाया। इसलिए आज इस बात की जरूरत है कि नेबर्स के वेलफेयर के लिए कदम उठाये जाय और इस तरफ सरकार का ध्यान जाना चाहिए। बोनस एकट टी लेबर पर भी लागू हुआ है। लेकिन



[श्री रामानन्द यादव]

पिछले साल काफी मुनाफा होते हुए जैसा भी कानून है, 20 परसेन्ट से अधिक बोनस नहीं मिल सकता है। टी एस्टेट्स ओनर्स ने काफी फायदा किया लेकिन बोनस उनको नहीं दिया। आज भी बहुत सा पैसा जो मजदूरों को मिलना चाहिए। उनके ऊपर बाकी है।

महोदया, टी बोर्ड जो पैसा अलाट करता है उसके संबंध में मेरे मित्र ने चर्चा की। मैं उनके साथ सहमत हूँ कि पैसे की गड़बड़ी होती है। इसके वर्किंग की छान-बीन होनी चाहिए और देखना चाहिए कि प्रापर यूटिलाइजेशन आफ मनी क्यों नहीं हो रहा है, कहां लुकना है। सरकार को टी बोर्ड को विशेष हिदायत देनी चाहिए कि वह फारमर्स की मदद करे। महोदया, जितनी मनी टी बोर्ड इनवेस्ट करता है उसके अनुरूप उसका प्रोडक्शन नहीं बढ़ता है, एकरेज नहीं बढ़ता है, यील्ड नहीं बढ़ती है। इसके ऊपर सरकार को इनवेस्टीगेशन करना जरूरी है। मेरे कहने का मतलब है कि सरकार को निश्चित रूप से टी बोर्ड की वर्किंग को देखना चाहिए।

महोदया, टी बोर्ड ने बहुत से टी एस्टेट्स ओनर्स से पैसा ले लिया है और उसका मिसयूटिलाइजेशन किया है। जिन टी एस्टेट्स ओनर्स ने टी बोर्ड के पैसे का या बैंकों के पैसे का मिस-यूटिलाइजेशन किया है उनको सरकारी इंटीट्यूशन की तरफ से किसी भी प्रकार की मदद नहीं मिलनी चाहिए। इस बात की भी इन्क्वायरी की जानी चाहिए कि क्या उनको डी-लिस्ट करने की आवश्यकता है और ऐसी टी एस्टेट्स को सरकार को जल्दी से जल्दी ले लेना चाहिए।

महोदया, हम काफी टी विदेशों में भेज रहे हैं लेकिन ऐसा न हो कि टी कंट्री में ही महंगी हो जाय। इसलिये सरकार को लेवी टी का भी इंतजाम करना चाहिए ताकि सस्ते रेट में टी

लोगों को मिल सके। आज यह गरीब आदमी का पेय हो गया है, यह कोई लभजर्गी आइटम नहीं है।

श्री दीपेन घोष : जनता टी।

श्री रामानन्द यादव : यह काफी से सस्ता है। आप चले जाइये देहातों में। पहले जब जाते थे वे पूरी आदि चीजें रख लेते थे लेकिन अब टी लेकर रख रख लेते हैं चाहे लोटे में क्यों न ले आयें, बड़े गिलास में क्यों न हो लेकिन चाय रख लेते हैं। अतः मैं सरकार से चाहूंगा कि वह लेवी टी की भी व्यवस्था करे।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ और मैं चाहता हूँ कि सरकार ऐसे टी एस्टेट्स को अपने हाथ में ले, उसका पर एकरेज बढ़ाये, उसकी यील्ड बढ़ाये ताकि हम टी को विदेशों में भेज सकें। वहां पर जो मजदूर हैं उनको सुविधा मिले और जो इम्प्लायमेंट की पास बिलिटी उसमें है, वह हो, यह लोगों को मिले और सरकार को इसकी व्यवस्था करनी चाहिए और इंस्टीट्यूशंस का जो पैसा इन टी एस्टेट्स ओनर्स ने ले लिया है और जो उसका मिस-यूटिलाइजेशन कर रहे हैं और कर चुके हैं, इसके ऊपर भी सरकार को ध्यान देना चाहिए। इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

SHRI BISWA GOSWAMI (Assam):  
Madam Vice-Chairman, I welcome this Bill. While welcoming this Bill, I would like to make a few observations. Madam, it would have been better had the Government brought forward the Bill before the expiry of the term of the take-over, without resorting to an Ordinance. In principle, this sort of promulgation of Ordinances is not good from the point of view of Constitutional propriety. Madam, Government knew very well as to when the period of the take-over would expire. They could have easily brought forward

the Bill at the appropriate time. However, I welcome the Bill.

