

C.S. II-24

PARLIAMENT OF INDIA

RAJYA SABHA

THE PLANTATIONS LABOUR  
(AMENDMENT) BILL, 1973

REPORT OF THE JOINT COMMITTEE

*(Presented on the 3rd March, 1975)*



RAJYA SABHA SECRETARIAT  
NEW DELHI

MARCH, 1975

ERRATA TO THE REPORT OF THE JOINT COMMITTEE  
ON THE PLANTATIONS LABOUR (AMENDMENT)  
BILL, 1973.

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- Page 1 : Line 2 from bottom: For "Chaudhury"  
read "Chaudhari".
- Page 2 : Line 18: For "19975" read "1975".
- Page 3 : Line 10 from bottom : For "fo" read "for "
- Page 3 : Line 4 from bottom : For "Centronela"  
read "centronila".
- Page 11 : Line 8: For "Eplanation" read "Explanation".
- Page 11 : Line 8 from bottom: For "ITO's" read "ILO's".
- Page 43 : Insert the following before line 11:  
"The Committee thereafter approved the tour  
programme of the three".
- Page 43 : Delete line 12.
- Page 45 : Line 7 from bottom: For "Singa" read "Singh".
- Page 63 : Line 7 from bottom : For "Generay-Secretary"  
read "General-Secretary".
- Page 65 : Line 16: For "Uunited" read "United".
- Page 67 : Insert "LOK SABHA" after Line 23.
- Page 68 : Line 14 from bottom: For "Bivani" read "Biyani"
- Page 69 : Line 11 from bottom : For "futere programme"  
read "future programme".
- Page 80 : Line 19: For "Under Secretary" read "Deputy  
Secretary".
- Page 82 : Line 20: For "M.P. Choudhari"  
read "N.P. Chaudhari".
- Page 85 : Line 6 from bottom : For "Law and Justice"  
read "Labour".
- Page 88 : Line 7: For "or" read "for" and  
for " "hectares" " read " " 5 hectares" ".
- Page 90 : Line 7: For "(b)" read "6".
- Page 95 : Line 17: For "Law and Justice"  
read "Labour".
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COMPOSITION OF THE JOINT COMMITTEE ON THE PLANTATIONS  
LABOUR (AMENDMENT) BILL, 1973

Shri Nand Kishore Bhatt—*Chairman*

MEMBERS

*Rajya Sabha*

2. Shri T. V. Anandan
3. Shri Dattopant Thengari
4. Shri Monoranjan Roy
5. Shri B. N. Mandal
6. Shri N. H. Kumbhare
7. Shri Nripati Ranjan Choudhury
8. Shri H. S. Narasiah
9. Shri Ibrahim Kalaniya
- \*10. Shri N. P. Chaudhari
- \*11. Shri Shridhar Wasudeorao Dhabe
- \*12. Shri K. V. Raghunatha Reddy
- \*13. Shri C. D. Natarajan
- \*14. Shri U. K. Lakshmana Gowda
- \*15. Shrimati Leela Damodara Menon

*Lok Sabha*

16. Shri Aziz Imam
17. Shri T. Balakrishniah
18. Shri Raghunandan Lal Bhatia
19. Shri Chhatten Lal
20. Shri Biren Dutta
21. Shri Nageshwar Dwivedi
22. Shrimati Ganga Devi
23. Shri S. B. Giri
24. Shri J. Matha Gowder
25. Shri Hukam Chand Kachwai
26. Shri L. D. Kotoki
27. Shri Raja Kulkarni
28. Shri K. Mallanna
29. Shri Tuna Oraon
30. Shri Damodar Pandey

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\*Appointed on 7th May, 1974, in the vacancies caused by the death of Shrimati Sita Devi and retirement of Sarvashri G. A. Appan, U.K. Lakshmana Gowda, N. P. Chaudhury, T. G. Deshmukh and K. V. Raghunatha Reddy from the membership of the Rajya Sabha on 2nd April, 1974.

31. Shri Ramsahai Pandey
- \*32. Shri Partap Singh
33. Shri Natwarlal Patel
34. Shri S. L. Peje
35. Shri Vayalar Ravi
36. Shri K. Ramakrishna Reddy
37. Shri Ebrahim Sulaiman Sait
38. Shri Devendra Satpathy
39. Shri Ranen Sen
40. Shri Shiv Kumar Shastri
41. Shri Somchand Solanki
42. Shri Amarnath Vidyalankar
43. Shri N. P. Yadav
- †44. Shri Samar Guha
- ††45. Shri Balgovind Verma.

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour*

- (i) Shri N. P. Dube, Secretary
- (ii) Shri D. S. Nim, Joint Secretary
- (iii) Shri P. R. Nayyar, Deputy Secretary

*Ministry of Law and Justice*

Shri S. Ramaiah, Joint Secretary and Legislative Counsel.

SECRETARIAT

- (i) Shri S. P. Ganguly, Additional Secretary.
- (ii) Shri M. K. Jain, Chief Legislative Committee Officer.
- (iii) Shri R. K. Mazumder, Senior Legislative Committee Officer,

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\*Died on 24-1-1975.

†Appointed on 20th December, 1973, in the vacancy caused by the resignation of Shri Madhu Limaye, from the membership of the Committee

‡Appointed on 3rd April, 1974, in the vacancy caused by the resignation of Shri G. Venkatswamy from the membership of the Committee,

## REPORT OF THE JOINT COMMITTEE

1. The Chairman of the Joint Committee to which the Bill\* further to amend the Plantations Labour Act, 1951 was referred, as authorised by the Joint Committee, present, on its behalf, this Report of the Joint Committee with the Bill, as amended by the Joint Committee annexed thereto.

2. The Bill was introduced in the Rajya Sabha on the 6th March, 1973.

3. The motion for reference of the Bill to a Joint Committee of the Houses (Appendix I) was moved in the Rajya Sabha by Shri K. V. Raghunatha Reddy (Minister of Labour and Rehabilitation), on the 9th May, 1973, and was adopted by the House on the same day.

4. The Lok Sabha concurred in the motion of the Rajya Sabha at its sitting held on the 15th May, 1973 (Appendix II). The message from the Lok Sabha was reported to the Rajya Sabha on the 16th May, 1973.

5. The Report of the Committee was to be presented to the Rajya Sabha by the first day of the 85th Session (1973) of the Rajya Sabha. The Committee was, however, granted extension of time, first up to the first day of the last week of the 88th Session (1974), then up to the first day of the last week of the 90th Session (1974), and again up to the first day of the last week of the 91st Session (1975) of the Rajya Sabha.

6. The Committee held 33 meetings in all. (Appendix V).

7. At its first meeting held on the 18th May, 1973, the Committee decided that a Press Communique be issued inviting memoranda on the subject-matter of the Bill from various all-India organisations of workers and employers in plantations and the unions functioning in the plantation industry including trade unions, trade organisations and others interested in the subject-matter of the Bill advising them to send the same to the Rajya Sabha Secretariat by the 9th June, 1973.

8. At its second meeting held on the 8th June, 1973, the Committee felt that the time given for the submission of memoranda by the various organisations interested in the subject-matter of the Bill was rather short, and, therefore, decided that the date for the submission of the memoranda be extended up to the 30th June, 1973 and another Press Communique to that effect be issued. The Committee also decided to invite witnesses for the purpose of giving oral evidence on the Bill and authorised the Chairman to decide, after examining all the memoranda received, as to who should be invited for the purpose. The Chairman also requested members of the Committee to suggest names of persons who might be invited to give oral evidence before the Committee.

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\*Published in the Gazette of India, Extraordinary, Part II, Section 2, dated 6th March, 1973.

9. In order to make an on-the-spot assessment of the conditions of the plantation labour, the Committee decided to visit the plantations located in different parts of the country. For this purpose, the Committee divided itself into three groups which visited some of the plantations situated in the States of Kerala, Karnataka, Tamil Nadu, West Bengal, Assam and Tripura, in the months of September, October and November, 1973. The Committee also visited the plantations situated in the State of Himachal Pradesh, for the same purpose, in June, 1974.

10. 123 memoranda containing the views, comments, suggestions, resolutions etc., on the subject-matter of the Bill from various Unions, Associations, Organisations, individuals and State Governments etc., were received by the Committee (Appendix III).

11. The Committee heard oral evidence tendered by 59 witnesses (Appendix IV).

12. The Committee decided that the verbatim record of evidence tendered before it should be laid on the Table of the Houses.

13. The Committee considered and adopted the Draft Report at its sitting held on Thursday, the 20th February, 1975.

14. Before dealing with the various changes made by the Committee in the Bill, the Committee would like to highlight certain important matters which have been urged by witnesses and others who submitted oral and written evidence before the Committee and on which recommendations have been made by the Committee:—

- (a) During the course of the evidence tendered before the Committee, the representatives of the workers employed in the plantations stated that the implementation of the provisions contained in the Plantations Labour Act, 1951, particularly those which provide for the various welfare measures for the workers, had not been at all satisfactory. They contended that there had been more violations than the observance of those provisions. Officials of the State Governments entrusted with the duties of implementing the provisions of the Act also admitted that due to paucity of inspection staff and transport facilities, they had not been able to arrange for the inspection of the gardens under their supervision to the extent required. The Committee during their tours to the plantation areas also observed that in many gardens even the barest minimum facilities, such as arrangement for the supply of wholesome drinking water, latrines and urinals, provisions of qualified doctors and medicines, had not been provided though these amenities were required to be supplied by the employers under the Act. The Committee, therefore, would request the Central Government to take up the matter with the State Governments and urge upon them the imperative necessity of taking concerted action in this regard by gearing up the existing implementing machinery and augmenting the inspecting staff, wherever required, so that the employers who violate these provisions of the Act and do not provide the workers the amenities contemplated therein are prosecuted and penalised.

(b) According to the evidence tendered before the Committee, one of the main impediments which stand in the way of implementation of the various welfare measures provided in the Act is the inadequacy of the punishments which are awarded for the violations of the provisions of the Act. It has been represented that the seriousness of the offences involving violations of the labour laws is not appreciated and the courts generally take a very lenient view in dealing with such offences and let off the offenders, i.e., employers with the lighter punishment of fine which normally does not exceed rupees one hundred. The witnesses were therefore of the opinion that unless a minimum punishment is prescribed in the Act, the deterrent effect of such punishment would not be felt. The Committee agrees with that view and recommends to the Central Government that the existing provisions of Section 36 of the Plantations Labour Act, 1951, be amended to the effect that for any violation of the provisions of the Plantations Labour Act, 1951, and the rules made thereunder, the management shall be punished with imprisonment which should not be less than three months, by a competent court not below the rank of a first class magistrate. The Committee could not carry out the above amendment in the Act as it was outside the purview of the present Bill.

(c) According to the provisions contained in Section 15 of the Plantations Labour Act, 1951, an employer is required to provide housing accommodation to every worker and his family residing in the plantations. Government also provide loan and subsidy for the construction of these houses. Even then the progress of construction of houses in the plantations has been very unsatisfactory and in fact the rate of construction of houses has gradually declined. The position has not improved even by the prosecution of the employers as there is a lack of desire on their part to take up the responsibility of constructing houses. Some members of the Committee are of the view that in such a situation the State Government should be authorised to construct the houses required through their Housing Boards or other agencies and then recover the cost involved from the employer either as arrears of land revenue or in suitable instalments. While some others suggested that a separate agency, such as a Housing Board, be set up by law for constructing houses for the plantation workers and the funds required for the purpose realised by the imposition of a suitable cess on the products of the Plantations to be paid by the management.

15. The principal changes effected by the Committee in the Bill and the reasons therefor are set out in the succeeding paragraphs.

#### *Clause 2*

The Committee is of the opinion that the working conditions of the labour employed in the plantations like centronela grass, cardamom, arecanut, medicinal herbs, banana, apple, pine-apple; cashew-nut; olive, cocoa and coconut are more or less of the same nature as those of the plantations enumerated in the Plantations Labour Act, 1951, namely,



tea, coffee, rubber and cinchona and, as such, the provisions of the Act should be made applicable to those plantations also. The Committee has therefore added the names of the above mentioned eleven plantations in clause (a) of sub-section (4) of section 1 of the Act.

At present the Act applies to plantations which admeasure 10.117 hectares or more and in which thirty or more persons are employed or were employed on any day of the preceding twelve months. The Bill seeks to reduce the acreage to 6.5 hectares and the number of persons employed to twenty with a view to extend the provisions of the Act to a larger number of workers employed in these plantations. The Committee is of the opinion that the reduction proposed in these respects is not sufficient and both the acreage and the number of persons employed should be reduced further so that a larger number of workers employed in the plantations can avail of the benefits provided in the Act. The Committee has accordingly substituted "6.5 hectares" by "5 hectares" and "twenty" by "fifteen" in the Bill.

#### Clause 3

"Worker" as defined in the Act *inter alia* includes a person employed in the plantation whose monthly wages do not exceed Rs. 300|-. The Bill seeks to raise this limit from Rs. 300|-. to Rs. 500|-. The Committee, on a realistic assessment, feels that it would be necessary to raise the exemption limit to a still higher figure so that the objective behind the amendment proposed may be achieved. The Committee has, therefore, substituted the words "rupees five hundred" by the words "rupees seven hundred and fifty".

#### Clause 4

The Committee is of the opinion that as the object of the proposed new Chapter IA is to provide for compulsory registration of plantations, there is no point in providing for refusal of registration by a registering officer. The Committee has, therefore, substituted sub-section (3) of new section 3B making it obligatory on the part of the registering officer to register a plantation when an application for registering the plantation is received from an employer.

The Committee is also of the opinion that on receipt of the particulars mentioned in sub-section (5) of new section 3B, the registering officer should cancel the registration of the plantation, if he is satisfied that the plantation is no longer required to be registered under the Act and should notify his order in one of the local newspapers for the information of the persons interested in the matter. The Committee has accordingly added a new sub-section (6) to the proposed section 3B.

Substitution of sub-section (1) of new section 3C is consequential upon the provision made by the insertion of new sub-section (6) mentioned above regarding publication of the cancellation order.

The Committee is also of the opinion that before disposing of the appeal against the cancellation order of the registering officer, the employer, like the other parties to the dispute, should also be given an opportunity of being heard in the matter. The Committee has accordingly added the words "the employer" in sub-section (2) of new section 3C.

*Clause 6*

The Committee is of the opinion that a creche should also be provided in a plantation where the number of children of workers employed is twenty or more, even though the number of women workers in the plantation happens to be less than fifty. The Committee has, therefore, substituted the existing sub-section (1) of section 12 of the Act by a new sub-section and also modified the new sub-section (1A) by making a consequential amendment to include the above requirement also.

