

[Prof. P. J. Kurien]

It is because, in that case, the cost factor can be further reduced, and one of the main objections against the nuclear energy can be eliminated.

With these words, I support the Bill and I hope the hon. Minister will explain the genuine doubts raised by me in order to allay the fears of the people and in order to boost our production of nuclear energy.

MR. DEPUTY SPEAKER : The discussion will continue tomorrow. Now, we will take up Half-an-hour discussion.

— 4 —

17 30 hrs.

HALF-AN-HOUR DISCUSSION

[English]

Low Wages for tea Plantation Workers

MR. DEPUTY SPEAKER : Shri Piyus Tiraky.

SHRI PIYUS TIRAKY (Alipurduars) : Sir, this Half-an-Hour discussion is on the poor payment of wages to the workers in the tea gardens. The hon. Minister has replied to the question that has arisen. But the hon. Minister has gracefully avoided to clarify how much foreign exchange the Government is getting from tea exports from India and what is the condition of the labourers in general in the tea plantations.

Tea industry is a very profitable industry at present in India because we are earning Rs. 700 crores by way of foreign exchange for our country through tea trade.

I would like to elaborate to some extent the general condition of the labourers in the tea industry in India. The

daily wage of tea labourers is fixed at Rs. 11.8 paise whereas for the agricultural labourer the scale is fixed at Rs. 13.50. But tea industry is said to be of both agrarian and industrial nature and because of this reason, this industry has earned lot of money for the country and naturally the shares of the profits should go to the labourers and the workers engaged in the tea industry and they have every right to demand more pay and have it.

In regard to the rationing supplied to the tea labourers, rice and atta are given to them at 50:50 ratio. But the plantation workers prefer to forego their 50% quota of rice because of price consideration and even if the rice is supplied, it is of very poor quality and sometimes it is not fit for human consumption. The workers in the tea gardens are thus exploited to the greatest extent. Atta is supplied to the labourers simply because the price of atta is less than the price of rice. The Government should look into this matter.

In the case of fuel, it is a scarce commodity. Fuel is not available everywhere. The tea garden workers are not getting their due share of fuel which is 25 maunds per family per worker because of scarcity of fuel in the country and, therefore, the Government should give them coking coal or kerosene to pave the forest products and fuel in our country.

The acreage of plantation under tea has increased because tea is a profitable industry but the ratio of employment in the tea industry has not kept pace with it. Unemployment problem is very acute in the tea gardens. The poor and illiterate labour employed in the industry constitute only 40% of the residential labour population in tea gardens. If such a big portion of residential labour is unemployed, then it will be very difficult for the tea industry to grow because naturally the tea industry may face troubles.

When Government is earning lot of money from tea industry, why are they not improving the condition of labour by setting up auxiliary industries in and

around tea gardens? If this labour is provided employment opportunities it will be good for the planters as well as for the Government because the Government is getting lot of money out of tea industry itself. So, there is no difficulty to get the money for the auxiliary industry in and around the tea industry. This is my demand. The Government should think over it very seriously.

Sir, I have already mentioned about the Provident Fund amount. I think, the Provident Fund money is deposited with the Government. I have got the details of the defaulter companies who have not even paid back the meagre amount which has been deposited. They have not been returned to the actual workers who have been asking for their own use in order to have a good living after retirement. I have got the list. The number of cases of Provident Fund pending right from 1976 to till-date are as follows: Gandra Para Tea Garden—76 cases; Tu'sipara Tea Garden: 57 cases—this is right from 1980; Harimara Industries Ltd.—12 cases; Sarugaon Tea Estate—105 cases; Kalchini Tea Estate—10 cases; Boxa Doors Co. Ltd.—47 cases; Hasimara Industries Ltd.—153 cases; Gopalpur Tea Estate—142 cases; Central Duors Tea Ltd.—117 cases.