Tea industry is a very vital industry for our country. It earns about 400 crores of rupees in foreign exchange. Apart from that, it provides crores of rupees to the Central exchequer. We are facing competition in the production of tea with different countries. Different countries are producing it and we are facing competition. Whereas we have seen in our country that the tea garden owners have failed to maintain the quality of tea, to make proper improvement of the tea gardens in the country. Their main purpose is profit. I am particularly speaking about Assam which is a major tea-producing area. The tea garden owners there seldom care for the improvement of tea plantations and for the improvement of the gardens. Very often they resort to over-exploitation of the tea gardens, resulting in damage to the bushes. They do so with a view to getting higher profits.

There is a Government Corporation in Assam which is known as the Assam Tea Corporation. Recently this Corporation wanted to purchase one tea estate — Jokai tea estate — but it could not purchase it. It was purchased by the famous Sethia who has become well known for his fraudulent activities in the international field. Then some non-resident Indians are also purchasing gardens in Assam. I would like to mention the name of Mr. Swaraj Paul. He has purchased some gardens in Assam. What interest these people can have in developing tea industry of our country other than profit? Therefore, I feel that time has come when the Government should look deeply into the matter and adopt a correct policy with regard to tea industry. That policy can only be total nationalisation of the tea gardens. Simply taking over sick tea gardens will not suffice and the other tea gardens should also be taken over by the Government and the entire tea industry should be nationalised, because we cannot afford to lose in the matter of production of tea in our country.

There is one other aspect which one notices. In the international market there has been a slump so far as tea prices are concerned. It has been published in the Telegraph in its 13th May issue that there has been worldwide slump in tea prices. But the curious thing is this that in the domestic market the prices of tea are going high. What is the reason behind this? Very often the price in the home market is higher than the price in the international market. So Why is it so? Madam, very often the tea gardens owners do one thing. They do not release the entire tea stock at the auction market. They stealthily sell away their product — i.e. tea — to the traders through negotiations. Therefore, we find that in the domestic market prices of tea have been rising steadily. So, the Government should look into the matter as to why the prices of tea are going on rising in the domestic market while in the international market there has been a slump in tea prices. This is a matter which should be looked into. Of course, in today's Indian Express it has been published that some of the monopoly tea traders have reduced the tea prices by Rs. 2 per kilogramme. But, in this regard my friend, Mr. Ramanand Yadav, has suggested the introduction of a system of levy tea. I am not suggesting that, but something should be done from the side of the Government to control the prices of tea in the domestic market because the domestic market is neglected. Now the domestic market is expanding and perhaps we will have to depend more, in future, on the domestic market. Therefore, we cannot neglect this aspect. Madam, you may be surprised to know that sometimes people coming from London bring tea from London to Gauhati because tea is cheaper in London than at Gauhati. Although we produce tea in our State, why is this happening in our own State? This should be looked into. We cannot depend on the tea barons alone for this.

Then I would like to mention, about sick tea gardens. Why do tea gardens become sick? In the past the Government of

[Shri Biswa Goswami]

India appointed a Commission, known as the Menon Commission, which suggested certain measures so that the tea gardens do not become sick. I do not know what has been done to implement the recommendations of that Commission. But it is also a fact that some of the tea garden owners wilfully make the tea gardens sick. The honourable Finance Minister, while replying to the debate on the Finance Bill, declared on the floor of the House that the Government is thinking of bringing a legislation to see that persons who wilfully make a unit sick will not get financial help either from the Government or from any financial institution. I would request the honourable Minister to see that this is applied in the case of those, who wilfully make the tea gardens sick, on the assumption that the gardens will be taken over by the Government, they loot the money first and, after a garden is taken over or nationalized, they will get compensation. So, these people should not be given the chance to loot people in both ways.

Madam, originally the Government took over five tea estates. What has happened? Now they are going to nationalize only four gardens. What has happened to the fifth tea estate? I hope the honourable Minister will explain this. Also, while nationalizing these tea estates, care should be taken to see that continuity of service of the workers serving in these gardens is maintained and their interests are protected.

Madam, the conditions of the tea plantation workers are not at all good. They are in a very bad condition. Therefore, from that point of view also we cannot allow these tea barons to continue to exploit the people and earn huge profits. In today's paper it has been published that in 1983 the profit of Tata Tea has gone up by 48 per cent. They are earning huge profits but, at the same time, they are depriving the workers of their dues. Therefore, I would request the honourable Minister to bring a comprehensive Bill for total nationalization of the

tea gardens. Unless and until the Government does it, mere taking over or nationalization of four tea estates will serve no purpose. In the near future 6.00 P.M. if we depend entirely on unscrupulous gardens owners, we will not be able to compete with the other tea producing countries. We will fail to maintain our position in the international market. There will be a huge loss of foreign exchange to the country. Our economy will be affected. Although this Bill is not for total nationalisation of the tea gardens, I am glad that at least the Government has come forward for the first time to nationalise these four tea gardens. I hope these nationalised tea gardens will show an example to influence the mind of the Government to nationalise all the tea gardens in the country. Therefore, I would urge upon the Honourable Finance Minister to come forward for total nationalisation of the tea gardens.