*Clause 8*

The Committee is of the opinion that in the case of collapse of a house, the question of non-payment of compensation to a worker or a member of his family should arise only when any occupant of that house is solely and directly responsible for the accident. The Committee has, therefore, amended sub-section (1) of new section 16A by providing that unless the collapse was solely and directly attributable to a fault on the part of the occupant of the house or to a natural calamity, the employer shall be liable to pay the compensation prescribed.

With a view to make the amount of compensation payable by the employer in the cases of collapse of house reasonable and more realistic, the Committee has raised the limit of compensation provided in sub-section (2) of new section 16A from Rs. 10,000/- to Rs. 14,000/- in the case of death and from Rs. 14,000/- to Rs. 20,000/- in the case of injury.

The Committee is of the opinion that in the cases of death also, the agent or the guardian should be entitled to prefer an application for payment of compensation and has amended clause (d) of sub-section (1) of new section 16C accordingly.

The Committee feels that the time limit prescribed in the clause for the submission of an application for compensation arising out of a house collapse should be raised from three months to six months and has amended sub-section (3) of the proposed section 16C accordingly.

The Committee feels that there is no need to provide for punishment for making false statement in an application for compensation for the collapse of a house, as provided in sub-section (4) of new section 16C, and has deleted the sub-section accordingly.

*Clause 9*

The Committee is of the opinion that for the extra work done in excess of the normal working hours, the worker should be paid at double the rates of ordinary wages and specific provision to that effect should be made in the Act. The Committee is also of the opinion that no worker should be employed beyond nine hours on any one day even on payment of extra wages. Sub-section (2) of section 19 and the proviso thereto have been accordingly amended by the Committee.

To remove any doubt that might otherwise arise, the Committee has inserted a new sub-section (3) to section 19 of the Act wherein it has been provided that for any work done on any declared public holiday or usual weekly holiday, the worker will be entitled to double the wages as in the case of overtime work.

*Clause 13*

The Committee feels that non-compliance of the orders of the Court made under sub-section (1) of the new section 37A proposed in the Bill, amounting to a continuing offence, should be dealt with more stringently than what has been suggested in the Bill under sub-section (2) of that section. In the opinion of the Committee, if the Court imposes a fine without imprisonment in such a case the defaulting employer might find it more convenient to pay the small fine rather than spend the amount required for the provision of amenities to the workers earlier ordered by the Court. In order to ensure effective implementation of the provisions of the Act, the Committee has suggested imposition of both imprisonment and fine in such circumstances. The amount of fine that can be imposed for such an offence has also been raised from one hundred rupees to three hundred rupees for each day's delay in carrying out the orders of the Court.

The other changes made in the Bill are of a consequential or drafting nature.

16. The Committee recommends that the Bill, *as amended*, be passed

NEW DELHI:

February 20, 1975.

NAND KISHORE BHATT,  
*Chairman of the Joint Committee.*

## MINUTES OF DISSENT

### I

The Plantations Labour Act of 1951 applies to plantations which are 10.117 hectares or more in extent and in which thirty or more persons are employed. With a view to extend the benefits of the Act to a larger number of workers employed in plantations, the Bill seeks to reduce the extent to 6.5 hectares or more and the number of workers employed from thirty to twenty. But the Joint Committee has further reduced the minimum extent and the number of workers employed to five and fifteen respectively, which does not appear to be based on any sound and rational assessment of the state of affairs in plantations both in regard to economic viability and the welfare and well-being of the workers. When we seek to bring small plantations also within the purview of the Act with a view to secure for the workers employed in such plantations the benefits of the various welfare measures provided in the Act. We must also bear in mind the economic viability of such small plantations and the financial capacity of such small planters to fulfil the obligations cast on them, particularly the obligations in regard to provision of houses, creches and medical facilities. A small planter must be equated with a small agricultural farmer and his survival must be ensured by suitable exemptions and concessions as otherwise he will be driven out of production. In this connection it is well to remember that plantation crops are very valuable foreign exchange earners and so nothing should be done to hamper or impede the development and expansion of plantations. It were better if plantations were classified as large, medium and small so as to equitably distribute the burden of welfare measures on the rule that the heaviest burden must be cast on the broadest shoulders. For these reasons I am of the opinion that there is no justification for the further reduction proposed by the Joint Committee in regard to extent and number of workers employed.

Secondly, while I sincerely share the concern of the Members of the Joint Committee that the welfare measures provided in the Act must be faithfully implemented and strictly enforced, I cannot subscribe to the view that planters are generally exploiters or enemies of labour and that therefore they must be dealt with deterrently. I do not deny that there may be some black sheep among the large body of planters. But to brand the whole body of planters as exploiters and enemies of labour is neither true to facts nor fair. Many a planter knows that a contented labour is conducive to productivity and he is therefore eager to provide all welfare measures and amenities. Nor can I agree with the view that Courts are lenient towards planters and apathetic or oblivious to the interest of labour. Further, the nature and quantum of punishment will depend upon the facts of each case and so must be left to be determined by judicial discretion and must not be fettered by any rigid provisions. Our effort must be to secure effective implementation of the provisions of the Act and not to turn the planters into jail birds. In this view, I do not agree to the provision in new section 37-A whereby a sentence of imprisonment is made mandatory; nor can I agree to the recommendation

that the provisions of section 36 be made more stringent so as to make a sentence of imprisonment of not less than three months compulsory. Such a provision will be draconian.

Lastly, I do not agree to the inclusion of coconut gardens and apple and pine apple orchards as also banana within the scope of "plantations", as they widely differ from other plantations both in regard to the nature of work involved and the number of workers employed.

C. D. NATARAJAN.

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## II

Though the Bill as reported by the Joint Committee modifies the proposals in the original, the Plantations Labour (Amendment) Bill, 1973, it still falls short of requirement and will not make much headway in meeting the expectations of the plantation workers.

2. We feel that by bringing down the acreage limit to 5 hectares some more plantations may be covered. However, large number of plantations particularly in South will remain uncovered by the Bill. This would also enable some planters to further reduce the size of plantations to evade the implementation of the Act. We therefore propose that the acreage should be further brought down to 2.5 hectares irrespective of the employment in the plantations.

3. The utter neglect in housing construction by the plantation owners has no comparison in the country. Despite huge loans and subsidies given by the Government, the planters refused to provide adequate housing facilities to the workers. We therefore feel that unless drastic steps are taken by the Governments, the plantation workers will continue to be deprived of legitimate housing facilities.

4. Moreover the Bill as reported by the Committee visualises that the payment of compensation in case of collapse of a house will not be made to a worker if the house collapses when any occupant of that house is solely or directly responsible for that accident. This provision would only give a handle to the plantation owners to deny rightful compensation to a large number of workers and we therefore feel that this particular proviso clause should be deleted.

5. With regard to the creche the condition that in a plantation there should be more than 20 children below 6 years of age. In this case also the State Governments are empowered to direct the employers if they find it necessary in case the children are below 20 in a plantation. Instead of giving this power to the State Government the Bill should make it obligatory on the employer to provide creche to the children of workers.

6. The Report of the Committee notes the non-implementation of the Act by the plantation owners. However it does not suggest suitable steps to enforce its implementation. The State Governments give free rein to the plantation owners and connive at their non-implementation. The inspection machinery is just symbolic and is heavily loaded in favour of the plantation owners.

7. It has been the sad experience of the trade union movement that since the enactment of the principal Act the planters nonchalantly violate the provisions of the law and most of such acts go unpunished at the hands of the State Governments who are responsible for its implementation. On this score the Bill as reported by the Committee does not go any farther over the earlier position.

8. What is required is a more comprehensive Bill that would go into all aspects of working conditions in plantations and provide basic amenities to all plantation workers. Such a Bill should also provide drastic punishment for non-implementation of the provisions including rigorous imprisonment and also provide takeover of the plantation for persistent non-implementation.

9. Though some of the amendments proposed by us have been accepted by the Committee, we still consider the Bill as reported by the Committee as unsatisfactory and hence we are giving this note of dissent.

MONORANJAN ROY

BIREN DUTTA

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### III

The Plantations Labour Act, which is a comprehensive welfare legislation enacted to cover all plantations in India, imposes very heavy financial commitments as it extends legislation for compulsory provision for free housing, free medical aid, etc. and hitherto covered only larger establishments employing 30 workers or more and admeasuring more than 25 acres in extent. The provisions were particularly meant for plantations in corporate and private ownership employing large number of workers and extending to hundreds of acres. The National Commission on Labour had recommended a phased extension of the Act to smaller holdings. The present amended Bill as emerged from the Joint Select Committee extends the scope of the Act to even small peasant holdings of plantation crops of 5 hectares and more.

2. While endorsing the broad objectives and social policies sought to be served by the Plantations Labour (Amendment) Bill 1973, I am constrained to add this note of dissent to the report of the Joint Committee, because I feel there are, in it, serious deficiencies which the Parliament should seek to rectify. I disagree with several provisions in the amended Bill which have been adopted by a majority decision of the Joint Committee. In no piece of legislation particularly in a social welfare legislation, its economic impact on the very survival of the employing units and the feasibility of its administration can be totally ignored. This is precisely what the Joint Committee has done when it has recommended by a majority decision the extension of the Plantations Labour Act to all units of 5 hectares and more and application of all the provisions of the Act to all such units without regard to their size and economic viability or providing for necessary exemptions for smaller units.

3. The provisions of the Act, if extended to smaller plantations as recommended, will affect thousands of tea, coffee, rubber and cardamom plantations in the country particularly in the Southern States and also other crops like citronella grass, arecanut, medicinal herbs etc. which are now being covered by the amending Bill. The Joint Committee had extensively toured plantation areas and had the opportunity of seeing and studying for themselves the locale, conditions and working of these plantations *vis-a-vis* larger plantations. It should have satisfied any impartial observer that smaller plantations belonged to a category of their own both in regard to their economic situation and pattern of their employment. They are in reality only peasant cultivation and do not differ in any way from small farm agriculture in the rural areas. They have developed around village settlements and are maintained for the purpose of eking out a livelihood for the farmer and his immediate family with none of the trappings of an industrial or even agro-industrial venture. To penalise those units with the obligation to provide extensive housing and medical facilities on scales applicable to large plantations which are commercial, agro-industrial enterprises is not realistic and just. State's social policy of caring for the welfare of workers should have been balanced with the equally important objective of socio-economic protection to smaller estates which are nothing but small agricultural holdings.

4. As a member of the Joint Committee, I have been at pains to point out the economic consequences that would flow from the extension of all the provisions of the Act to smaller plantations and had pleaded for exemption of units employing less than 30 workers from the more onerous provisions of the Act such as housing and medical facilities. It was, and is my suggestion that medical facilities for workers employed in smaller plantations should be provided by the State Government by a levy of an appropriate cess. Even the representative of the Ministry of Commerce has stated in his evidence that smaller plantations might find it difficult to bear the additional cost of implementing welfare measures and suggested that the Joint Committee should go into the socio-economic aspects to see whether certain amount of subsidisation from the public exchequer would be worthwhile. Unfortunately, none of these suggestions and the amendments incorporating them were accepted by the Committee. Several trade union leaders, who appeared before the Committee had stated that "amenities like housing, medical aid, education, canteen facilities etc. can be provided only by estates of a sizeable nature as small estates cannot afford them". They were further of the view that they did not want to impose these upon all and had suggested a distinction between smaller units and bigger units.

5. I had produced statistics to show that a plantation unit of 6.5 hectares as proposed in the Bill produced a gross return, required for the sustenance of the small holder and his family, far below that fetched by agricultural holdings growing other farm products such as rice, wheat, bananas etc. To require such units to comply with not only modern industrial practices with regard to working conditions and social security benefits but also the extensive welfare measures of free housing and medical care is not only discriminatory but, I am afraid, will spell economic ruination to them.

6. *Clause 2-Amendment of Section 1.*—In the amendments under Clause 2 (Amendment of Section 1) the fundamental principle of social

legislation that the law should be capable of administration and its cost should not be disproportionate to the benefits obtained has been discarded. The Joint Committee by a majority decision reduced for the extension of the Act even the limits of 6.5 hectares and 20 workers proposed in the Bill to 5 hectares and 15 workers, and this, in an agro-industrial undertaking covering thousands of small units.

7. *Clause 2—Sub-section (iii).*—Further, the incorporation of the proposed Eplanation of Sub-section (4) of Section 1 of the Act would enlarge the coverage of the Act far beyond its intentions, and will bring even a small plot of land planted with a plantation crop within the ambit of the Act if it has contiguous land not so planted but is capable of being so planted if the total area including the unused land admeasures 5 hectares or more. If such lands are reckoned for coverage under the Act, it would place further an unbearable burden on those small units.

8. The Joint Committee has also recommended (a) certain additional crops to be brought under the definition of plantations for inclusion in Sub-section (4) of Sec. 1 of the Act. I am of the view that instead of adding arbitrarily certain crops under definition of plantations, it is far better to adopt the International Labour Organisations definition of plantations under Convention 110\*, which is comprehensive.

9. *In Clause 6, the amendment of Section 12* has sought to bring in the women workers employed by contractors in any one day of the preceding year for determining the liability for providing "creches". The provision of a creche is a permanent obligation and should not depend on a passing necessity of having to engage a few women workers through a contractor for a single day or even a few days of the year. Besides, there is now a separate enactment, the Contract Labour (Regulation and Abolition) Act, 1970, which regulates the provision of welfare, including creches to workers' children employed by contractors. There is no necessity for the inclusion of workers employed by contractors for determining the liability of providing a creche.

10. *Clause 7—Substitution of new section for Section 15—Housing Facilities.*—Clause 2 as amended proposes to extend the Act to all plantations admeasuring 5 hectares or more and employing 15 persons or more. The provision relating to Housing will be beyond the financial capacity of such smaller plantations employing less than 30 workers. As stated in the prefatory remarks to this Note, even witnesses appearing for trade unions have stated that there is a case for smaller plantations to be exempted from the provisions relating to Housing. I had suggested by an amendment that in the matter of Housing the existing provision in the principal Act should be retained, had moved an amendment which was not accepted by the Committee. As stated earlier, it will be beyond the financial capacity of the small units of 5 hectares to implement provisions relating to Housing as recommended by the Committee.

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\*ITO's definition of Plantation (Convention 110).

Plantation includes any agricultural undertaking regularly employing hired workers which is situated in the tropical and sub-tropical regions and which is mainly concerned with the cultivation or production for commercial purposes of coffee, tea, sugar cane, rubber, bananas, cocoa, coconut, groundnut, cotton, tobacco, fibres (jute, hemp etc.) citrus, palm oil, cinchona and pine apple. It does not include family or small scale holding producing for local consumption and not regularly employing hired workers.