The list contains 37 companies which are not paying back the Provident Fund amount right from 1976 till todate. This is something very bad on the part of the Government for not forcing the planters to comply with the procedures. Some of the planters have not deposited their share also. This is the Government Act. Also, I do not think that the State Government has enacted this Act. This is the Indian Government's legislation. The Indian Government is responsible to implement and force the concerned to implement the Act in toto. The Indian Government has legislated it in the year 1951 and it has been brought into effect from 1954. But this Act has not yet been fully implemented. Had this Act been implemented to some extent, the workers in the Tea Gardens would have had some sort of a better living in our country. This is the con-

dition which is prevailing now. The Act has provided a number of welfare activities. But none of them has been fully implemented. So, I would request the hon. Minister to go into this matter fully-well and have some sort of an enquiry about every section of this Act as to how much of it has been implemented; how much or it has not been implemented and who are the people not taking any interest to implement it. The Government should also think as to what sort of punishment can be given to such offenders. The Government should take a very serious view of this matter.

Sir, I would like to draw the attention of the Government to the past history. At the end of the 19th century and in the beginning of the 20th century, the tea plantation started in some parts of our country and especially in Assam and Duarsarea. At that time labour was very scarce. Even the present Assam and Duars could not afford to give even 5 per cent of the labour needed at that time. So, the Chhota Nagpur area where tribals were living was artificially made into a famine area and people were brought by agents for big commissions, and they were forced, like bonded labour, to do very hard work in the tea gardens. And this is the condition of the tribals there. Our Prime Minister says that he is very much keen about tribal development and crores of rupees are spent. 95 per cent of the tribals are working in the tea gardens. Government should come forward and do something for these people. They are not asking for money from the Government; they are saying that whatever money you are earning from there should be spent for the development of the tribal people there.

In reply to my question, Mr. Panja had alleged that the State Government was responsible for not giving the allotted quantity of rice which was about 60,000 quintals per month. If allotment is made by the Central Government, they should enquire whether that has reached the company itself or not, whether the labourers are getting it or not. I think, it is the responsibility of the Union Government.

[Shri Piyus Tiraky]

What a bright day for the Indian tea now. The Castleton Tea Estate in Darjeeling owned by Tiru Tea Limited set up a world record, last year, in tea prices at Rs. 1,460/- per kg and this year the price is Rs. 1,704/- per kg. This is the work of the tribal people in the tea gardens and this should be taken note of.

We have exported tea to the extent of 217,040 thousand kilograms and lots of money have already come.

My demands are the following :—

Old age homes should be established there. There should be compulsory education for the age group, 6 to 14 years, for the children of the plantation workers. They should have one month's earned leave every year with Rs. 300 for journey expenses per worker, male, female or child, whosoever is employed in the tea gardens. The licence for plantation, production and manufacturing should be made compulsory for renewal every year on nominal charges—to avoid sickness in the tea industry. Proportionate new appointment is a must in accordance with the increase of acreage in plantation. Taking into account the acute unemployment problem among the labour population, some auxiliary industries should be planned and developed there. There was a demand to the Planters' Association made by the Coordination Committee of the various Trade Unions of labour working in the plantations; that must be fully accepted; Government should force the Planters' Association to accept their demand. A comprehensive labour Bill should be introduced in the next Session of Parliament according to the recommendations of the International Labour Organization and as per the Factory Act, 1948. All sick tea gardens of West Bengal should be taken over by the Centre without any compensation and without any responsibility for any sort of liabilities, and handed over to the West Bengal State Development Corporation.

Lastly, arrangements should be made immediately for the essential commodities

from fair-price shops to be distributed in the tea-garden area also as it is done elsewhere in India.

This is a very important subject. Early in the morning we ask for tea. Without tea everyone gets puzzled. When we take tea at least we should think of the poor labourers who are struggling hard to get us our morning and evening tea and amusements in hotels.

MR. DEPUTY SPEAKER : Please conclude. You have already taken 15 minutes. There are other members also to put questions afterwards

SHRI PIYUS TIRAKY : Let me conclude Sir. I hope the Minister will consider it and he will do whatever he can. The Minister himself comes from a tribal area. He will think of the plight of the labourers and do whatever he can do.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA) : First of all, though the Plantation Labour Act—the Central Act—was passed by this very House, the appropriate Government for the implementation of the Plantation Labour Act is not the Central Government as contended by the hon. Member, it is the State Government. Though the Act is of the Centre, the implementation is to be done by the State Government.