With these words, Madam, I support the Bill.

PROF. C. LAKSHMANNA: Madam, Vice-Chairman, I stand to extend my wholehearted support for the taking over of the four tea gardens. If I am little unhappy, it is mainly because it is a piecemeal attempt at nationalisation. Secondly, the background in which nationalisation has taken place, it is perhaps an incentive for others to follow suit and in the process make us lose. I have in my mind the State of Objects and Reasons given in the Bill. The objective of taking over was mainly because the tea gardens or companies or units coupled with reckless investments made and encumbrances created by those companies, had led to a state of deterioration which has threatened the very continuance of the said tea units as also of the employment of about 3000 workers. That means so long as they are in a position to rob from the units they will do it, but when once they are no more in a position to increase their profits, the owners of these companies are likely to indulge in the type of

practices which these four owners of the companies did and led to a situation where sickness has set in other units. There are about 13,000 tea estates of various nature or types in this country. All these 13,000 tea estates have been earning good foreign exchange for our country. They have been also contributing to the Central exchequer through the excise duty. Therefore, if we have to maintain our foreign exchange earnings level and their contribution to the Central exchequer, it is time for the Government to think in terms of rationalisation of the working of these, because unless it is done, unless nationalisation of such major tea estates is undertaken, they will also indulge in the type of practices which these four or five tea companies did. There may be a time when we will be forced to take over them. That means the process of take-over or the process of nationalisation is a continuous process, but not in accordance with the principles for which we stand. In any company there are three partners to it. First one is the people represented through the State. The second is the owner. And the third are the workers. Of course, the State and the people are interested in continuous operation of any institution in good condition. There is no doubt about it. The owners are interested only in profit making; so long as they are in a position to increase their profits or at least maintain the level of profit they would continue to operate. But, if they are in a mood to diversify they will try to create a type of sickness to settle in. And by that time the condition may be such that there is no alternative but to take over. The third is the workers. Unless the workers have a sense of participation, I do not think the working of any industry will be ultimately satisfactory. But if the interests of the owners and the interests of the workers clash—one is interested in multiplying the profit and the other is interested in wages, of course, there is no doubt about it—then there is bound to be a problem. Therefore, even taking these factors into consideration, there is need for looking into the working of many of these tea estates. It is very obvious, as per the information that is available, that there are no plans for plantation of new or fresh tea plants in many of these tea companies.

The Tea Board's plan of rejuvenation and renovation has been completed or achieved only to the extent of 40 per cent. That means, to the extent of 60 per cent, it has not been done, which is an indication that some of the major important tea companies are in the same type of process as has been done by the other four or five companies which are being taken over. In view of this, there is bound to be a time when we have to take over these industries one after another. That may be a sad experience. I request the Finance Minister to kindly consider the possibility of nationalisation in such a way that this industry will not suffer.

Then I would like to touch upon one or two other points. Madam, there has always been what is known as an auction centre. I understand that the auction centre used to be in Jalpaiguri. It was shifted from there to Siiguri and from Siiguri ultimately it has been shifted to Calcutta. This goes against the principle for which all of us stand, and that is that we should not allow over urbanisation and we should not allow more and more units, more and more activities coming into what may be called the megalopolises and obviously Calcutta is one of them. Therefore, it is in the interest of the decentralised functioning of this organisation that this auction centre should be shifted back to Jalpaiguri. Perhaps that will be nearer to other tea units.

Thirdly, coming to a point which even Mr. Goswami has just now mentioned, there is a company which is known as the Jokai Tea Company which was with the Balmer Lawrie and Company group. Balmer Lawrie and Company was nationalised but that tea company was not nationalised. From Mr. Goswami I understand that it has now been purchased by Sethia. It would have been better if this Jokai Tea Company had also been nationalised along with Balmer Lawrie and Company. I do not know what made the Government not to nationalise this unit which was with Balmer Lawrie when the whole company was nationalised. Even now it is not too late to think in terms of either nationalising this unit or considering the whole programme not in piecemeal but as a national pro-

[Shri C. Lakshmanan]

gramme of nationalising major tea companies. If that is done, there is a possibility of our standing in competition because there will be a goal, an objective specifically with the Government of India, specifically with the people of India, that the tea industry should be nurtured, nourished in a proper way so that it can stand in competition with other encroaching countries all over the world.

With these words, I request the Finance Minister to kindly consider the possibility of a legislation as soon as possible of nationalising at least the major tea estates in the country so that we will have a clear-cut avowed policy in this direction. Thank you.