11. Further, Section 37 of the Act and the proposed new Section 37-A provide for deterrent punishments of both fine and imprisonment in cases of contravention of the Act, and provisions relating to Housing, particularly will lead to severe harassment of small holders. As I have already explained, provisions relating to Housing are beyond the financial capacity of the small units, which are sought to be brought under the Act now, it is more practical and just for the Government itself to construct houses in such cases and recover the cost from such employers in easy instalments. In view of this I had proposed the following amendment for substitution of sub-section (2) to Sec. 15 of the principal Act:

“(2) If in any plantation housing accommodation is not provided as required by sub-section (1) the State Government may cause to be provided therein the housing accommodation at the rate required through the Housing Board or other agencies of the State Government, and recover the cost thereof from the employer in reasonable instalments as may be prescribed.”

My amendment was not accepted by the Committee but it has however, made a recommendation on this (Recommendation C.)

12. *Clause 8—Insertion of new sections 16A-16G—Collapse of Houses.*—The Committee has recommended compensation which are different from the compensation computed as per the Workmens Compensation Act. It would be more realistic to adopt the compensation scales in the Workmens Compensation Act for compensation payable under this Clause.

13. *Clause 9—Amendment of Section 19—Working Hours.*—I am in agreement with the amendment reducing weekly working hours, but so far as the period of overtime, the wages for over-time and wages for closed holidays etc. are concerned, it is more realistic if the implementing authority, i.e. the State Governments prescribe the period of over-time and the rates of wages for over-time work to be in conformity with other State legislations and taking into consideration the nature of employment in plantations.

14. *Clause 13—Section 37 (Insertion of new Sec. 37A).*—I am opposed to the amendment effected under this clause as I feel that the punishment of both compulsory fine and imprisonment is too severe for violation of a welfare legislation covered by the Act. The Plantations Labour Act is only a welfare legislation and any contravention of it is at best an economic offence. For economic reasons and financial incapacity, the employer, particularly small holder may be unable to discharge the onerous obligations such as provisions of free housing, creches, medical facilities etc. In such cases there is no point in putting the employer in jail and collecting a fine from him for every day of default. It is more practical for the Government themselves to arrange to provide the facility and recover the cost from the employer by levying a cess and for this purpose I had moved an amendment which was unfortunately not acceptable to the Committee.

15. The Committee has made the provisions even more stringent than in the Factories Act under which, in the case of the further offence the Court is given the discretion to punish the defaulting employer. But in the proposed amendment, the word used is “shall” instead of “may” with the result that the Court is left with no choice but to punish the

employer. Besides, the Court can either sentence the employer to imprisonment or order payment of a fine under the Factories Act, but it is provided here that both imprisonment and a fine shall be imposed. These provisions are too harsh and discriminatory particularly in view of the fact that the Bill seeks to bring in establishments of 5 hectares which are in the nature of peasant holdings under the scope of the Act. This amendment arrived at a majority decision would impose unbearable hardship and harassment to the small holder and I disagree with it.

16. Further, the Committee in its recommendation [Recommendation (b)] arrived at a majority decision has suggested an amendment to the principal Act for extending punishment to compulsory imprisonment for a period extending to not less than 3 months by a competent Court not below the rank of a First Class Magistrate. I feel that this recommendation is draconian and discriminatory in view of what I have explained earlier and I am totally opposed to this recommendation.

U. K. LAKSHMANA GOWDA

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THE PLANTATIONS LABOUR (AMENDMENT) BILL, 1973

(AS REPORTED BY THE JOINT COMMITTEE)

[Words underlined or side-lined indicate the amendments suggested by the Committee; asterisks indicate omissions.]

A

BILL

further to amend the Plantations Labour Act, 1951.

BE it enacted by Parliament in the Twenty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Plantations Labour (Amendment) Act, 1975. Short title and commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

69 of 1951.

2. In section 1 of the Plantations Labour Act, 1951 (hereinafter referred to as the principal Act),— Amend ment c section

(i) in sub-sections (4) and (5),—

10 (a) for the figures and word "10.117 hectares", wherever they occur, the figure and word "5 hectares" shall be substituted;

(b) for the word "thirty", wherever it occurs, the word "fifteen" shall be substituted;

15 (ii) in sub-section (4), in clause (a), for the words "or cinchona", the words ", cinchona, cetrionila grass, cardamom, arecanut, medi-

cinal herbs, banana, apple, pine apple, cashewnut, olive, cocoa or coconut" shall be substituted;

(*iii*) after sub-section (4), the following *Explanation* shall be inserted, namely:—

*Explanation.*—Where any piece of land used for growing any plant referred to in clause (a) or clause (b) of this sub-section admeasures less than 5 hectares and is contiguous to any other piece of land not being so used, but capable of being so used, and both such pieces of land are under the management of the same employer, then, for the purposes of this sub-section, the piece of land first mentioned shall be deemed to be a plantation, if the total area of both such pieces of land admeasures 5 hectares or more."

Amend-  
ment of  
section 2.

3. In section 2 of the principal Act,—

(i) after clause (ee), the following clause shall be inserted, namely:—

(*eee*) "inspector" means an inspector of plantations appointed under sub-section (1) of section 4 and includes an additional inspector of plantations appointed under sub-section (1A) of that section;;

(*ii*) in clause (k), in sub-clauses (*ii*) and (*iii*), for the words "rupees three hundred", the words "rupees seven hundred and fifty" shall be substituted.

Insertion  
of new  
Chapter  
IA.

4. After Chapter I of the principal Act the following Chapter shall be inserted, namely:—

## "CHAPTER IA

### REGISTRATION OF PLANTATIONS

Appoint-  
ment of  
register-  
ing offi-  
cers.

3A. The State Government may, by notification in the Official Gazette,—

(a) appoint such persons, being Gazetted officers of Government, as it thinks fit, to be registering officers for the purposes of this Chapter, and

(b) define the limits, within which a registering officer shall exercise the powers and discharge the functions conferred or imposed on him by or under this Chapter.

Registra-  
tion of  
planta-  
tions.

3B. (1) Every employer of a plantation, existing at the commencement of the Plantations Labour (Amendment) Act, 1975 shall, within a period of sixty days of such commencement, and every employer of any other plantation coming into existence after such commencement shall, within a period of sixty days of the coming into existence of such plantation make an application to the registering officer for the registration of such plantation:

Provided that the registering officer may entertain any such application after the expiry of the period aforesaid if he is satisfied that the applicant was prevented by sufficient cause from making the application within such period.

(2) Every application made under sub-section (1) shall be in such form and shall contain such particulars and shall be accompanied by such fees as may be prescribed.

5 (3) After the receipt of an application under sub-section (1), the registering officer shall register the plantation.

(4) Where a plantation is registered under this section, the registering officer shall issue a certificate of registration to the employer thereof in such form as may be prescribed.

10 (5) Where, after the registration of a plantation under this section, any change occurs in the ownership or management or in the extent of the area or other prescribed particulars in respect of such plantation, the particulars regarding such change shall be intimated by the employer to the registering officer within thirty days of such change in such form as may be prescribed.

15 (6) Where as a result of any intimation received under sub-section (5), the registering officer is satisfied that the plantation is no longer required to be registered under this section, he shall, by order in writing, cancel the registration thereof and shall, as soon as practicable, cause such order to be published in any one newspaper in the language of, and having circulation in, the area where the plantation is situated.

20 3C. (1) Any person aggrieved by the order of a registering officer under sub-section (6) of section 3B may, within thirty days of the publication of such order in the newspaper under that sub-section, prefer an appeal to such authority as may be prescribed:

25 Appeals against orders of registering officer.

Provided that the appellate authority may entertain an appeal under this sub-section after the expiry of the aforesaid period if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within such period.

30 (2) After the receipt of an appeal under sub-section (1), the appellate authority may, after giving the appellant, the employer referred to in sub-section (5) of section 3B and the registering officer an opportunity of being heard in the matter, dispose of the appeal as expeditiously as possible.

35 3D. (1) The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Chapter.

Power to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

40 (a) the form of application for the registration of a plantation, the particulars to be contained in such application and the fees to be accompanied along with such application;

\* \* \* \* \*

(b) the form of the certificate of registration;

45 (c) the particulars regarding any change in respect of which intimation shall be given by the employer to the registering

officer under sub-section (5) of section 3B and the form in which such change shall be intimated;

(d) the authority to which an appeal may be preferred under section 3C and the fees payable in respect of such appeal;

(e) the registers to be kept and maintained by a registering officer.” 5

Amend-  
ment of  
section 4.

5. In section 4 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) The State Government may also, by notification in the Official Gazette, appoint such officers of the State Government or 10 of any local authority under its control, as it thinks fit, to be additional inspectors of plantations for all or any of the purposes of this Act.”

Amend-  
ment of  
section 12.

6. In section 12 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:— 15

“(1) In every plantation wherein fifty or more women workers (including women workers employed by any contractor) are employed or were employed on any day of the preceding twelve months, or where the number of children of women workers (including women workers employed by any contractor) is twenty or more, there shall be provided and maintained 20 by the employer suitable rooms for the use of children of such women workers.

*Explanation.*—For the purposes of this sub-section and sub-section (1A), “children” means persons who are below the age 25 of six years.”

(ii) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) Notwithstanding anything contained in sub-section (1), if, in respect of any plantation wherein less than fifty 30 women workers (including women workers employed by any contractor) are employed or were employed on any day of the preceding twelve months, or where the number of children of such women workers is less than twenty, the State Government, having regard to the number of children of such women workers 35 deems it necessary that suitable rooms, for the use of such children should be provided and maintained by the employer, it may, by order, direct the employer to provide and maintain such rooms and thereupon the employer shall be bound to comply with such direction.”; 40

(iii) in sub-section (2), for the words “Such rooms”, the words, brackets, figures and letter “The rooms referred to in sub-section (1) or sub-section (1A)” shall be substituted;

(iv) in sub-section (3), for the words “such rooms” the words, brackets, figures and letter “the rooms referred to in sub-section (1) 45 or sub-section (1A)” shall be substituted.

7. For section 15 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 15.  
Housing facilities.

“15. It shall be the duty of every employer to provide and maintain necessary housing accommodation—

5 (a) for every worker (including his family) residing in the plantation;

(b) for every worker (including his family) residing outside the plantation, who has put in six months of continuous service in such plantation and who has expressed a desire in writing to reside in the plantation:

10 Provided that the requirement of continuous service of six months under this clause shall not apply to a worker who is a member of the family of a deceased worker who, immediately before his death, was residing in the plantation.”

15 8. After section 16 of the principal Act, the following sections shall be inserted, namely:—

Insertion of new sections 16A to 16G.

20 “16A. (1) If death or injury is caused to any worker or a member of his family as a result of the collapse of a house provided under section 15, and the collapse is not solely and directly attributable to a fault on the part of any occupant of the house or to a natural calamity, the employer shall be liable to pay compensation to the extent set out in sub-section (2)

Liability of employer in respect of accidents resulting from collapse of houses provided by him.

(2) The liability of an employer under this section shall in no case exceed,—

25 (i) fourteen thousand rupees, in case of death;  
(ii) twenty thousand rupees, in case of injury.

30 16B. The State Government may, by nomenclature in the Official Gazette, appoint as many persons, possessing the prescribed qualifications, as it thinks fit, to be Commissioners to determine the amount of compensation payable under section 16A and may define the limits within which each such Commissioner shall exercise the powers and discharge the functions conferred or imposed on him by or under this Act.

Appointment of Commissioners.

35 16C. (1) An application for payment of compensation under section 16A may be made to the Commissioner—

Application for compensation.

(a) by the person who has sustained the injury; or

(b) by any agent duly authorised by the person who has sustained the injury; or

40 (c) where the person who has sustained the injury is a minor, by his guardian; or

(d) where death has resulted out of the collapse of the house, by any dependant of the deceased or by any agent duly authorised by such dependant or, if such dependant is a minor, by his guardian.

(2) Every application under sub-section (1) shall be in such form and shall contain such particulars as may be prescribed.

(3) No application for compensation under this section shall be entertained unless it is made within six months of the collapse of the house:

5

Provided that the Commissioner may entertain any such application after the expiry of the period aforesaid, if he is satisfied that the applicant was prevented by sufficient cause from making the application within such period.

\* \* \* \* \*

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*Explanations*—In this section, the expression “dependant” has the meaning assigned to it in clause (d) of section 2 of the Workmen’s Compensation Act, 1923.

o of 1923.

Proce-  
dure and  
powers  
of Com-  
missioner.

16D. (1) On receipt of an application under section 16C, the Commissioner may make an inquiry into the matter covered by the application.

15

(2) In determining the amount of compensation payable under section 16A, the Commissioner may, subject to any rules that may be made in this behalf, follow such summary procedure as he thinks fit.

(3) The Commissioner shall have all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

20

5 of 1908.

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of any document;

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(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses or documents;

30

(f) any other matter which may be prescribed.

(4) Subject to any rules that may be made in this behalf, the Commissioner may, for the purpose of determining any claim or compensation, choose one or more persons possessing special knowledge of any matter relevant to the inquiry to assist him in holding the inquiry.

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Liability  
to pay  
compen-  
sation,  
etc., to be  
decided by  
Commis-  
sioner.

16E. (1) Any question as to the liability of an employer to pay compensation under section 16A, or as to the amount thereof, or as to the person to whom such compensation is payable, shall be decided by the Commissioner.

40

(2) Any person aggrieved by a decision of the Commissioner refusing to grant compensation, or as to the amount of compensation granted to him, or to the apportionment thereof, may prefer an appeal to the High Court having jurisdiction over the place where the collapse of the house has occurred, within ninety days

45



of the communication of the order of the Commissioner to such person:

Provided that the High Court may entertain any such appeal after the expiry of the period aforesaid if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within such period:

Provided further that nothing in this sub-section shall be deemed to authorise the High Court to grant compensation in excess of the limits specified in section 16A.

(3) Subject to the decision of the High Court in cases in which an appeal is preferred under sub-section (2), the decision of the Commissioner under sub-section (1) shall be final and shall not be called in question in any court.

16F. The right of any person to claim compensation under section 16A shall be without prejudice to the right of such person to recover compensation payable under any other law for the time being in force; but no person shall be entitled to claim compensation more than once in respect of the same collapse of the house.

Saving  
as to  
certain  
rights.

16G. (1) The State Government may, by notification in the Official Gazette, make rules for giving effect to the provisions of sections 16A to 16F (both inclusive).

Power  
to make  
rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for,—

(i) the qualifications and conditions of service of Commissioners;

(ii) the nature of injuries and the rates at which compensation shall be payable for such injuries;

(iii) the principles for determination of compensation in case of death;

(iv) the manner in which claims for compensation may be inquired into and determined by the Commissioner;

(v) the matters in respect of which any person may be chosen to assist the Commissioner under section 16D and the functions that may be performed by such person;

(vi) generally for the effective exercise of any powers conferred on the Commissioner.”