Mr. Tiraky has alleged that they are the lowest paid people. He has quoted some figures. I want to correct them slightly. I confine the figures to the tea-growing States only. In Assam, the minimum wage fixed for agricultural sector is Rs. 12.50. For the non-agricultural sector it is from Rs. 8 to Rs. 12. The present rate of wage for the tea-garden workers is Rs. 10.30.

SHRI BASUDEB ACHARIA : It is much less.

SHRI P. A. SANGMA : That is why I am giving the facts and figures.

As for as Kerala is concerned, for the agricultural sector the minimum wage is Rs. 15, for the non-agricultural sector it is from Rs. 5.75 to 20; and for the tea-garden people at the moment it is Rs. 14.45.

In West Bengal, for agricultural sector it is Rs. 11.70, for non agricultural sector it is from 15.58 to Rs. 23.25 and for tea-garden people the present rate of wage is Rs. 11.28.

In Tamil Nadu — your own State Sir — for the agricultural sector it is Rs 8, for the non-agricultural sector it is from Rs. 15 to Rs. 23 and at the moment the tea-garden workers are getting Rs. 15.02.

This is the position of the minimum wages and the wages being earned by the tea-garden workers. While it looks slightly lower than the agricultural sector and the non-agricultural sector, the one aspect that has to be kept in mind is that as far as tea-garden workers are concerned they get not only the wages in cash, but also to certain extent they get it in kind in the sense that they are given-as you have yourself rightly pointed out—subsidised rate of food grains. They get free fire-wood of course.

I am just placing these before the House. Though in monetary terms it looks slightly lower than the other sectors, if you take into account the wages that they get in terms of kind, in the reduced subsidised rate, the position of the tea-garden workers are comparable. I may just say it is comparable. This is the precise position of the industry. As far as the contention of the hon. Member that since they are earning huge foreign exchange, therefore, the wages should go up. I do not know how far this argument can be accepted. If we accept this then we may have to accept the other way round also, that is, whenever the export earnings go down the wages of the workers will also go down. So, this is not a correct argument. The export earnings keep on fluctuating. It is not that every year export earnings keep on rising. In 1983 the export earnings were Rs. 557 crores. In 1984 the export earnings were

740 crores whereas in 1985 it came down to 711 crores. The present concept of sharing profit is the bonus concept. That is the real concept of sharing the profit of the industry and this is being done.

Sir, fortunately the tea industry is an industry where the trade union movement is very very strong. Therefore, the wages are normally determined not on the basis of minimum wages fixed by the respective State Governments but it is always on the basis of bilateral negotiations. As far as West Bengal and Assam are concerned the bilateral negotiations took place in August, 1983 and has expired in August 1986. As far as Tamil Nadu is concerned the wage negotiations took place in January, 1984 and the present settlement expire in December 1986. Therefore, both in the South and in the East the fresh wage negotiations are due. I have no definite information whether wage negotiations have been resumed but wage negotiations are due.

Sir, as I said earlier the trade union movement in this area is so strong that the wages are determined through bilateral negotiations.

Sir, the implementation of the Plantation Labour Act is not satisfactory. We in the Labour Ministry have made a study on the implementation of the Plantation Labour Act throughout the country. It was commissioned in 1983 and was over in 1985. This study report reveals that the implementation of Plantation Labour Act is not at all satisfactory. We have an industrial committee for tea plantation industry and this matter was put before industrial committee on the 6th August this year. This committee, appointed a sub-committee to go into the report as well as the working of the implementation of the law and the working of the industry. The sub-committee has, in fact, in a short time been able to submit its final report and has given its recommendations. On the basis of the recommendations of the sub-committee appointed by the industrial committee on plantation industry we are now considering a number of proposals to bring changes into the Plantation Labour Act which will mainly deal, of course, with

[Shri P. A. Sangma]

the welfare part of it particularly health, housing and we are going to add a new chapter which would exclusively deal with the safety of the workers.