**SHRI N. E. BALARAM:** Madam Vice-Chairman, I rise to extend my full support to this Bill but, I hasten to add that this type of piecemeal legislation will not solve some of the problems that are being faced by the tea industry. A comprehensive Bill is necessary, according to me, because what I understand is that we have got a number of tea estates in Kerala—the Minister may be knowing it—and most of these estates are not properly managed or properly planted. Some of these estates are very old, but replantations are not taking place at all. The owners are interested only in their own protection. Most of the tea estates are either neglected or are mismanaged. I am afraid any time they may be declared sick and Government may have to take them over. This is the situation developing there. Unless the Government makes a thorough inquiry, unless it makes a thorough study, of the whole tea industry there, the problem cannot be solved. Production, of course, has increased. But commensurate with increased production, the export has not increased. I do not know why...

**SHRI VISHWANATH PRATAP SINGH:** May I inform the honourable Member last year the realisation on tea exports has been a record realisation; there has been a record export earning of Rs. 735 crores. Even in volume there has been a record increase.

**SHRI N. E. BALARAM:** May be, but my main point is there is a sort of neglect

on the part of some of the estate-owners. Unless the Government intervenes and checks it, it will be very bad for the country.

Look at the plight of the plantation workers there. The wages that the tea plantation workers in Kerala are getting are much below the subsistence wage. Nowhere in India, in no industry, do you find workers getting such below the subsistence level wage as the tea plantation workers in Kerala. If my information is correct, in 1974 they were getting Rs. 4 per day and now they are getting about Rs. 10. What is Rs. 10 nowadays? Can it be called a minimum wage? No. Nobody seems to bother about the welfare of the workers. Nobody seems to be interested in them. The proprietors of the estates are engrossed in their own profits, in their own enrichment, and the poor plantation workers have nowhere to represent to. I earnestly appeal to the honourable Minister to make a thorough inquiry into the wage and working conditions of the plantation workers in Kerala. Of course, I would not say that the estate-owners are wilfully trying to neglect the estates so that they can later on claim a big compensation from the Government in the event of the Government taking over the estates on the ground of sickness. But all the same the fact remains, as far as the tea estates in Kerala are concerned, things are not all right; the mismanagement or the neglect of the estates must be checked forthwith, the working conditions and the wage level of the workers must be inquired into immediately. Only then can the production further increase and the workers get a better deal. Thank you.

**श्री अश्विनी कुमार (बिहार) :**  
माननीय उपसभाध्यक्ष महोदय, चार टी  
एड्रेस के राष्ट्रीयकरण का अध्यादेश  
हमारे सामने आया है। अपना अनुभव  
है कि इस प्रकार से कभी एक इंडस्ट्री,  
कभी दो इंडस्ट्री के अधिग्रहण का बिल  
हम पास करते रहे हैं। मेरा आप के माध्यम  
से माननीय वित्त मंत्री जी से निवेदन है  
कि चाय हमारे देश का एक महत्वपूर्ण  
उद्योग है और सबसे महत्व की बात  
यह है कि यह ऐसा उद्योग है जहाँ बड़ी  
मात्रा में, बड़ी संख्या में गांव के बेपढ़े-लिखे

मजदूरों को काम मिल सकता है और आज भी जो वहां काम करने वाले हैं वे आसाम या दार्जिलिंग के नहीं हैं। उन में से अधिकांश व्यक्ति उत्तर प्रदेश के गोरखपुर के, देवरिया के हैं या फिर बिहार के रांची के और संथाल परगना के लोग हैं, जो रोजी-रोटी के लिए गए थे जिनको यहां अच्छी रोटी नहीं मिलती थी, वहां अच्छी मिलती थी, वे लोग यहां से भर-भर कर भेजे गए। यह ऐसा उद्योग है जिसकी ओर सरकार को समुचित ध्यान देना चाहिए। दुनिया के अन्दर आज जिस प्रकार की स्थिति है, जितना हम इस उद्योग से विदेशी धन कमा रहे हैं, उतना धन हमको अगर कमाना है और देश के अन्दर जो जनसंख्या बढ़ रही है उसको भी चाय पिलानी है क्योंकि चाय के अलावा अब दूध, दही, घी तो लोग भूल गए हैं, गरीब को यदि चाय का प्याला पिलाना है तो मेरा सुझाव है कि इसके लिए विचार करने के लिए आप एक कमीशन बनाएं। सारे टी इंडस्ट्रीज की स्थिति देखी जाए। यदि हमको विदेशी बाजारों में अपनी स्थिति बनानी है, भारतीय उपभोक्ताओं को चाय पिलानी है और विदेशी मुद्रा कमाना है तो उसके लिए देखना चाहिए कि क्या-क्या आवश्यकता है।