9. Section 19 of the principal Act shall be re-numbered as sub-section (1) thereof, and—

Amend-  
ment of  
Section  
19.

(i) in sub-section (1) as so re-numbered,—

(a) for the words “fifty-four hours”, the words “forty-eight hours” shall be substituted;

(b) for the words “forty hours”, the words “twenty-seven hours” shall be substituted;

(ii) after sub-section (1) as so re-numbered, the following sub-sections shall be inserted, namely:—

“(2) Where an adult worker works in any plantation on any day in excess of the number of hours constituting a normal working day or for more than forty-eight hours in any week, he shall, in respect of such overtime work, be entitled to twice the rates of ordinary wages:

5

Provided that no such worker shall be allowed to work for more than nine hours on any day and more than fifty-four hours in any week.

(3) For any work done on any closed holiday in the plantation or on any day of rest, a worker shall be entitled to twice the rates of ordinary wages as in the case of overtime work.”

10

Amend-  
ment of  
section 20.

10. In sub-section (1) of section 20 of the principal Act, \* \* \* for clause (b), the following clause shall be substituted, namely:—

“(b) provide for the conditions subject to which, and the circumstances in which, an adult worker may be required or allowed to work overtime.”

15

Amend-  
ment of  
section 30.

11. In sub-section (1) of section 30 of the principal Act,—

(i) the proviso shall be omitted;

(ii) the *Explanation* shall be numbered as *Explanation 1*, and after the *Explanation* as so numbered, the following *Explanation* shall be inserted, namely:—

20

“*Explanation 2.*—The leave admissible under this sub-section shall be exclusive of all holidays, whether occurring during, or at either end of, the period of leave.”

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Insertion  
of new  
Chapter  
VIA.

12. After Chapter VI of the principal Act, the following Chapter shall be inserted, namely:—

‘CHAPTER VIA

ACCIDENTS

Notice of  
accident.

32A. Where in any plantation, an accident occurs which causes death or which causes any bodily injury to a worker by reason of which the worker injured is prevented from working for a period of forty-eight hours or more immediately following the accident, or which is of such a nature as may be prescribed in this behalf, the employer thereof shall send notice thereof to such authorities, in such form, and within such time, as may be prescribed.

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Register  
of  
accidents.

32B. The employer shall maintain a register of all accidents which occur in the plantation in such form and in such manner as may be prescribed.”

13. After section 37 of the principal Act, the following section shall be inserted, namely:—

Insertion  
of new  
section  
37A.

5 “37A. (1) Where an employer is convicted of an offence punishable under section 36, the court may, in addition to awarding any punishment, by order in writing, require him within such period as may be specified in the order (which the court may, if it thinks fit and on an application made in this behalf by the employer, from time to time, extend) to take such measures as may be so specified for remedying the matters in respect of which the offence was committed.

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Power of  
court to  
make  
orders.

(2) Where an order is made under sub-section (1), the employer shall not be liable under this Act in respect of the continuation of the offence during the period or extended period, as the case may be, specified by the court, but if, on the expiry of such period or extended period, the order of the court has not been fully complied with, the employer shall be deemed to have committed a further offence and he shall, on conviction, be punishable with imprisonment for a term which may extend to six months and with fine which may extend to three hundred rupees for every day after such expiry.\*\*\*”.

15

20 14. In sub-section (2) of section 43 of the principal Act,—

Amend-  
ment of  
section  
43.

(i) in clause (j), the word “and” occurring at the end shall be omitted;

(ii) after clause (k), the following clause shall be added, namely:—

25 “(l) any other matter which is required to be, or may be, prescribed.”.

## APPENDIX I

(Vide para 3 of the Report)

### *Motion in the Rajya Sabha for reference of the Bill to a Joint Committee*

“That the Bill further to amend the Plantations Labour Act, 1951, be referred to a Joint Committee of the Houses consisting of 45 Members; 15 Members from this House, namely:

- (1) Shri T. V. Anandan,
- (2) Shri D. Thengari,
- (3) Shri Monoranjan Roy,
- (4) Shri G. A. Appan,
- (5) Shri B. N. Mandal,
- (6) Shri U. K. Lakshmana Gowda,
- (7) Shri N. H. Kumbhare,
- (8) Shri N. R. Choudhury,
- (9) Shri H. S. Narasiah,
- (10) Shri N. P. Chaudhari,
- (11) Shri T. G. Deshmukh,
- (12) Shrimati Sita Devi,
- (13) Shri Ibrahim Kalaniya,
- (14) Shri Nand Kishore Bhatt and
- (15) Shri K. V. Raghunatha Reddy, Minister of Labour & Rehabilitation,

and 30 Members from the Lok Sabha;

that in order to constitute a meeting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that in other respects, the Rules of Procedure of this House relating to Select Committees, shall apply with such variations and modifications as the Chairman may make;

that the Committee shall make a report to this House by the first day of the 85th Session (1973) of the Rajya Sabha; and

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said Joint Committee and communicate to this House the names of members to be appointed by the Lok Sabha to the Joint Committee.”

## APPENDIX II

(Vide para 4 of the Report)

### *Motion in the Lok Sabha*

“That this House do concur in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill further to amend the Plantations Labour Act, 1951, made in the motion adopted by Rajya Sabha at its sitting held on the 9th May, 1973 and communicated to this House on the 10th May, 1973 and do resolve that the following 30 Members of Lok Sabha be nominated to serve on the said Joint Committee, namely:—

1. Shri Aziz Imam
2. Shri T. Balakrishniah
3. Shri Raghunandan Lal Bhatia
4. Shri Chhuttan Lal
5. Shri Biren Dutta
6. Shri Nageshwar Dwivedi
7. Shrimati Ganga Devi
8. Shri S. B. Giri
9. Shri J. Matha Gowder
10. Shri Hukam Chand Kachwai
11. Shri L. D. Kotoki
12. Shri Raja Kulkarni
13. Shri Madhu Limaye
14. Shri K. Mallanna
15. Shri Tuna Oraon
16. Shri Damodar Pande
17. Shri Ramsahai Pandey
18. Shri Pratap Singh
19. Shri Natwarlal Patel
20. Shri S. L. Peje
21. Shri Vayalar Ravi
22. Shri K. Ramakrishna Reddy
23. Shri Ebrahim Sulaiman Sait
24. Shri Devendra Satpathy
25. Shri Ranen Sen
26. Shri Shiv Kumar Shastri
27. Shri Somchand Solanki
28. Shri G. Venkatswamy
29. Shri Amarnath Vidyalankar
30. Shri N. P. Yadav.”

APPENDIX III

(Vide para 10 of the Report)

*List of persons from whom Memoranda etc. on the Bill were received  
by the Joint Committee*

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Memorandum No.	From whom received
	1. Indian Tea Association, Calcutta.
	2. The Neelamalai Plantation Workers' Union, Coonoor
	3. Tea Association of India, Calcutta.
	4. The Madurai District National Plantation Workers' Union, Madurai.
	5. National Union of Plantation Workers, Jalpaiguri
	6. The Plantation Labour Association, Coonoor.
	7. Indian Tea Planters' Association, Jalpaiguri.
	8. S. K. Coffee, Cardamom & Allied Workers' Union, Mangalore.
	9. West Bengal Chah Sramik Union, Jalpaiguri, West Bengal.
	10. United Trades Union Congress, Bepia Behari Ganguly Street, Calcutta. Duars Cha-Bagan Workers' Union, Jalpaiguri.
	11. Assam Chah Karmachari Sangha, Dibrugarh, Assam.
	12. The Tamil Nad Plantation Workers' Union, Coimbatore.
	13. Cachar Cha-Sramik Union, Silchar, Assam.
	14. Tripura Tea Workers' Union, Agartala.
	15. Consultative Committee of Plantation Associations, Netaji Subhash Road, Calcutta.
	16. The United Planters' Association of Southern India, Coonoor.
	17. South India Small Growers' Federation, Chikmagalur District, Mysore.
	18. Government of Andhra Pradesh, Home (Labour) Deptt., Hydera- bad.
	19. Pathanamthitha Plantation Labour Union, Quilon District, Kerala.
	20. Akhil Bharatiya Chah Mazdoor Sangha (Assam), Raingapara, Assam.

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Memorandum No.	From whom received
	" Karnataka Provincial Plantation Workers' Union, Chikmagalur.
	" Neeleshwaram Mandalam Plantation Workers' Union, Cannanore, Kerala.
	" Coorg District Estate Workers' Union, Mercara.
	"Karnataka Thota Karmikara Sangha, Arehalli P.O., Hassan District.
	" Walluvanad Plantation Labour Union, Palghat, Kerala.
	" Madurai District Thotta Thezhilalar Sangam, Madurai Distt.
	" Kanyakumari Distt. Estate Workers' Union, Kulesekharan, Tamil Nadu.
	" Inter District Plantation Workers' Union, Hassan, Mysore.
	" Kozhikode Taluk Estate Workers' Union, Kerala.
20.	Zilla Chah-Bagan Workers' Union, Jalpaiguri.
21.	The Association of Planters of Kerala, Kottayam-4.
22.	Darjeeling District Chia Kaman Mazdoor Union, Darjeeling.
23.	Government of Tamil Nadu (Labour & Employment Deptt.).
24.	The Mysore State Planters' Association, Chikmagalur.
25.	Government of Assam (Labour Deptt.), Shillong.
26.	The Wynad Coffee Growers' Association, Kalpetta, Kerala.
27.	Indian Tea Employees' Union, Silchar, Assam.
28.	Chah Bagan Mazdur Union, (West Bengal), Jalpaiguri
29.	Kangra Tea Planters Association, Himachal Pradesh.
30.	Nilgiri Estate Workers Progressive Union, Coonoor.
31.	Government of Maharashtra (Industries & Labour Department).
32.	Zilla Chah Bagan Workers' Union, Jalpaiguri.
33.	Coorg Planters' Association, Mercara, Coorg.
34.	Government of Tripura, (Deptt. of Labour).
35.	Kerala Plantations Labour Federation, Cannanore, Kerala.
36.	Andaman & Nicobar Administration, Port Blair.
37.	Assam Chah Mazdoor Sangha, Dibrugarh, Assam.
38.	The Estates Staffs' Union of South India, Coimbatore.
39.	All India Plantation Workers Federation, Calcutta.
40.	Centre of Indian Trade Unions, Calcutta.
41.	Govt. of West Bengal, Calcutta.

Memorandum No.	From whom received
42.	Govt. of Bihar (Deptt. of Labour & Rehabilitation)
43.	Govt. of Uttar Pradesh.
44.	Estate Staffs' Union of South India, Mundakayam, P.O., Kerala State.
45.	Estates Staffs' Union of South India, Nilgiri Branch, Coonoor.
46.	Plantation Labour Association, Nilgiris, Coonoor.
47.	Nilgiri Plantation Labour Union, Central Office, Old Hospital Lane, Coonoor.
48.	Tamil Nad Plantation Workers Union, Valbarai.
49.	Nilgiri District Estate Workers' Union, Rokeby, Coonoor.
50.	Estates Staffs' Union of South India, Coimbatore.
51.	Singampatti Staffs' E.S.U.S.I. Representative, Manimeettar Estate.
52.	Annamalais Branch of the Estates Staffs Union of South India, Coimbatore, Tamilnadu.
53.	President, Kanyakumari Rubber Growers Marketing Society, Areemani.
54.	Kanyakumari District Estate Workers Union, Kulasekaram Kanyakumari District.
55.	Joint Council of Plantation Trade Unions in Karnataka, Chikmagalur.
56.	Mysore Thotta Tholilalar Munnetra Sangam, Jayapura Post, Koppa Taluk, Chikmagalur District.
57.	Coorg Coffee Growers' Cooperative Society Mercara, Coorg District.
58.	Supervisors and Skilled Workers of Poonmudi Estate.
59.	Indian Rubber Growers' Association Kaniirapally Kerala
60.	(i) Kerala Cherukida Rubber Karshaka Sangam, Kanjirapally, Kerala.
	(ii) Kerala Cherukida Rubber Karshaka Sangam, Mundakayam, Kerala.
	(iii) Kerala Cherukida Rubber Karshaka Sangam, Kappadu P.O., Kerala.
61.	Central Travancore Agriculturists' Association, Kanjirapally P.O., Kerala



Memorandum No.	From whom received
63.	Estates Staffs' Union of South India, Peermade.
64.	Estates Staffs' Union of South India, Central Travancore Regional Office.
65.	Idikki District Plantation Labour Union, Elappara P.O.
66.	Estates Staffs' Union of South India, Kottayam.
67.	Kottayam District Plantation Labour Union, H.O. Elappara.
68.	Kerala Cardamom Growers Union, Vandanmettu.
69.	Estates Staffs' Union of South India, High Range Branch, Munnar Kerala.
70.	High Range Estate Workers Union, Munnar.
71.	Staff Members of Letchmi Estate, Munnar P.O., High Range, Kerala.
72.	South Indian Plantation Workers' Union, Munnar, Kerala.
73.	Plantation Staffs' Union of Kerala.
74.	High Range Estate School Teachers' Union, Letchimi Estate, Kerala.
75.	Kanjirapally Co-operative Rubber Marketing Society Ltd., Kajirapally, Kerala.
76.	Devicolam Estates' Employees Union, C.I.T.U., Munnar P.O., Kerala.
77.	High Range Estate Workers Union, Munnar.
78.	Devicolam Estates' Workers' Union (AITUC), Munnar, Kerala State.
79.	South Wynad Taluk Action Council of Trade Unions, Meppadi.
80.	Plantation Labour Congress, Kozhikode District.
81.	Kerala Plantation Labour Federation (C.I.T.U.), H.O. Manantoddy, Cannanore District, Kerala.
82.	Kozhikode District Plantation Labour Union, (N.L.O.), Meppadi.
83.	Cannanore District Plantation Workers' Union, Cannanore District, Kerala.
84.	Short Note on the Implementation of Plantations Labour Act in Mysore State, submitted by the Commissioner of Labour, Govt. of Mysore.
85.	Cardamom Planters Association of South India, H.P., Bodinayakanur, Madurai District.
86.	Central Travancore Agriculturists' Association, Kanjirapally, P.O., Kerala.