These are the few initiatives which the Ministry has taken and hopefully by the next Session of Parliament I am confident that I would be able to come to the House with the proposed amendment and the House will be in a position to discuss it.

SHRI BASUDEB ACHARIA (Banskura) : Mr. Deputy-Speaker, Sir, this Half-an-Hour discussion has been raised by Shri Pius Tiraky, a veteran leader of the tea plantation workers. He has pointed out some of the problems the tea plantation workers are now facing.

No doubt, tea is one of the important industry of our country. The foreign exchange earnings may fluctuate, but it is earning a considerable amount of foreign exchange. Besides, a cess of 50 paise per kg. is also being paid to the Government. However, the welfare programmes for these tea plantation workers are not being implemented properly. The workers are in a very disastrous and bad situation and the wages that they are now receiving are not proper. Though they also get rations at a subsidised rates, the supply is not regular. Similarly, there is no arrangements for their accommodation, health care and recreation. These arrangements are not there in the tea gardens and a large number of tea gardens have become sick and some of them have also been closed rendering thousands of tea plantation workers particularly in Assam, Jalpaiguri, Alipurduar, Chota Nagpur areas of Bihar surplus.

There are also complaints regarding provident fund accounts. The accounts

17.59 hrs.

[SHRI SHARAD DIGHE in the chair]

are not being properly maintained, The

amount is not being deposited properly in the respective accounts and the refunds of the amounts is also not being made properly. We, the Members of Parliament, had also asked for setting up of an office in the Siliguri area, The Minister had agreed with this suggestion, but it has not been implemented.

SHRI P. A. SANGMA : Such an office is already functioning.

SHRI BASUDEB ACHARIA : Thank you.

18.00 hrs.

The Minister has been just now stated that he is going to bring a Bill in the Budget Session. I would like to know whether he will consider creating a welfare fund the welfare of the tea plantation workers. A cess known as 'welfare cess' can be levied and the money collected can be deposited as a Welfare Fund. This will enable the Government to undertake certain welfare measures such as construction of hospitals, schools and other educational institutions and so on. This welfare fund can be created on the lines of the Beedi workers welfare fund. Will the Government consider this proposal while formulating the comprehensive legislation? Before formulating the legislation, I want to know as to who are going to be the members of the Industrial Committee, Will the Minister consult trade union representatives, the concerned State Government Labour Ministers, i.e. Labour Ministers of Assam, West Bengal and Tamil Nadu, where there are tea gardens and also Members of Parliament and leaders of tea plantation workers like my great friend Shri Piyus Traky?

SHRI P. A. SANGMA : Yes. It is going to be tripartite.

SHRI BASUDEB ACHARIA : Will the Government propose to take stringent measures against those tea garden owners who fail to deposit the provident fund amount?

Sir, I would like to point out that a large number of tea gardens have become sick and a large number of them have even been closed down. Rejuvenation work is also not being done to revive these plantations. A large number of tea plantation workers are now thrown out of employment. Will the Government propose to take over these sick tea gardens? Although this is not under his Ministry, will he still consider the proposal, looking at the plight of the workers who are now facing starvation and death also? Is the Minister going to consider this proposal?

Sir, these tea garden workers cannot be compared with the agricultural workers. The tea garden workers are skilled workers. So, the minimum wage to be paid to these skilled workers should be much higher than that of the agricultural workers. Will the Government propose to include this suggestion, also in the forthcoming legislation?

These are my questions.

SHRI P. NAMGYAL (Ladakh) : Mr. Chairman, Sir, a few years back, when

the prices of tea started dropping in our home as well as in the world market, to boost the tea cultivation, Government had given many incentives to the owners of tea gardens. At the same time, the Government raise the Excise Duty on tea but not proportionate to the incentives given to those few tea garden owners. With the result, these tea garden owners made lot of money, but they did not passed on to the labourers though actually a proportion of that money should have been given to them proportionately.

As a result the prices of our tea shot up in the home as well as in the world market.