इसके साथ, ही इस उद्योग में काम करने वाले मजदूरों की ओर भी ध्यान देना है। मेरे मित्र ने उसका जिक्र किया, मैं भी कई जगह टी गार्डन देख चुका हूं और देखकर मुझे पीडा हुई। उनका मैनेजमेंट कैसे हो, उनमें सुधार कैसे हो, जो टी गार्डन ठीक नहीं चल रहे हैं, उनको भी इस कानून के अन्तर्गत लिया जाए क्योंकि आपने केवल 4 गार्डन लिए हैं। अभी कुछ चाय बागान जो ठीक चल रहे हैं, जो उनको आय होती है वे रिसाइकिल कर रहे हैं, प्लांटेशन बढ़ा रहे हैं, उनके लिए सिचाई की व्यवस्था कर रहे हैं, लेकिन कुछ नहीं कर रहे हैं। अतः टी उद्योग हमारे देश में महत्वपूर्ण उद्योग है जैसे असम में, बंगाल में, त्रिपुरा में और कुछ केरल में भी है। तो इन सारे प्रदेशों में जो प्रमुख आय का स्रोत है, जैसे कलकत्ते

में चाय और जूट प्रमुख उद्योग है, उनकी ओर आप ध्यान दें। जो आप काम कर रहे हैं वह ठीक कर रहे हैं, लेकिन इसको समग्रता में विचार करके करें, दूरगामी योजना बनाकर करें। प्लांटेशन के लिए जमीन कहां से आएगी, फारेस्ट काटने की बात आयेगी तो उसका अर्थ दूसरा हो जाता है, इकालाजिकल बैलेंस खराब हो जाता है। इसलिए मैं इतना ही निवेदन करना चाहता हूं कि इन सब बातों को देखें। हमारे बिहार में, रांची के बहुत से लोग वहां गए हैं, उनको आने-जाने की समस्या रहती है, परन्तु फिर भी वे साल भर में 10-15 दिन के लिए एक-दो बार आते हैं, उनको लोग रईस मानते हैं। उनकी कमाई और बढ़ सकती है। आज चाय से जितनी आमदनी हो रही है, जैसा हमारे मित्र ने कहा कि कुछ कंपनियां अच्छी चल रही हैं, उनकी बैलेंस शीट प्राफिट दिखा रही हैं, तो सरकार इसके लिए कुछ नियम बनाये और जो कंपनियां प्राफिट करती हैं उनको निश्चित परसेंटेज रिसाइकिलिंग के लिए रखना चाहिए। परमों साल्वे जी ने कुछ सुझाव दिए थे, मैं उनको नहीं दोहराना चाहता, लेकिन जब तक रिसाइकिलिंग के लिए इंडस्ट्रीज को बाध्य नहीं करेंगे, तब तक अधिकांश उद्योग सिक होंगे।

दूसरी बात, जो आपने कही है, कई प्रकार के उद्योगपति हैं जो इंडस्ट्रीज को जानबूझकर बीमार बनाकर फेंकना चाहते हैं। उनके खिलाफ कठोर कदम उठा चाहिए।

इन शब्दों के साथ, जो आप कर रहे हैं, ठीक कर रहे हैं, किन्तु इस उद्योग की सारी समस्याओं पर विचार करने के लिए आप हाई पावर कमीशन बनायें जो शीघ्र से शीघ्र आपको रिपोर्ट दे ताकि जो चाय उद्योग विदेशों में इंडियन टी का स्थान बना रहा है, जिसको आज चीन और लंका से संकट हो रहा है, वह स्थान बराबर बना रहे जिससे देश की उन्नति हो। इन शब्दों के साथ मैं अपना भाषण समाप्त करता हूं।

**SHRI GHULAM RASOOL MATTO :**  
Madam Vice-Chairman, I rise to support the Bill. I have to make certain observations.

My first observation is that it has become a sort of routine affair with us that even when the House is in session we promulgate Ordinances. On the 8th of April, when this Ordinance was promulgated the Lok Sabha was in session. I can understand that the Rajya Sabha was not in session and the Bill could not become an Act. But the Government could have shown respect to Parliament if they had introduced a Bill and then promulgated the Ordinance also and stated therein that the Council of States is not in session. They could have done it. They could have shown at least this much courtesy to the Lok Sabha. But this has not been done.

With regard to the take-over, it is a very good step. But I have to state one thing in this connection. In the Statement of Objects and Reasons the hon. Minister has stated:

"The management of the four sick units, namely, Pashok, Looksan, Vah-Tukvar and Potong was taken over by the Central Government under the provisions of the Tea Act, 1953..."

It has not been mentioned when it was taken over. On this we may kindly be enlightened, because I have a very important point to make with regard to this. Now, I do not know whether the Tea Act provisions are also analogous to the Industries (Development and Regulation) Act. Under the Industries (Development and Regulation) Act, Section 18, first a notice is given that you are not running it properly, and then the provision of section 18A are invoked and then it is taken over. I would request the hon. Minister that he should enlighten us as to what is the state of affairs in this respect, and in future please see to it that it should not be in two stages. When you find that a unit is really sick and you have to take over the management, you should take it over fully, because in this way you can run the unit as your own unit and then you can do whatever is to be done to set

it right. This is a very important suggestion I have to make to the hon. Minister.

The second point I am making is this. Now these four tea estates have been taken over. I would request the hon. Minister to have a look on all the tea estates and have a cell created in his own office to monitor the working, the profitability and the viability of each tea unit so that they are taken over when they are really sick. Now, in the first instance, they are allowed to get sick. So this monitoring will help the Government to take a decision in this regard.