Memorandum No.	From whom received
87.	Kanjirapally Cooperative Rubber Marketing Society Ltd., No. K/157, Kanjirapally, Kerala.
88.	Terai Indian Planters' Association.
89.	Shri B.C. Ghose, Hony. Member, Indian Tea Association (London) & Chairman, Tea Standing Committee, Bengal National Chamber of Commerce & Industry.
90.	Cachar Cha-Sramik Union (INTUC), Silchar & Indian Tea Employees Union (INTUC) Silchar
91.	All Assam Bharatiya Chah Mazdoor Sangh, Cachar District Branch, Silchar.
92.	Kanyakumari Estate (Rubber) Workers Union, Nagercoil.
93.	Assam Chah Karmi Sangha, Dibrugarh.
94.	The Garden Doctors' State Action Committee, Assam State Branch. Indian Medical Association.
95.	Chah Mazdur Union, Assam, Jorhat Branch
96.	Chah Majdoor Union, Assam.
97.	Tea Association of India, Tripura Branch, Old Kalibari Lane, Krishna nagar, Agartala.
98.	Assam Chah Karmachari Sangha, Nowgong Circle, Nowgong, Assam.
99.	Assam Chah Karmachari Sangha, Doom Dooma Circle and the Assam Chah Mazdoor Sangha, Doom Dooma Branch, Assam.
100.	Assam Chah Mazdoor Sangha Moran Branch and Assam Chah Karmachari Sangha, Moran Circle, District Dibrugarh, Assam.
101.	Assam Chah Karmi Sangha.
102.	Assam Tea Garden Tribes Students Association.
103.	Engineering Employees Association of Kanan Devan Workshop, Munnar P.O.
104.	The 1st General Secretary, Darjeeling District, NURW (INTUC).
105.	Assam Chah Karmachari Sangha, Nazira Circle, Assam.
106.	Assam Chah Mazdoor Sangha, Nazira Branch, Assam.
107.	Shri H. G. Mahadeswar of Jayanagar, Bangalore.
108.	Tripura Cha Mazdoor Union (INTUC) Agartala, Tripura.
109.	Tripura Tea Workers Union, Kailashahar, Tripura.
110.	Harijan Workers of Chargola Valley Tea Plantation, Dal-labcherra, District Cachar, Assam.

Memorandum No.	From whom received
111.	Cachar District Employees' Workers & Teachers' Co-ordination Committee, Sivasagar.
112.	Indian Tea Employees' Union, I. N. T. U. C., Silchar P. O. Cachar, Assam.
113.	Assam Chah Mazdoor Sangha (INTUC) and Assam Chah Karmachari Sangha (INTUC), Dibrugarh.
114.	Assam Chah Mazdoor Sangha, Central Office, Dibrugarh.
115.	Shri C. K. Krishnankutty, Secretary, Coimbatore District Plantation Workers' Union, Valparai (Previously known as Anamalai Plantation Workers' Union).
116.	Indian Tea Planters' Association, Post Box No. 74, Jalpaiguri.
117.	Terai Indian Planters' Association, Silliguri.
118.	The Small Scale Tea Estate Association, P. O. Mahanadi, Dist. Darjeeling.
119.	Shri M. Prasad, Secretary-General, Small Scale Tea Estates Association, P. O. Mahanadi, Distt. Darjeeling.
120.	Kangra Tea Planters Association, Palampur, Kangra (Supplementary Memorandum).
121.	West Bengal Tea Employees' Association, Jalpaiguri.
122.	Shri M. Prasad, Member, Tea Plantations Wage Fixing Committee, Tea Plantations Task Review Committee, Tea Plantations Committee for Study of Marketing and Employment Potential in Tea, Govt. of West Bengal.
123.	Govt. of Himachal Pradesh.

## APPENDIX IV

(Vide para 11 of the Report)

*List of Witnesses who gave oral evidence before the Joint Committee*

S.No	Name of Witness	Date of hearing
1.	Shri B. G. Narasimha Murthy, General Secretary, South India Estates and General Workers Union, Chikmagalur also representing Coorg District Plantation and General Workers Union, Devapura, Coorg.	21-1-74.
2.	Shri W. A. Dayaratna, General Secretary, Tamil Nadu Plantation Workers Union, Valparai and General Secretary, Tinnevely District United Plantation Workers Union, Vikramsinghpuram, Tamil Nadu.	21-1-74.
3.	Shri J. Hemachandran, President, Kanyakumari District Estate Workers Union, P.O. Kulshekarani, Kanyakumari District.	22-1-74.
4.	Shri B. N. Kuttappa, Secretary, Coorg District Estate Workers Union, Mercara.	22-1-74.
5.	Shri K. Padmanabhan, Secretary, North Waynad Estates Labour Union, P.O. Mannantoddy, District Cannanore, Kerala.	22-1-74.
6.	Shri C. K. Chakrapani, Secretary, Palappilly Rubber Estate Workers Congress, Palappilly, Trichur, Kerala.	22-1-74.
7.	Shri M. G. Ramachandran, General Secretary, High Range Estate Employees Association, Mundakayam, District Kottayam Kerala.	22-1-74.
8.	Shri B. N. Venkataramana, Assistant Secretary, Coorg District Estate Workers Union, 160-24, Pioneer Road Mercara.	22-1-74.
9.	Shri K. A. Sivarama Bharathy, M.L.A. President, Kerala Unions' Plantation Workers Union, Malakkipara.	24-1-74.
10.	Representatives of Plantation Workers' Unions in Kerala Affiliated to the Indian National Trade Union Congress:—	6-2-74.
	(i) Shri B. K. Nair, President, Perrumade Taluk Estate Labour Union, Vandiperiar.	

S.No.	Name of Witness	Date of hearing
	(ii) Shri Gervacis Areeckal, Secretary, Plantations Corporation, Kerala.	
	(iii) Shri A. Kunheeran, President, Kinalur Rubber Estate Workers Union, Balusserry.	
	(iv) Shri T. N. G. Panicker, Secretary, National Estate Workers Congress, Vandanmadu.	
	(v) Shri R. Kuppuswami, President, South Indian Plantation Workers Union, Munnar.	
	(vi) Shri M. Muthuswamy, Secretary, South Indian Plantation Workers Union, Munnar.	
	(vii) Shri T. P. G. Namboodiri, Secretary, Cannanore District Plantation Workers Union.	
	(viii) Shri R. Sundaram, Secretary, Nedumangad Plantation Labour Union.	
	(ix) Shri M. Sreedharan Pillai, District Secretary, I.N.T.U.C., Quilon.	
11.	Shri G. Mahadeshwar, Journalist, Bangalore, Karnataka.	7-2-74.
12.	Representatives of South Indian Small Growers Federation, Mudigere, Chikmagalur:—	7-2-74.
	(i) Shri B. K. Nagesh.	
	(ii) Shri K. Krishna Prasad.	
13.	Representatives of Plantation Workers Unions in Tamil Nadu and Karnataka affiliated to Indian National Trade Union Congress:—	7-2-74.
	(i) Shri K. R. Bellie, General Secretary, Nilgiri District Estate Workers' Union, "Rokeby", Coonoor, Tamil Nadu and Secretary, National State Staff Union, Coonoor.	
	(ii) Shri M. Govindaswamy, Secretary, Mysore Plantation Labour Union Congress, Pollibetta—P.O., S. Coorg, Karnataka and representing Kadama Estate Workers' Union, Sakalespur, Kadamani P.O., Hassan District, Karnataka.	
14.	Shri V. Adishesan, Secretary, Mysore Thotta Tholilar Munnetra Sangam, Jayapura, Chikmagalur, Karnataka (Affiliated to H.M.S.) and representing the Joint Council of Plantation Trade Unions in Karnataka.	7-2-74.
15.	Representatives of the United Planters' Association of Southern India, Coonoor, Tamil Nadu:—	8-2-74.
	(i) Shri V. I. Chacke, Secretary & Adviser.	

S.No.	Name of Witness	Date of hearing
	(ii) Shri C. Shankra Narayanan, Industrial Relations Officer.	
16.	Shri C. K. Krishnan Kutty, Secretary, Coimbatore District Plantation Workers' Union (previously known as Annamalai Plantation Workers' Union), Valparai, Tamil Nadu.	8-2-74.
17.	Shri K. Rajagopal, General Secretary, Estates Staffs Union of South India, Coimbatore, Tamil Nadu.	8-2-74.
18.	Shri P. L. Perumal, President, Neelamalai Plantation Workers' Union, Mount Pleasant, Coonoor, Tamil Nadu.	8-2-74.
19.	Representatives of the All India Plantation Workers Federation, Calcutta:—	8-7-74.
	(i) Dr. M. K. Pandhe, Hony. Member.	
	(ii) Shri K. Padmanabhan, President.	
	(iii) Mrs. Vimal Ranadive, Secretary.	
20.	Shri D. Murmu, M.L.A., Treasurer, Assam Chah Mazdoor Sangha, Dibrugarh, Assam.	9-7-74.
21.	Shri C. G. Karmakar, M.L.A., General Secretary, Assam Chah Mazdoor Sangha, Dibrugarh, Assam.	9-7-74.
22.	Shri P. Sen Mazumdar, President, Indian Tea Employees' Union, Silchar, Assam.	9-7-74.
23.	Shri G. C. Sarmah, General-Secretary, Assam Chah Karmachari Sangha, Dibrugarh, Assam.	9-7-74.
24.	Shri A. Chakraborty, Secretary, Tripura Tea Employees' Union, Agartala, Tripura.	9-7-74.
25.	Shri Nirode Baran Das, General-Secretary, Tripura Chah Mazdoor Union, Agartala.	9-7-74.
26.	Shri Jagannath Sinha, M.L.A., General Secretary, Cachar Chah Sramik Union, Silchar.	9-7-74.
27.	Shri Jatin Chakravarty, General Secretary, United Trades Union Congress, Calcutta.	10-7-74.
28.	Shri Rana Sen, Secretary, Duars Chah Bagan Workers' Union (Affiliated to U.T.U.C.), Jalpaiguri.	10-7-74.
29.	Shri M. Manickam, Working President, Nilgiri Estate Workers Progressive Union, Coonoor, Tamil Nadu.	10-7-74.
30.	Shri Harishadan Ghosh, Secretary, Darjeeling Tea Workers' Union, P.O., Siliguri, West Bengal.	10-7-74.

S.No.	Name of Witness	Date of hearing
31.	Shri S. K. Sanyal, Chairman, Terai Indian Planters' Association, P.O. Matigara, Darjeeling.	11-7-74.
32.	Shri Chinmoy Ghosh, General Secretary, Zilla Cha Bagan Workers Union (A.I.T.U.C.), Sramik Bhavan, P.O. Mal, District Jalpaiguri.	11-7-74.
33.	Shri B. C. Biyani, Member of the Tea Association of India, Calcutta.	12-7-74.
34.	Shri H. R. Shah, Vice-President, Tea Association of India, Calcutta.	12-7-74.
35.	Shri C. Bhaduri, Labour Adviser, Tea Association of India, Calcutta.	12-7-74.
36.	Shri K. N. Sircar, Adviser, Indian Tea Association, Calcutta.	12-7-74.
37.	Shri Mahavir Prasad, Secretary-General, Small Scale Tea Estates Association, P.O. Mahanadi, Darjeeling, West Bengal.	12-7-74.
38.	Shri L. M. Pradhan, General Secretary, National Union of Plantation Workers, West Bengal.	12-7-74.
39.	Shri Barin Choudhury, Assam Tea Plantation Workers Federation, C/o Communist Party of India, G. N. Bardoloi Road, Gauhati.	7-10-74.
40.	Shri G. Kamalaratnam, Labour Commissioner, Government of Tamil Nadu.	8-10-74.
41.	Shri T. S. Gill, Labour Secretary, Government of Assam.	8-10-74.
42.	Shri U. Biswas, Chief Inspector of Plantations, Government of Assam.	8-10-74.
43.	Shri Quader Nowaz, Labour Commissioner, Government of West Bengal.	9-10-74.
44.	Shri Swarupanand, Labour Commissioner, Government of Himachal Pradesh.	9-10-74.
45.	Shri B. C. Gupta, Labour Inspector, Government of Himachal Pradesh.	9-10-74.
46.	Shri R. Thirumalai, Additional Secretary, Ministry of Commerce, New Delhi.	30-10-74.

## APPENDIX V

(Vide para 6 of the Report)

### *Minutes of the Meetings of the Joint Committee on the Plantations Labour (Amendment) Bill, 1973*

#### I

#### FIRST MEETING

The Committee met at 4-30 P.M. on Friday, the 18th May, 1973.

#### *Members*

#### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri U. K. Lakshmana Gowda
6. Shrimati Sita Devi
7. Shri Ibrahim Kalaniya

#### LOK SABHA

8. Shri Raghunandan Lal Bhatia
9. Shri Nageshwar Dwivedi
10. Shrimati Ganga Devi
11. Shri Hukam Chand Kachwai
12. Shri L. D. Kotoki
13. Shri K. Mallanna
14. Shri Ramsahai Pandey
15. Shri Pratap Singh
16. Shri Vayalar Ravi
17. Shri Devendra Satpathy
18. Shri Ranen Sen
19. Shri Shiv Kumar Shastri
20. Shri Somchand Solanki
21. Shri Amarnath Vidyalankar.

#### REPRESENTATIVES OF MINISTRIES

*Ministry of Law and Justice*

Shri Harihar Iyer, Joint Secretary.



*Ministry of Labour and Rehabilitation*

- (i) Shri Mahesh Chandra, O.S.D. (Legal).
- (ii) Shri K. D. Hajela, *Deputy Secretary*.

SECRETARIAT

- (i) Shri S. S. Bhalerao, *Joint Secretary*.
- (ii) Dr. M. S. Panigrahi, *Deputy Secretary*.
- (iii) Shri M. K. Jain, *Under Secretary*.

2. The Chairman welcomed the members of the Committee.

3. The Committee decided that a Press Communique be issued inviting memoranda on the subject matter of the Bill from the various All India organisations of workers and employees in Plantations and the various Unions functioning in the Plantation Industry including trade unions, trade organisations and others interested in the subject matter of the Bill and advising them to send the same to the Rajya Sabha Secretariat by the 9th June, 1973.

4. The members were requested to send to the Rajya Sabha Secretariat names and particulars of various trade Associations, etc., whom they would like to be addressed for the submission of the memoranda on the Bill, as well as the particulars of witnesses whom they would like to be considered for being invited to give oral evidence before the Committee.

5. The Committee desired that the Ministry of Labour and Rehabilitation be asked to supply the following literature to the members of the Committee:—

- (i) The Plantations Labour Act, 1951.
- (ii) Reports containing the recommendations made at the various meetings of the Industrial Committee on Plantations and the recommendations of the National Commission on Labour and a statement showing the recommendations which have been accepted and incorporated in the Bill and those which have not been accepted.

6. The members were requested to furnish lists of other literature, etc. on the subject of the Bill which they would like to be supplied by the Labour Ministry.

7. The representatives of the Labour Ministry agreed to supply sufficient copies of the above-mentioned literature for circulation amongst members of the Committee.