Sir, the prices of ordinary tea, which is consumed by common people, in 1982, it was round about Rs. 22/- per kilogram. Now, this has been raised to Rs. 38 to Rs. 40/- per kilogram. So, Sir, we should not go too far, but if we see the prices of tea which are displayed in our own Parliament House—Tea Shop—I have just got some for the information for the benefit of the hon. Members and they are as follows :-

No.	Brand name and quantity	Before Dec., 1985	As on Dec., 1985	Current price
1	2	3	4	5
1.	Natraj-500 gms.	Rs. 11.75	Rs. 26.00	Rs. 34.30
2.	Maya Pure Darjeeling —250 gms.	N. A.	Rs. 12.35	Rs. 18.45
3.	Animal—Bird-500 gms.	Rs. 37.93	Rs. 50.90	N. A.
4.	Animal—225 gms.	Rs. 20.52	Rs. 35.50	N. A.
5.	Green Label (Not available in the Lok Sabha for the last four years)			

1	2	3	4	5
6.	Brook Bond Supreme (Not available in the Parliament House)	Rs. 25.40	Rs. 25.40	N. A.
7.	Oriental Brand—225 gms. Not available in the Parliament House)	Rs. 12.98	Rs. 17.50	N. A.
8.	Assam—225 gms.	Rs. 14.15	Rs. 19.55	N. A.
9.	Nilgiri—225 gms.	Rs. 15.44	Rs. 17.25	N. A.

So, these are some of the data which show that the prices had been increased so much, but as per the reply given by the hon. Minister, this increase in prices are being passed on to the labourer, but that has not been done. So, in the light of this, I would like to put some questions : first what are the incentives given to the tea gardeners ? What is the excise duty levied on tea, and what was it in 1982 ? Is it a fact that excise duty on tea has not been increased proportionately to the incentives given to the companies ? Is it a fact that due to incentives given to the companies ? Is it a fact that due to incentives given, and the disproportionate levy of excise duties, the tea garden owners earned crores of rupees, while this earning was not passed on to the plantation labourers ? Will Government raise the wages of the tea garden workers proportionately to the incentives given, and increase in the sale price of tea in the market ?

SHRI PIYUS TIRAKY : I would ask only one question. It relates to the workers. Is it a fact that the green tea leaf pluckers are paid only 16 paise per Kg ; but if some factory in the industry wants to sell some green leaves to another factory, at that time the owner of this sick tea garden gets 65 paise per Kg of green tea leaves. Why should there be so much of a discrimination ?

Five Kgs. of green tea leaves make one Kg. of tea. The present average

price of tea is Rs. 30 a Kg. So, the price of at least one Kg. of tea should be given to the individual workers as his daily wage rate. So, this should also be considered when the Minister brings in a comprehensive Bill.

SHRI P. A. SANGMA : I am afraid that about the specific questions raised by Mr. Namgyal, it would be difficult for me to answer, because the administrative Ministry for this industry is the Commerce Ministry. Though I have some information having been for four years in the Commerce Ministry earlier, since I am not in possession of the latest position, I would not venture to reply to these questions.

The basic questions on which the discussion has centred, are the minimum wages, and welfare measures. It is where myself personally and my Ministry are concerned. From time to time, we write to State Governments, and we also lay down certain guidelines for the revision of minimum wages, not only in the tea industry, but in many other industries as well. I can only assure the House that after what has been discussed here, I will take the matter up with the respective State Governments, to see whether they would be in a position to revise the minimum wages or not. It is for the State Governments to do it. But I will certainly take it up with them.

-As far as welfare measures are concerned, Mr. Acharia has raised a number of questions I have already admitted, earlier, that the implementation of the Plantation Labour Act is not satisfactory. The welfare measures contemplated under the Act are not being implemented. That is why we have set up a committee, and it has gone into all these aspects. We are trying to rectify the situation to some extent.

As far as enforcement of the law is concerned, perhaps the enforcement machinery which is available now, is not adequate enough. Under the proposed amending Bill, we are trying to strengthen the enforcement machinery also.