Lastly, I would like to request the hon. Minister that now these four units have been taken over. There is a great short of Janata tea in India. In Parliament House we used to get Janata tea here which was at a very low price as compared to the packed tea, Brooke Bond or Liptons. I would request him that when these four units are being taken over, efforts should be made to make Janata tea there in a sizeable quantity so that the benefits of taking over really percolate to the masses.

Thank you.

**श्री सत्य प्रकाश मालवीय :** माननीय उपसभाध्यक्ष महोदया, मंत्री जी ने जो स्पष्टीकरण दिया है अध्यादेश लाने का उससे मुझे सन्तोष नहीं है। क्योंकि 13 मार्च से लेकर 29 मार्च तक राज्य सभा का सत्र चला है और 8 अप्रैल को जिस दिन अध्यादेश लागू किया गया उस दिन भी लोक सभा का सत्र चल रहा था और ठीक उसी दिन राज्य सभा का वर्तमान सत्र चलाने के लिये सम्मन जारी किये गये थे। सरकार जो इस बात की जानकारी भलीभांति थी 8 अप्रैल को कि चाय कम्पनी के प्रबंध कार्यकाल की जो सीमा है वह 8 या 10 अप्रैल को समाप्त हो रही है। मेरी अपनी समझ से सरकार में दूरदर्शिता का अभाव था क्योंकि अध्यादेश लाने की परिस्थिति तभी होती है जब कि कोई आपतकाल समस्या हो। कोई ऐसी समस्या हो जिसकी संभावना न रही हो या कोई ऐसी स्थिति हुई हो जिसकी स्पष्ट रूप से सरकार को जानकारी नहीं थी।

उनको जानकारी थी कि 8 अप्रैल को कार्यकाल समाप्त हो रहा है। इसलिए पिछले राज्य सभा के सत्र में और लोक सभा भी चल रही थी, उस वक्त विधेयक लाया जा सकता था। दूसरी बात मैं यह कहना चाहता हूँ कि जो वर्तमान विधेयक लाया गया है यह व्यापक नहीं है क्योंकि जो श्रम कानून है और प्लानटेशन एक्ट के अन्तर्गत मजदूरों के हितों के लिए जो अधिनियम हैं उनका ठीक प्रकार से पालन नहीं होता है और सरकारी कर्मचारियों की, जिनकी जिम्मेदारी उस कानून के तहत मजदूरों के हितों के लिए प्रभावी कदम उठाने की है, उसकी भी कोई व्यवस्था नहीं की गई है। चाय बगानों के मालिकों के संबंध में कोई व्यवस्था नहीं की गई है। अंतिम बात मैं यह कहना चाहता हूँ कि चूँकि सभी चाय बगानों का राष्ट्रीयकरण नहीं हो रहा है, इसलिए हमारा जो यह प्रस्ताव है इस पर मैं जोर दे रहा हूँ।

**SHRI VISHWANATH PRATAP SINGH:** Madam Vice-Chairman, I would points raised. In the short time available, it may not be possible to answer all the points.

One point raised by Prof. Lakshmanan attempt to answer some of the major was that there may be conditions of sickness or there may be various degrees of sickness. Why does the Government not take advance action? Why wait for such a situation when everything is in a very bad shape? In fact, the Bill or the enactment about sickness that I referred to in the morning envisages a provision that if any unit has eaten away 50 per cent of its net worth, then it would be compelled to have a general body meeting to endorse that the same management continues and if 100 per cent worth is eroded, then certainly the right of the

management finishes unless there are other circumstances which may justify objective conditions. The concept is on these general lines. When it comes to details, it will have to be worked out. This I suppose will take care of interim periods of sickness.

Then a fear was expressed whether continuity in service in the taken-over units will remain. One hon. Member raised this point. If they read clause 11, it provides for protection of emoluments and continuation of the workers on the same terms as they were having earlier. With the T.T.C.I. also that continuity is maintained. Their interest has been protected.

About the performance of the T.T.C.I. Mr. Ghosh reflected about some changes, etc. Now, we are undertaking the strengthening of the T.T.C.I. The Chairman is being selected by the P.E.S. Board. with the S.T.C. the linkage is being strengthened for marketing. We have seen that there has been an improvement of the gardens since the management of the T.T.C.I. Pashok Tea Estate was taken over in 1976, Looksan Tea Estate in 1976, Vah-Tukvar in 1976 and Potong Tea Estate in 1979. (Intermissions). There was that provision and the Tea Act was only for management and then extension. These short-term extensions were not good. I agree that when the ownership is in suspense, it is not good. That is why we took this step of nationalisation. During this period, there has been improvement in production. Immediately prior to take-over, the average production of Pashok was 1,42,000. That has increased to 1,50,000. The same is the case with the others and I am not going into it. There has been improvement in production. In the financial results also, the Looksan has showed a profit of Rs. 37 lakhs in 1984-85 and Rs. 29 lakhs in 1983-84. Similarly, the Pashok and the Vah-Tukvar also reduced their losses during that time. They have reduced the losses. So, there has been improvement on this ground. And, I think, the statutory liability, the wages of the workers have been paid for.