8. The Committee decided to meet again at 3.00 P.M. on Friday, the 8th June, 1973 to consider the memoranda which might have been received by that time and also to chalk out its future programme of sittings.

9. The Committee then adjourned at 5.30 P.M.

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## SECOND MEETING

The Committee met at 3.00 P.M. on Friday, the 8th June, 1973.

*Members*

## RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri G. A. Appan
5. Shri B. N. Mandal
6. Shri N. H. Kumbhare
7. Shri H. S. Narasiah
8. Shri N. P. Chaudhari
9. Shri T. G. Deshmukh
10. Shrimati Sita Devi

## LOK SABHA

11. Shri Chhatten Lal
12. Shri Biren Dutta
13. Shri Nageshwar Dwivedi
14. Shrimati Ganga Devi
15. Shri S. B. Giri
16. Shri J. Matha Gowder
17. Shri Raja Kulkarni
18. Shri Madhu Limaye
19. Shri K. Mallanna
20. Shri Ramsahai Pandey
21. Shri S. L. Peje
22. Shri Vayalar Ravi
23. Shri Devendra Satpathy
24. Shri Ranen Sen
25. Shri Somchand Solanki
26. Shri Amarnath Vidyalankar.

REPRESENTATIVES OF MINIS<sup>T</sup>*Ministry of Law and Justice*

Shri C. Raman Menon, Deputy Legislative Counsel,

*Ministry of Labour and Rehabilitation*

- (i) Shri D. S. Nim, Joint Secretary.
- (ii) Shri Mahesh Chandra, O.S.D. (Legal).
- (iii) Shri K. D. Hajela, Deputy Secretary.

## SECRETARIAT

Shri M. K. Jain. *Under Secretary.*

2. The Chairman made a reference to the sad demise of Shri S. Mohan Kumaramangalam, Union Minister of Steel and Mines, Shri K. Balachandrayutham, Member, Lok Sabha, Shrimati Devaki Gopidas, a former Member of Rajya Sabha and Shri Gurnam Singh, former Chief Minister of Punjab, in a plane crash near Palam, New Delhi, in the night of the 31st May, 1973. The Committee then observed one minute silence, all members standing, as a mark of respect to the memory of the deceased.

3. The Committee desired that the Ministry of Labour and Rehabilitation be asked to supply the following literature to the members of the Committee:—

- (i) The extent to which various Labour Laws relating to Plantation Labour have been implemented by different States.
- (ii) The location of the different Plantations all over the country and the number of employees employed by each of them,
- (iii) Rules framed by State Governments under the Plantations Labour Act.
- (iv) Explanatory Notes on the various clauses of the Bill.

The representatives of the Labour Ministry agreed to supply sufficient copies of the above-mentioned literature for circulation amongst members of the Committee.

4. The Committee felt that the time given for the submission of memoranda by the various All India Organisations of workers and employees in Plantations and the various Unions functioning in the Plantation Industry including trade unions, trade organisations and other interested in the subject matter of the Bill, was rather short. The Committee, therefore, decided that the date for the submission of the Memoranda may be extended to 30th June, 1973, and that a Press Communique to this effect may again be issued.

5. The Committee decided to hold its next meeting at 3.00 p.m. on the 12th July, 1973, and also on the 13th July, 1973, in Room No. 63, First Floor, Parliament House, New Delhi.

6. The Committee then adjourned at 4.05 p.m.

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 III.

## THIRD MEETING

The Committee met at 3.00 p.m. on Thursday, the 12th July, 1973.

*Members.*

RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman.*
2. Shri T. V. Anandan

10. Shri Ibrahim Kalaniya
11. Shri K. V. Raghunatha Reddy

LOK SABHA

12. Shri Chhutton Lal
13. Shri Nageshwar Dwivedi
14. Shrimati Ganga Devi
15. Shri J. Mahta Gowder
16. Shri Hukam Chand Kachwai
17. Shri L. D. Kotoki
18. Shri Madhu Limaye
19. Shri Tuna Oraon
20. Shri Damodar Pandey
21. Shri Partap Singh
22. Shri S. L. Peje
23. Shri Vayalar Ravi
24. Shri K. Ramakrishna Reddy
25. Shri Devendra Satpathy
26. Shri Ranen Sen
27. Shri Shiv Kumar Shastri
28. Shri Somchand Solanki
29. Shri G. Venkataswamy
30. Shri Amarnath Vidyalankar.

REPRESENTATIVES OF MINISTRIES

*Ministry of Law and Justice*

- (i) Shri S. Ramaiah, Deputy Legislative Counsel.
- (ii) Shri Ravindra Singh, Attache.

*Ministry of Labour and Rehabilitation*

- (i) Shri P. M. Nayak, Secretary.
- (ii) Shri D. S. Nim, Joint Secretary.
- (iii) Shri S. N. Saxena, O.S.I
- (iv) Shri Mahesh Chandra, O.S.D. (Legal)
- (v) Shri K. D. Hajela, Deputy Secretary.

## SECRETARIAT

Shri S. S. Bhalerao, *Joint Secretary.*

Dr. M. S. Panigrahi, *Deputy Secretary.*

2. The Chairman made a reference to the passing away of Shri D. R. Chavan, Minister of State in the Ministry of Law, Justice and Company Affairs, on the 8th July, 1973. The Committee thereafter observed one minute's silence, all the members standing as a mark of respect to the memory of the deceased.

3. The Committee then held a discussion on its future programme and was of the opinion that in order to make on-the-spot assessment of the conditions of the plantations labour it was essential to visit these plantations located in different States in the country. For the purpose of visiting the plantations located in the States of Kerala, Mysore and Tamil Nadu, the Committee decided that it should assemble at Mysore at 11.00 A.M. on Monday, the 10th September, 1973. The Committee would, thereafter, it was further decided, divide itself into three groups, one each for the States of Kerala, Mysore and Tamil Nadu for the above-mentioned purpose. The Committee further decided to reassemble at Mysore for recording oral evidence, if necessary, immediately after the completion of the visits to the plantations in these States.

Members were accordingly requested by the Chairman to indicate, in order of preference, their choice for joining any one of these groups and also to suggest the names, if any, of particular plantations which they would like the groups to visit. The Chairman was authorised to finalise the composition of these Groups after taking into consideration the preferences indicated by the members.

The Committee authorised the Chairman to prepare a detailed programme for these visits in consultation with Shri K. Raghunatha Reddy, Minister for Labour and Rehabilitation.

The Committee also decided to finalise its programme regarding visiting plantations in the Eastern region of the country at its sitting in Mysore.

The Chairman was authorised by the Committee to approach Chairman of the Rajya Sabha for his permission for the visits to the States of Kerala, Mysore and Tamil Nadu for the aforesaid purpose.

4. The Committee felt that it will not be possible to complete the work entrusted to it by the first day of the 85th Session of the Rajya Sabha, the date fixed for submission of the Report. The Committee, therefore, decided to ask for extension of time up to the first day of the last week of the 88th Session of the Rajya Sabha for presentation of its Report. The Chairman and, in his absence, Shri Monoranjan Roy, were authorised to move the necessary motion in the House.

5. The Committee decided to cancel its meeting scheduled to be held on Friday, the 13th July, 1973.

6. The Committee then adjourned at 4.35 P.M.

## IV

## FOURTH MEETING

The Committee met at 4.00 P.M. on Friday, the 10th August, 1973.

*Members*

## - RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri U. K. Lakshmana Gowda
6. Shri N. H. Kumbhare
7. Shri N. P. Chaudhari
8. Shri T. G. Deshmukh
9. Shrimati Sita Devi
10. Shri K. V. Raghunatha Reddy

## LOK SABHA

11. Shri Biren Dutta
12. Shri Nageshwar Dwivedi
13. Shri J. Matha Gowder
14. Shri Hukam Chand Kachwar
15. Shri Raja Kulkarni
16. Shri Pratap Singh
17. Shri Ibrahim Sulaiman Sait
18. Shri Ranen Sen
19. Shri N. P. Yadav.

## REPRESENTATIVES OF THE MINISTRIES

*Ministry of Law and Justice*

- (i) Shri S. Harihara Iyer, Joint Secretary and Legislative Counsel.
- (ii) Shri S. Ramaiah, Deputy Legislative Counsel.
- (iii) Shri L. Rabindra Singh, Attache.

*Ministry of Labour and Rehabilitation*

- (i) Shri P. M. Nayak, Secretary.
- (ii) Shri D. S. Nim, Joint Secretary.
- (iii) Shri K. D. Hajela, Deputy Secretary.
- (iv) Shri Mahesh Chandra, O.S.D. (Legal).
- (v) Shri Lalfak Zuála, Under Secretary.

## SECRETARIAT

Dr. M. S. Panigrahi, Deputy Secretary.

Shri M. K. Jain, Under Secretary.

2. The Committee reconsidered its earlier decision to assemble at Mysore on the 10th September, 1973 before dividing itself into three Study Groups to visit the plantations in the States of Kerala, Mysore and Tamil Nadu. After some discussion the Committee decided to drop the programme of assembly of the whole Committee at Mysore. It, however, decided that the three Study Groups should assemble directly at their respective places of assembly.

Study Groups which had already been circulated to the members.  
Study Group which had already been circulated to the members.

The Chairman informed the Committee that he had finalized the composition of the three Study Groups and the Committee thereafter chose Sarvashri Vayalar Ravi, U.K. Lakshmana Gowda and T. V. Anandan to be the Conveners of Study Group 'A' (Kerala), Study Group 'B' (Mysore) and Study Group 'C' (Tamil Nadu), respectively.

3. The Committee was also of the view that the evidence to be tendered before the Committee should be recorded before the whole Committee at Delhi.

4. The Committee decided to meet some time during the last week of September, 1973, for fixing the programme of visit to the plantations in the eastern region of the country.

5. The Committee then adjourned at 4.50 P.M.

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FIFTH MEETING

The Committee met at 3.00 P.M. on Friday, the 31st August, 1973.

*Members*

RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Dattopant Thengari
4. Shri Monoranjan Roy
5. Shri B. N. Mandal
6. Shri U. K. Lakshmana Gowda
7. Shri N. P. Chaudhari
8. Shri T. G. Deshmukh
9. Shri K. V. Raghunatha Reddy.

## LOK SABHA

10. Shri Biren Dutta
11. Shri Nageshwar Dwivedi
12. Shrimati Ganga Devi
13. Shri Hukam Chand Kachwai
14. Shri L. D. Kotoki
15. Shri Tuna Oraon
16. Shri Damodar Pandey
17. Shri Partap Singh
18. Shri Vayalar Ravi
19. Shri K. Ramakrishna Reddy
20. Shri Ibrahim Sulaiman Sait
21. Shri Ranen Sen
22. Shri Shiv Kumar Shastri
23. Shri Somchand Solanki

## REPRESENTATIVES OF THE MINISTRIES

*Ministry of Law and Justice*

- (i) Shri S. Harihara Iyer, Joint Secretary and Legislative Counsel.
- (ii) Shri S. Ramaiah, Deputy Legislative Counsel.
- (iii) Shri L. Rabindra Singh, Attache.

*Ministry of Labour and Rehabilitation*

- (i) Shri D. S. Nim, Joint Secretary
- (ii) Shri K. D. Hajela, Deputy Secretary
- (iii) Shri Mahesh Chandra, O. S. D. (Legal)
- (iv) Shri Lalfak Zuala, Under Secretary

## SECRETARIAT

Dr. M. S. Panigrahi, Deputy Secretary.

Shri M. K. Jain, Under Secretary.

2. At the outset Chairman informed the Committee that he had received requests from some members for postponement of the visits of the Study Groups of the Committee by a few days in view of the extension of the current Session of Parliament.

After some discussion the Committee decided that the date of assembly of the three Study Groups should be postponed from the 10th September, 1973 to 17th September, 1973 and the dates of the remaining parts of the programme should be adjusted accordingly.

The Committee also decided that Study Group 'B' (Mysore) should assemble on the 17th September, 1973 at Bangalore instead of Mysore as decided earlier.



3. The Committee further decided that for the purpose of study visits to the plantations located in the eastern region of the country comprising the States of Assam, Tripura and West Bengal the Committee may, subject to the approval of the Chairman, Rajya Sabha, divide itself into three Study Groups and assemble at their respective places of assembly on the 30th October, 1973. The Chairman was authorised to draw up the detailed programmes of the visits. The Committee also authorised its Chairman to approach the Chairman, Rajya Sabha for according necessary permission for the purpose.

4. The Committee then adjourned at 3.30 P.M.

## VI

### SIXTH MEETING

The Committee met at 3.30 P.M. on Tuesday, the 18th December, 1972

#### Members

##### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri U. K. Lakshmana Gowda
5. Shri N. H. Kumbhare
6. Shri H. S. Narasiah
7. Shri N. P. Chaudhari
8. Shrimati Sita Devi
9. Shri Ibrahim Kalaniya
10. Shri K. V. Raghunatha Reddy

##### LOK SABHA

11. Shri Nageshwar Dwivedi
12. Shri L. D. Kotoki
13. Shri Raja Kulkarni
14. Shri Tuna Oraon
15. Shri Damodar Pandey
16. Shri Partap Singa
17. Shri Natwarlal Patel
18. Shri K. Ramakrishna Reddy.

Shri Balgovind Verma, Deputy Minister of Labour, was also present.

#### REPRESENTATIVES OF THE MINISTRIES

##### *Ministry of Law and Justice*

Shri S. Ramaiah, Dy. Legislative Counsel.

*Ministry of Labour*

- (i) Shri D. S. Nim, Joint Secretary
- (ii) Shri K. D. Hajela, Deputy Secretary
- (ii) Shri P. P. Kanthan, Under Secretary.

## SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary  
 Shri M. K. Jain, Deputy Secretary  
 Shri R. K. Mazumder, Under Secretary

2. The Committee considered its future programme of sittings and decided that its next series of meetings will be held at New Delhi from 21st January, 1974 to 24th January, 1974, to hear oral evidence of representatives of Plantation workers and Planters from Southern India.

The members of the Committee were requested to send to the Rajya Sabha Secretariat the names and particulars of various organisations and associations etc. whom they would like to be considered for being invited to give oral evidence before the Committee, as early as possible.

The Chairman of the Committee was authorised to select the names of witnesses for being invited to give oral evidence during its meetings scheduled to be held from 21st to 24th January, 1974.

3. The Committee then adjourned at 4.10 P.M. to meet again at 2.00 P.M. on Monday, the 21st January, 1974.

## VII

## SEVENTH MEETING

The Committee met at 2.05 P.M. on Monday, the 21st January, 1974.