So, this is one aspect I would like to say, though I will not be able to spell out everything what we are thinking of. For example, they are supposed to cater to medical facilities to the workers and all that. I have myself reviewed the situation of how the hospitals and dispensaries in the tea industry are being run; whether they are adequate; whether medicines are available; whether doctors are available; whether nurses are available. It is not a happy state of a thing. I myself have found it out. One of the reasons they say is that the doctors are not available, but they have infrastructure; they have hospitals; they have the equipment, but doctors are not willing to serve there. So, I ventured to offer to them. I mean gave a suggestion to them that if the workers' children are to be educated and if they want to go to medical profession with an agreement when they have their M. B. B. S. Degrees or whatever it is, if they are willing to come back and serve there, whether you will be willing to sponsor these candidates and finance them. I am happy to inform the House that there is a spontaneous response from the tea industry and I propose to take up the matter with the Ministry of Health to give us some seats so that we can sponsor some medical students for the tea industry. So, all these aspects, we have been going into.

SHRI BASUDEB ACHARIA : What about creation of funds ?

SHRI P. A. SANGMA : I have been personally looking into it. There is no bar on creation of fund; creation of fund can be done. In fact, in Assam, they have already created a Tea Welfare Development Fund out of the cess which is being collected from tea. So, that is already there. The only question is whether this cess development fund should be run by the Central Government as a whole or it should be run by the respective States Governments. This is a question which I have to certainly talk to the State Governments. But, at the moment, Assam Government has gone into that and they have already formed what is called a Tea Welfare Development Fund; and I do not see any reasons why the West Bengal Government cannot do it which the Assam Government has already done it.

SHRI BASUDEB ACHARIA : Do you propose to incorporate it in the proposed Bill ?

SHRI P. A. SANGMA : I have not given thought to it. I will certainly note down the suggestions which you have already made.

About the Tripartite Committee that you had referred to, it is an Industrial Committee; it is a Tripartite Committee represented by the trade unions and the industry and the government where the Labour secretaries of the tea growing States are the members. So the State Governments are certainly taken into confidence whenever we discuss these problems.

Regarding setting up of provident fund offices, we have talked about it. We have sanctioned their office in Siliguri and it has started functioning—not much. If I tell you the problem you will be unhappy man, because the Calcutta office union is not willing to part with the files relating to Siliguri, Jalpaiguri and Darjeeling. So, there is some problem of shifting the files. I have talked to your Labour Minister and told him to sort it out. But an office is not only sanctioned in Siliguri but also in Darjeeling. The only thing remaining is about Jalpaiguri. I

have made a condition that first the files pertaining to Jalpaiguri and Darjeeling should be transferred to them; then only I will consider the question of setting up an office in Jalpaiguri. Otherwise, I will not. This is what I have told your government. So, if you can kindly influence your union leaders it would help us to make this office function in a proper manner.

As far as nationalisation is concerned, I think the position of the government has been made absolutely known. It is not the policy of the government now to go on taking over every sick industry or every sick mill; government cannot afford to become a hospital of the sick and the dead mills or dead industries. Therefore, our position is very clear here. With these words, I have made my position clear and I thank the hon. members for having initiated the discussion. I can only assure you that while formulating our amendment, we will keep the suggestions made in this behalf.

SHRI PIYUS TIRAKY : And the demand also.

PAPERS LAID ON THE TABLE -

Contd.

[English]

Notification under Customs 1962

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI SHEILA DIKSHIT) : On behalf of Shri B. K. Gadhvi, the Minister of State in the Department of Expenditure in the Ministry of Finance, I beg to lay on the Table a copy of Notification No. 468/86-Customs (Hindi and English versions) published in Gazette of India dated the 26th November, 1986 together with an explanatory memorandum seeking to raise the basic customs duty on unwrought copper from 75 per cent *ad valorem* to 95 per cent *ad valorem* in supersession of Notification No 252/82-Customs dated the 16th November, 1982, under section 159 of the Customs Act, 1962.

[Placed in Library. See No. LT-3302/86]

MR. CHAIRMAN : The house now stands adjourned to reassemble tomorrow.

18.21 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, November 27, 1986; Agrahayana 6, 1908 (Saka)