(Shri Vishwanath Pratap Singh)

Productivity has registered a higher improvement. And maintenance and repairs have been done. Labour was also one of the concerns of the hon. Members. Yes. The condition of the labour in the tea gardens is one which does concern everyone. But out of these taken-over gardens, in the Looksan Tea Estate, about Rs. 55 lakhs was spent on labour welfare. And similarly, in other gardens. And I would also agree with the hon. Members that the wages of the labour have not gone up to the extent which can be said good wages. But it has improved from what it was earlier when it was with the erstwhile owners. But there is a lot to be desired. I agree. I do not contest that. But from the earlier situation, there is improvement. But I will not say that it is the final word. And there is need for more improvement.

About sick gardens, in general a point was raised as to what about other sick gardens. Mr. Ghosh has raised this. I don't have to go into this list. The Tea Board does take action. It gives notices. Investigation takes place. And after these teams give a report with their recommendations, then a decision is taken. I assure you that wherever the management is failing or wanting, the Government will not be wanting in coming forth in taking action. But on the question of total nationalisation of all the tea gardens that has been raised by the hon. Members, it has to be considered now. There is a commitment of resources also. There are 13,000 tea estates. Many tea estates are there in the South also. There are also many small tea estates. So, in this respect, where there is failure or there is mismanagement, certainly the Government has to come forward. A suggestion for the recycling of the investments was made. In the present Budget, we have made a provision. If somebody deposits money with the NABARD and according to that provision makes re-investments, there is an incentive in the present Budget. Those who will not do it would not be able to take the advantage of that incentive. About the Big houses also, it was mentioned. And generally it is also hanging

in the minds as to what the position is of these FERA companies and the Big Houses in this. In this, the FERA companies' share in total exports is about 11 to 12 per cent, that is in 1981 and 1982. The Brooke-Bond is about 5 per cent — 4.7 and 5.11; so, I am rounding it up. And the Lipton is about 3.5. That is the percentage of the share in exports. The remittances of the FERA companies have gone down. In 1980, it was Rs. 11.26 crores; in 1981, it was Rs. 7.25 crores. In total package tea market where the Lipton and the Brooke-Bond control about 90 per cent of it, their proportion has declined from 45 per cent to 30 per cent now. And that is the situation. So, we do not have to be very alarmist. But we have to keep an eye in this respect that the monopoly angle and the FERA angle is not exploited. A point was raised as to what happened to the closed tea gardens. One hon. Member asked about it. Four have been nationalised. Perhaps, he has Chargola in mind. And studies have been made by the TTCI and others Assessments have been made. And it has been found that they are permanently non-viable. And we are in consultation with the Assam Government on this.

A point was made about the Darjeeling tea. Mr. Ghosh has made that point. Now we have a scheme for Darjeeling tea. The subsidy scheme. It was slow, I agree. We had a scheme but for a long time there was no disbursement. Now 41 schemes have been sent to NABARD, out of which 20 have been approved and money has been sanctioned and money has also been given to 9 gardens and now that scheme is picking up. (*Interruptions*). I was a slow progress to begin with but now it has started picking up.

There has been some misconceptions amongst some members, Mr. Yadav is not here, that production has gone down, exports have gone down, productivity has gone down. But that is not true. Some reference was also made to the area. There is a constraint on area also. It is not that every area can grow tea. Some non-traditional areas we are trying

to expand. In the case of traditional areas we are seeing that they are quite fully exploited and that we increase the productivity in those areas, while new areas are being found.

About exports, it is wondered when production is going up why the export quantity is not going up. Value-wise we had Rs. 35 crores coming from tea. This is labour-based intensive industry, not a single dollar is imported for our exports. Whatever we earn is net foreign exchange gain. That is the value of exports of tea. Earlier we used to export 70 per cent of our production and consume 30 per cent. Now we consume 70 per cent and export 30 per cent. And if that is going to be the rate, some day we might be importing tea. Some day we will have to take a national decision on this high foreign exchange earner. It is hard. But then we will have to choose between a cup of tea and a kilo of fertiliser, which is more necessary for the national economy, some balance has to be struck. But we have taken all the precautions for maintaining tea prices and I may inform that the auction prices in 1983 were Rs. 26 and in 1984 they rose to Rs. 34 and in March, 1985 they have come back to Rs. 25. As an hon. Member mentioned in the case of popular brands of leaf tea the prices have been announced to be reduced from Rs. 40 to Rs. 38 per kg. and in the case of dust tea from Rs. 34 to Rs. 32.50. We also control the export of CTC teas. The CTC is mainly what we have for the common man here and I gave the figures for the quantity. 435 million kgs. we are going to retain for the domestic market. Here is a situation where we have to curtail the exports which could give foreign exchange and there is good market for it. But we are keeping quantitative restrictions to cater to the domestic market alone and that is our concern and we are taking care of domestic market. But the pressure of the outside market is on this commodity. I will not go into the various measures that the Tea Board takes.