*Members*

## RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri N. H. Kumbhare
6. Shri Nripati Ranjan Choudhury
7. Shri H. S. Narasiah
8. Shri N. P. Chaudhari
9. Shrimati Sita Devi
10. Shri Ibrahim Kalaniya

## LOK SABHA

11. Shri Chhuttan Lal
12. Shri Biren Dutta
13. Shri Nageshwar Dwivedi
14. Shri Hukam Chand Kachwai
15. Shri L. D. Kotoki
16. Shri Raja Kulkarni
17. Shri K. Mallanna
18. Shri Tuna Oraon
19. Shri Partap Singh
20. Shri Natwarlal Patel
21. Shri S. L. Peje
22. Shri K. Ramakrishna Reddy
23. Shri Ranen Sen
24. Shri Shiv Kumar Shastri
25. Shri Somchand Solanki
26. Shri Amarnath Vidyalankar

Shri Balgovind Verma, Deputy Minister of Labour, was also present.

## REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri K. D. Hajela, Deputy Secretary
- (ii) Shri P. P. Kanthan, Under Secretary

*Ministry of Law and Justice*

Shri S. Ramaiah, Deputy Legislative Counsel.

## SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary  
Shri R. K. Mazumder, Under Secretary.

## WITNESSES

1. Shri B. G. Narasimha Murthy, General Secretary, South India Estates and General Workers Union, Chikmagalur also representing Coorg District Plantation and General Workers Union, Devapura (Coorg.)
2. Shri W. A. Dayaratna, General Secretary, Tamil Nadu Plantation Workers Union, Valparai and General Secretary, Tinnevely District United Plantation Workers Union, Vikramsinghpuram, Tamil Nadu.

2. The Committee heard the oral evidence tendered by the above mentioned witnesses.

A verbatim record of the evidence was kept.

3. The Committee then decided that it would hold its next series of meetings at New Delhi from 7th to 9th February, 1974, to hear oral evidence of the representatives of the Planters' Associations of Southern India and also those representatives of the Plantation Workers' Unions of Southern India who could not appear before the Committee during the current sittings of the Committee due to non-availability of accommodation in train/plane and other difficulties.

4. The Committee then adjourned at 3.50 P.M. to meet again at 2.00 P.M. on Tuesday, the 22nd January, 1974, in Committee Room No. 63, First Floor, Parliament House, New Delhi.

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## VIII

### EIGHTH MEETING

The Committee met at 2.00 P.M. on Tuesday, the 22nd January, 1974.

#### *Members*

#### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri U. K. Lakshmana Gowda
6. Shri N. H. Kumbhare
7. Shri H. S. Narasiah
8. Shri N. P. Chaudhari
9. Shri T. G. Deshmukh
10. Shrimati Sita Devi
11. Shri Ibrahim Kalaniya
12. Shri K. V. Raghunatha Reddy

#### LOK SABHA

13. Shri Aziz Imam
14. Shri Chhatten Lal
15. Shri Biren Dutta
16. Shrimati Ganga Devi
17. Shri Hukam Chand Kachwai
18. Shri L. D. Kotoki
19. Shri Raja Kulkarni
20. Shri K. Mallanna
21. Shri Tuna Oraon
22. Shri Damodar Pandey
23. Shri Partap Singh
24. Shri Natwarlal Patel

25. Shri S. L. Peje
26. Shri K. Ramakrishna Reddy
27. Shri Ranen Sen
28. Shri Shiv Kumar Shastri
29. Shri Somchand Solanki
30. Shri Amarnath Vidyalankar
31. Shri N. P. Yadav

Shri Balgovind Verma, Deputy Minister of Labour, was also present.

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri K. D. Hajela, Deputy Secretary
- (ii) Shri P. P. Kanthan, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel

SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary  
Shri R. K. Mazumder, Under Secretary.

WITNESSES

1. Shri J. Hemachandran, President, Kanyakumari District Estate Workers Union, P.O. Kulashekaran, Kanyakumari District.
  2. Shri B. N. Kuttappa, Secretary, Coorg District Estate Workers Union, Mercara.
  3. Shri K. Padmanabhan, Secretary, North Waynad Estates Labour Union, P.O. Mannantoddy, District Cannanore, Kerala.
  4. Shri C. K. Chakrapani, Secretary, Palappilly Rubber Estate Workers Congress, Palappilly, Trichur (Kerala).
  5. Shri M. G. Ramachandran, General Secretary, High Range Estate Employees Association, Mundakayam, District Kottayam (Kerala).
  6. Shri B. N. Venkataramana, Assistant Secretary, Coorg District Estate Workers Union, 160-24, Pioneer Road, Mercara.
2. The Committee heard the oral evidence tendered by the above-mentioned witnesses.

A verbatim record of the evidence was kept.

3. The Committee reconsidered its decision taken on 21st January, 1974 regarding the next series of its sittings and decided to meet on 6th, 7th and 8th February, 1974 *instead of* 7th, 8th and 9th February, 1974, for the purpose of hearing oral evidence of the representatives of the

Planters' Associations of Southern India and also those representatives of the Plantation Workers Unions of Southern India who could not appear before the Committee during the current sittings of the Committee due to non-availability of accommodation in train/plane and other difficulties.

4. The Committee also decided to cancel its meeting to be held on 23rd January, 1974, in view of the fact that the witnesses, who had been invited to give oral evidence on that day informed that they would not be able to appear before the Committee due to non-availability of accommodation in train/plane and other difficulties.

5. The Committee then adjourned at 4.40 P.M. to meet again at 2.00 P.M. on Thursday, the 24th January, 1974, in Committee Room No. 63, First Floor, Parliament House, New Delhi.

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## IX

### NINTH MEETING

The Committee met at 2.00 P.M. on Thursday, the 24th January, 1974.

#### *Members*

#### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri U. K. Lakshmana Gowda
6. Shri Nripati Ranjan Choudhury
7. Shri H. S. Narasiah
8. Shri N. P. Chaudhari
9. Shri T. G. Deshmukh
10. Shrimati Sita Devi
11. Shri Ibrahim Kalaniya
12. Shri K. V. Raghunatha Reddy

#### LOK SABHA

13. Shri Chhatten Lal
14. Shri Biren Dutta
15. Shrimati Ganga Devi
16. Shri Hukam Chand Kachwai
17. Shri Raja Kulkarni
18. Shri K. Mallanna
19. Shri Damodar Pandey
20. Shri Partap Singh
21. Shri Natwarlal Patel

22. Shri S. L. Peje
23. Shri K. Ramakrishna Reddy
24. Shri Ranen Sen
25. Shri Shiv Kumar Shastri
26. Shri Somchand Solanki
27. Shri Amarnath Vidyalankar
28. Shri N. P. Yadav

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour New Delhi*

- (i) Shri K. D. Hajela, Deputy Secretary
- (ii) Shri P. P. Kanthan, Under Secretary.

*Ministry of Law and Justice*

Shri S. Ramaiah, Deputy Legislative Counsel.

SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary

Shri R. K. Mazumder, Under Secretary.

WITNESS

Shri K. A. Sivarama Bharathy, M.L.A., President, Kerala Unions' Plantation Workers Union, Malakkipara.

2. The Committee heard the evidence tendered by the above-mentioned witness.

A verbatim record of the evidence was kept.

3. The Committee considered a letter dated 27th September, 1973 signed by Shri G. Varadahn, Member of the Kerala Legislative Assembly, alleging victimization of a female worker, Shrimati Vedivoo (No. 387), Factory Division, Thenmally Tea Estate, Kerala, by her employer for furnishing certain facts to the Study Group 'A' of the Joint Committee on the Plantations Labour (Amendment) Bill, 1973 during its visit to that estate. After some discussion, the Committee decided that the full facts in connection with the incident may be obtained, both from the Manager of the Thenmally Tea Estate and from Shrimati Vedivoo. The Committee also decided that after the relevant facts regarding the incident have been received, the Manager of the Thenmally Tea Estate as well as Shrimati Vedivoo be summoned to appear before the Committee at a later date.

4. The Committee then considered a letter dated 8th November, 1973 received from Shri H. R. Garodia, Superintendent, Cossipore Tea Estate, P.O. Cossipore, T.O. Banskandi, Cachar (Assam), and directed that Shri Garodia be summoned to appear before the Committee for explaining personally the matter mentioned in his letter, at some future date.

5. The Committee then adjourned at 3.20 P.M. to meet again at 11.00 A.M. on Wednesday, the 6th February, 1974 in Committee Room No. 63, First Floor, Parliament House, New Delhi.

## TENTH MEETING

The Committee met at 11.00 A.M. on Wednesday, the 6th February, 1974.

*Members*

## RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
3. Shri T. V. Anandan
3. Shri B. N. Mandal
4. Shri U. K. Lakshmana Gowda
5. Shri H. S. Narasiah
6. Shri N. P. Chaudhari
7. Shri T. G. Deshmukh
8. Shrimati Sita Devi
9. Shri Ibrahim Kalaniya

## LOK SABHA

10. Shri Aziz Imam
11. Shri Chhutton Lal
12. Shri Nageshwar Dwivedi
13. Shrimati Ganga Devi
14. Shri S. B. Giri
15. Shri Hukam Chand Kachwai
16. Shri Raja Kulkarni
17. Shri K. Mallanna
18. Shri Tuna Oraon
19. Shri Natwarlal Patel
20. Shri K. Ramakrishna Reddy
21. Shri Ranen Sen
22. Shri N. P. Yadav

## REPRESENTATIVES OF THE MINISTRY OF LABOUR

- (i) Shri V. K. Chanana, Deputy Secretary
- (ii) Shri T. S. Krishnamurti, Under Secretary.

## SECRETARIAT

Shri M. K. Jain, Deputy Secretary.

Shri R. K. Mazumder, Under Secretary.



## WITNESSES

Representatives of Plantation Workers' Union in Kerala Affiliated to the Indian National Trade Union Congress.

- (i) Shri B. K. Nair President, Peerumade Taluk Estate Labour Union, Vandiperiar.
- (ii) Shri Gervacis Areeckal, Secretary, Plantations Corporation, Kerala.
- (iii) Shri A. Kunheeran, President, Kinalur Rubber Estate Workers Union, Balussery.
- (iv) Shri T. N. G. Panicker, Secretary, National Estate Workers Congress, Vandanmadu.
- (v) Shri R. Kuppaswami, President, South Indian Plantation Workers Union, Munnar.
- (vi) Shri M. Muthuswamy, Secretary, South Indian Plantation Workers Union, Munnar.
- (vii) Shri T. P. G. Namboodiri, Secretary, Cannanore District Plantation Workers Union.
- (viii) Shri R. Sundaram, Secretary, Nedumangad Plantation Labour Union.
- (ix) Shri M. Sreedharan Pillai, District Secretary I.N.T.U.C., Quilon.

2. The Committee heard the evidence tendered by the above-mentioned witnesses.

A verbatim record of the evidence was kept.

3. The Committee then adjourned at 2.10 P.M. to meet again at 10.30 A.M. on Thursday, the 7th February, 1974.

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 XI

## ELEVENTH MEETING

The Committee met at 10.30 A.M. on Thursday, the 7th February, 1974.

*Members*

## RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri Dattopant Thengari
3. Shri G. A. Appan
4. Shri B. N. Mandal
5. Shri U. K. Lakshmana Gowda
6. Shri Nripati Ranjan Choudhury

7. Shri H. S. Narasiah
8. Shri N. P. Chaudhari
9. Shrimati Sita Devi
10. Shri Ibrahim Kalaniya

LOK SABHA

11. Shri Nageshwar Dwivedi
12. Shrimati Ganga Devi
13. Shri S. B. Giri
14. Shri Hukam Chand Kachwai
15. Shri L. D. Kotoki
16. Shri Raja Kulkarni
17. Shri K. Mallanna
18. Shri Tuna Oraon
19. Shri Natwarlal Patel
20. Shri Vayalar Ravi
21. Shri K. Ramakrishna Reddy
22. Shri Ranen Sen
23. Shri Amarnath Vidyalankar
24. Shri N. P. Yadav

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

SECRETARIAT

Shri M. K. Jain, Deputy Secretary

Shri R. K. Mazumder, Under Secretary.

WITNESSES

- I. Shri G. Mahadeshwar, Journalist, Bangalore, Karnataka.
- II. Representatives of South Indian Small Growers Federation, Mudigere, Chikmagalur:—
  - (i) Shri B. K. Nagesh
  - (ii) Shri K. Krishna Prasad
- III. Representatives of Plantation Workers Unions in Tamil Nadu and Karnataka Affiliated to Indian National Trade Union Congress:—
  - (i) Shri K. R. Bellie, General Secretary, Nilgiri District Estate Workers' Union, "Rokeby", Coonoor, Tamil Nadu and Secretary, National Estate Staff Union, Coonoor.

- (ii) Shri M. Govindaswamy Secretary, Mysore Plantation Labour Union Congress, Pollibetta—P.O. S. Coorg, Karnataka, and representing Kadama Estate Workers' Union, Sakalespur, Kadamani—P.O. Hassan District, Karnataka.

IV. Shri V. Adishesan, Secretary, Mysore Thotta Anomaiar Munnetra Sangam, Jayapura, Chikmagalur, Karnataka (Affiliated to H.M.S.), and representing the Joint Council of Plantation Trade Unions in Karnataka.

2. The Committee heard the evidence tendered by the above mentioned witnesses.

A verbatim record of the evidence was kept.

3. The Committee then adjourned at 2.15 P.M. to meet again at 10.30 A.M. on Friday, the 8th February, 1974.

## XII

### TWELFTH MEETING

The Committee met from 10.30 A.M. to 1.15 P.M. and again from 2.30 P.M. to 4.50 P.M. on Friday, the 8th February, 1974.

#### Members

##### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri G. A. Appan
5. Shri B. N. Mandal
6. Shri U. K. Lakshmana Gowda
7. Shri N. H. Kumbhare
8. Shri Nripati Ranjan Choudhury
9. Shri H. S. Narasiah
10. Shri N. P. Chaudhari
11. Shri T. G. Deshmukh
12. Shrimati Sita Devi
13. Shri Ibrahim Kalaniya

##### LOK SABHA

14. Shri Aziz Imam
15. Shri Raghunandan Lal Bhatia
16. Shri Chhatten Lal
17. Shri Nageshwar Dwivedi
18. Shrimati Ganga Devi
19. Shri Hukam Chand Kachwai
20. Shri L. D. Kotoki
21. Shri K. Mallanna

22. Shri Tuna Oraon
23. Shri Ramsahai Pandey
24. Shri Vayalar Ravi
25. Shri K. Ramakrishna Reddy
26. Shri Ranen Sen
27. Shri Shiv Kumar Shastri
28. Shri Somchand Solanki
29. Shri Amarnath Vidyalankar

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri V. K. Chanana, Deputy Secretary.
- (ii) Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel

SECRETARIAT

- Shri M. K. Jain, Deputy Secretary.  
Shri R. K. Mazumder, Under Secretary.