What we intend to do in the future, in the Seventh Plan, is to have new

plantations, of about 24,450 hectares and rejuvenation of about 81,000 acres, about which an hon. Member was expressing concern. Of course, there are schemes of drainage and irrigation etc.

So, these are the various aspects of the various issues that have been raised and I am thankful to the hon. Members for their support. On the Ordinance side there may be some problems, but I think technically it was right and morally it was right and it was for a good purpose to do. And certainly, such things I do not want to mention in the House lest somebody takes advantage in law courts, etc., and you know it. But I am thankful in the sense that everyone has supported the essence of the Bill and that gives lot of strength and I express my gratefulness to the hon. Members. With these words, I request...

SHRI DIPEN GHOSH: Regarding constituting a tea plantation enquiry committee like the one constituted in 1956, you have not stated. Another point was about giving further growth base to TTCI and cutting down the overhead expenditure, particularly the tour programme of the world.

SHRI VISHWANATH PRATAP SINGH: By now, the tea industry is the old industry with us; its problems are well-studied. It is not that these things are not known. So far as the enquiry commission is concerned, it will not be adding very big knowledge about the problems which we know. It is only a question of implementation. About getting other companies, or one more company, you know it is under the charge of various Ministries and if they are doing a thing well and are diversifying it and doing it well, why disturb it.

SHRI DIPEN GHOSH: About cutting down of the overhead expenditure and the world tour programme.

SHRI VISHWANATH PRATAP SINGH: I have taken note of it.

THE VICE-CHAIRMAN [DR. (SHRI-MATI) SAROJINI MAHISHI]: I shall put first the resolution of Shri Satya Prakash Malaviya to vote.

[Dr. (Shrimati) Sarojini Mahishi]

The question is:

"That this House disapproves of the Tea Companies (Acquisition and Transfer of Sick Tea Units) Ordinance, 1985 (No. 3 of 1985) promulgated by the President on the 8th April, 1985."

*The motion was negatived.*

THE VICE-CHAIRMAN [DR. (SHRI-MATI) SAROJINI MAHISHI]: I shall now put the motion moved by the Minister to vote. The question is:

"That the Bill to provide for the acquisition and transfer of the sick tea units specified in the First Schedule and the right, title and interest of the tea companies in respect of the said tea units with a view to securing proper reorganisation and management of such tea units so as to subserve the interests of the general public by augmenting the production and manufacture of different varieties of tea which are essential to the needs of the economy of the country and for matters connected therewith or incidental thereto, as passed by the Lok Sabha be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN [DR. (SHRI-MATI) SAROJINI MAHISHI]: We shall now take up clause-by-clause consideration of the Bill.

*Clauses 2 to 34, the First Schedule and the second Schedule were added to the Bill.*

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

SHRI VISHWANATH PRATAP SINGH: I move:

That the Bill be passed.

*The question was put and the motion was adopted.*

## THE COINAGE (AMENDMENT) BILL, 1985

THE MINISTER OF FINANCE AND COMMERCE (SHRI VISHWANATH PRATAP SINGH): Madam Vice-Chairman, I beg to move:

"That the Bill further to amend the Coinage Act, 1906, as passed by the Lok Sabha, be taken into consideration."

Madam, it is a non-controversial Bill, giving greater manoeuvrability to the Government for making available coins for circulation as per demand. Concern about the shortage of coins was expressed by hon. Members. The Government has already taken various steps for increasing the total availability of coins. The production has largely increased from 525 million pieces in 1981-82 to 1356 million pieces in 1984-85. The target for 1985-86 is 2000 million pieces. There is still a gap. The Reserve Bank of India has assessed that in 1985-86, we would require 2,600 million pieces which would rise to 3200 million pieces in 1992-93. Measures have been taken to modernise all the existing three mints and to establish a new mint, with a capacity of 1500 to 2000 million pieces per annum, at NOIDA, in Ghaziabad district of U.P. The present amendment is to take care of the intervening period of shortage and when there is absolute necessity to import coins to cater to the needs of the people. This is an exceptional measure and it will be made use of only to the extent it is necessary. I commend the Bill for the consideration of the House.

*The question was proposed.*

SHRI NIRMAL CHATTERJEE (West Bengal): Did you move the Bill as Finance Minister or Commerce Minister?

THE VICE-CHAIRMAN [DR. (SHRI-MATI) SAROJINI MAHISHI]: There are four or five members who have given their names to speak. Mr. Satyanarayan Reddy.

SHRI DIPEN GHOSH (West Bengal): Madam, my name is there.