WITNESSES

- I. Representatives of the United Planters' Association of Southern India, Coonoor, Tamil Nadu:—
  - (i) Shri V. I. Chacko, Secretary and Adviser.
  - (ii) Shri C. Shankara Narayanan, Industrial Relations Officer.
- II. Shri C. K. Krishnan Kutty, Secretary, Coimbatore District Plantations Workers' Union, (previously known as Annamalai Plantation Workers' Union), Valparai, Tamil Nadu.
- III. Shri K. Rajagopal, General-Secretary, Estates Staffs' Union of South India, Coimbatore, Tamil Nadu.
- IV. Shri P. L. Perumal, President, Neelamalai Plantation Workers' Union, Mount Pleasant, Coonoor, Tamil Nadu.

2. The Committee heard the evidence tendered by the above-mentioned witnesses.

A verbatim record of the evidence was kept.

3. The Committee decided to ask for further extension of time for the presentation of its report up to the first day of the last week of the Ninth Session of the Rajya Sabha. The Chairman and in his absence, Shri Monoranjan Roy, were authorised to move the necessary motion in the House in this regard.

4. The Committee decided to hold its next meeting sometime during the ensuing session for the purpose of chalking out its future programme of sittings.

5. The Committee then adjourned at 4.50 P.M.

## THIRTEENTH MEETING

The Committee met at 3.00 P.M. on Friday, the 3rd May, 1974.

*Members*

## RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri B. N. Mandal.
4. Shri N. H. Kumbhare.
5. Shri Nripati Ranjan Choudhury.

## LOK SABHA

6. Shri Raghunandan Lal Bhatia.
7. Shri Nageshwar Dwivedi.
8. Shri K. Mallanna.
9. Shri Tuna Oraon.
10. Shri Partap Singh.
11. Shri K. Ramakrishna Reddy.
12. Shri Ebrahim Sulaiman Sait.
13. Shri Ranen Sen.
14. Shri Shiv Kumar Shastri.
15. Shri Amarnath Vidyalankar.
16. Shri N. P. Yadav.
17. Shri Balgovind Verma.

## REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri D. S. Nim, Joint Secretary.
- (ii) Shri V. K. Chanana, Deputy Secretary.
- (iii) Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

- (i) Shri Harihara Iyer, Joint Secretary.
- (ii) Shri S. Ramaiah, Deputy Legislative Counsel.

## SECRETARIAT

- (i) Dr. M. S. Panigrahi, Joint Secretary.
- (ii) Shri M. K. Jain, Deputy Secretary.
- (iii) Shri R. K. Mazumder, Under Secretary.

2. At the outset, Chairman made a reference to the passing away of Shrimati Sita Devi, a member of the Committee. The Committee then observed one minute's silence, all members standing, as a mark of respect to the deceased.

3. The Committee then held a discussion on its future programme of sittings.

4. The Committee decided to appoint a Study Group consisting of not more than 20 members for the purpose of making an on-the-spot assessment of the conditions of the Plantation Labour in the various parts of Himachal Pradesh.

5. The Chairman was authorised by the Committee to finalise the list of members of the Study Group and the details of the tour programme. It was also decided that the Study Group may visit the Plantations in Himachal Pradesh for 4 days from the 27th May, 1974.

6. The Committee also decided to hold its next series of meetings at Calcutta for about 4 days from the 4th June, 1974 to 7th June, 1974, to record oral evidence of the representatives of the Associations/Unions of planters and plantation workers belonging to the eastern region of the country.

7. The Committee authorised the Chairman to select the names of witnesses who might be invited to give oral evidence before the Committee at its sittings at Calcutta.

8. The Chairman was authorised by the Committee to approach the Chairman of the Rajya Sabha for obtaining permission for the visit of the Study Group to Himachal Pradesh and also for holding the meetings at Calcutta.

9. The Committee then adjourned at 3.45 P.M.

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#### XIV

#### FOURTEENTH MEETING

The Committee met at 2.00 P.M. on Monday, the 13th May, 1974.

#### *Members*

#### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*.
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri N. H. Kumbhare
6. Shri Nripati Ranjan Choudhury
7. Shri Ibrahim Kalaniya
8. Shri N. P. Chaudhari
9. Shri Shridhar Wasudeorao Dhabe
10. Shri K. V. Raghunatha Reddy
11. Shri C. D. Natarajan
12. Shri U. K. Lakshmana Gowda
13. Shrimati Leela Damodara Menon

## LOK SABHA

14. Shri Raghunandan Lal Bhatia
15. Shri Nageshwar Dwivedi
16. Shrimati Ganga Devi
17. Shri L. D. Kotoki
18. Shri Raja Kulkarni
19. Shri Tuna Oraon
20. Shri Partap Singh
21. Shri K. Ramakrishna Reddy
22. Shri Devendra Satpathy
23. Shri Somchand Solanki
24. Shri N. P. Yadav
25. Shri Balgovind Verma

## REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri V. K. Chanana, Deputy Secretary
- (ii) Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

- (i) Shri Harihara Iyer, Joint Secretary.
- (ii) Shri S. Ramaiah, Deputy Legislative Counsel.

## SECRETARIAT

- (i) Dr. M. S. Panigrahi, Joint Secretary
- (ii) Shri M. K. Jain, Deputy Secretary
- (iii) Shri R. K. Mazumder, Under Secretary.

2. The Chairman informed the Members that in accordance with the Committee's decision taken at its meeting held on the 3rd May, 1974, the Chairman, Rajya Sabha, was approached for his permission to—

- (i) a Study Group of the Committee visiting various parts of Himachal Pradesh for the purpose of making an on-the-spot assessment of the condition of plantations labour in that State;
- (ii) the Committee holding its next series of meetings at Calcutta for the purpose of recording oral evidence of the representatives of the associations/unions of planters and plantation workers belonging to the eastern region of the country.

3. The Chairman further informed the Committee that while the Chairman, Rajya Sabha, has been pleased to accord permission to a Study Group of the Committee to visit tea plantations in Himachal Pradesh, he has not agreed to the proposed meetings of the Committee at Calcutta.

4. In view of this, the Committee reconsidered its future programme as decided in its meeting held on the 3rd May, 1974 and after some discussion decided that—

- (i) the Study Group of the Committee would undertake the proposed study tour in the State of Himachal Pradesh from 16th to 22nd June, 1974 *instead of* from 27th to 30th May, 1974.
- (ii) the next series of meetings of the Committee would be held in Delhi from 8th July, 1974 to 12th July, 1974 to record oral evidence of the representatives of the associations/unions of planters and plantation workers belonging to the eastern region of the country *instead of* at Calcutta from 4th June to 7th June, 1974.

5. Members willing to join the Study Group visiting the State of Himachal Pradesh were requested to send their names to the Rajya Sabha Secretariat at an early date.

6. The Committee then adjourned at 2:45 P.M.

## XV

### FIFTEENTH MEETING

The Committee met at 2.00 P.M. on Monday, the 8th July, 1974.

#### Members

#### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri B. N. Mandál
4. Shri N. H. Kumbhare
5. Shri Nripati Ranjan Choudhury
6. Shri H. S. Narasiah
7. Shri Ibrahim Kalaniya
8. Shri K. V. Raghunatha Reddy
9. Shri U. K. Lakshmana Gowda
10. Shrimati Leela Damodara Menon

#### LOK SABHA

11. Shri Aziz Imam
12. Shri Raghunandan Lal Bhatia
13. Shri Biren Dutta
14. Shri Nageshwar Dwivedi
15. Shrimati Ganga Devi
16. Shri S. B. Giri
17. Shri J. Matha Gowda



18. Shri Hukam Chand Kachwai
19. Shri L. D. Kotaki
20. Shri Raja Kulkarni
21. Shri Tuna Oraon
22. Shri Damodar Pandey
23. Shri Partap Singh
24. Shri S. L. Peje
25. Shri Vayalar Ravi
26. Shri Devendra Satpathy
27. Shri Ranen Sen
28. Shri Samar Guha
29. Shri Balgovind Verma

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

Shri V. K. Chanana—Deputy Secretary

*Ministry of Law and Justice, New Delhi*

Shri V. S. Vashyan—Deputy Legislative Counsel

SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary

Shri M. K. Jain, Deputy Secretary

Shri R. K. Mazumder, Under Secretary

WITNESSES

Representatives of the All India Plantations Workers Federation,  
Calcutta:—

- (i) Dr. M. K. Pandhe, Hony. Member.
- (ii) Shri K. Padmanabhan, President.
- (iii) Mrs. Vimal Ranadive, Secretary.

2. The Committee heard the evidence tendered by the above mentioned witnesses.

A verbatim record of the evidence was kept.

3. The Committee then adjourned at 4.15 P.M. to meet again at 2.30 P.M. instead of 2.00 P.M. on Tuesday, the 9th July, 1974.

XVI

SIXTEENTH MEETING

The Committee met at 2.30 P.M. on Tuesday, the 9th July, 1974.

*Members*

RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri B. N. Mandal
4. Shri Nripati Ranjan Choudhury
5. Shri H. S. Narasiah
6. Shri Ibrahim Kalaniya
7. Shri Shridhar Wasudeorao Dhabe
8. Shri K. V. Raghunatha Reddy
9. Shri U. K. Lakshmana Gowda
10. Shrimati Leela Damodara Menon

LOK SABHA

11. Shri Aziz Imam
12. Shri Raghunandan Lal Bhatia
13. Shri Biren Dutta
14. Shri Nageshwar Dwivedi
15. Shrimati Ganga Devi
16. Shri S. B. Giri
17. Shri J. Matha Gowder
18. Shri Hukam Chand Kachwai
19. Shri L. D. Kotoki
20. Shri Raja Kulkarni
21. Shri K. Mallanna
22. Shri Tuna Oraon
23. Shri Damodar Pandey
24. Shri Partap Singh
25. Shri S. L. Peje
26. Shri K. Ramakrishna Reddy
27. Shri Ebrahim Sulaiman Sait
28. Shri Devendra Satpathy

29. Shri Ranen Sen
30. Shri Amarnath Vidyalankar
31. Shri Samar Guha

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

Shri T. S. Krishnamurti—Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri V. S. Bhashyam—Deputy Legislative Counsel

SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary

Shri M. K. Jain, Deputy Secretary.

Shri R. K. Mazumder, Under Secretary.

2. The Committee heard the evidence tendered by the following witnesses:—

- (i) SHRI D. MURMU, M.L.A., Treasurer, Assam Chah Mazdoor Sangha, Dibrugarh, Assam.
- (ii) SHRI C. G. KARMAKAR, M.L.A., General-Secretary, Assam Chah Mazdoor Sangha, Dibrugarh, Assam.
- (iii) SHRI P. SEN MAZUMDAR, President, Indian Tea Employees' Union, Silchar, Assam.
- (iv) SHRI G. C. SARMAH, General-Secretary, Assam Chah Karmachari Sangha, Dibrugarh, Assam.
- (v) SHRI A. CHAKRABORTY, Secretary, Tripura Tea Employees Union, Agartala, Tripura.
- (vi) SHRI NIRODE BARAN DAS, General-Secretary, Tripura Chah Mazdoor Union, Agartala.
- (vii) SHRI JAGANNATH SINHA, M.L.A., General-Secretary, Cachar Chah Sramik Union, Silchar.

A verbatim record of the evidence was kept.

3. The Committee then adjourned at 4.55 P.M. to meet again at 2.30 P.M. instead of 2.00 P.M. on Wednesday, the 10th July, 1974.

## XVII

## SEVENTEENTH MEETING

The Committee met at 2.30 P.M. on Wednesday, the 10th July, 1974.

*Members*

## RAJYA SABHA

1. Shri T. V. Anandan—*in the Chair*
2. Shri Monoranjan Roy
3. Shri B. N. Mandal
4. Shri N. H. Kumbhare
5. Shri Nripati Ranjan Choudhury
6. Shri H. S. Narasiah
7. Shri Ibrahim Kalaniya
8. Shri N. P. Chaudhari
9. Shri Shridhar Wasudeorao Dhabe
10. Shrimati Leela Damodara Menon

## LOK SABHA

11. Shri Aziz Imam
12. Shri T. Balakrishniah
13. Shri Raghunandan Lal Bhatia
14. Shri Biren Dutta
15. Shrimati Ganga Devi
16. Shri S. B. Giri
17. Shri J. Matha Gowder
18. Shri Hukam Chand Kachwai
19. Shri Raja Kulkarni
20. Shri K. Mallanna
21. Shri Damodar Pandey
22. Shri Partap Singh
23. Shri S. L. Peje
24. Shri K. Ramakrishna Reddy
25. Shri Ebrahim Sulaiman Sait
26. Shri Devendra Satpathy
27. Shri Ranen Sen
28. Shri Shiv Kumar Dasgupta

29. Shri Somchand Solanki

30. Shri Balgovind Verma.

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri V. S. Bhashyam, Deputy Legislative Counsel.

SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary

Shri M. K. Jain, Deputy Secretary

Shri R. K. Mazumder, Under Secretary.

2. In the absence of the Chairman, Shri T. V. Anandan was voted to the Chair.

3. The Committee heard the evidence tendered by the following witnesses:—

- (i) Shri Jatin Chakravarty, General Secretary, United Trade Union Congress, Calcutta.
- (ii) Shri Rana Sen, Secretary, Duars Cha Bagan Workers' Union (Affiliated to U.T.U.C.), Jalpaiguri.
- (iii) Shri M. Manickam, Working President, Nilgiri Estate Workers Progressive Union, Coonoor, Tamil Nadu.
- (iv) Shri Harishadan Ghosh, Secretary, Darjeeling Tea Workers Union, P.O. Siliguri, West Bengal.

verbatim record of the evidence was kept.

4. The Committee then adjourned at 4.50 P.M. to meet again at 2.30 P.M. instead of 2.00 P.M. on Thursday, the 11th July, 1974.

XVIII

EIGHTEENTH MEETING

The Committee met at 2.30 P.M. on Thursday, the 11th July, 1974.

Members

RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*.
2. Shri T. V. Anandan

3. Shri Monoranjan Roy
4. Shri N. H. Kumbhare
5. Shri Nripati Ranjan Choudhury
6. Shri H. S. Narasiah
7. Shri N. P. Chaudhari
8. Shri Shridhar Wasudeorao Dhabe
9. Shri U. K. Lakshmana Gowda
10. Shrimati Leela Damodara Menon.

LOK SABHA

11. Shri T. Balakrishniah
12. Shri Biren Dutta
13. Shri Nageshwar Dwivedi
14. Shrimati Ganga Devi
15. Shri J. Matha Gowder
16. Shri Hukam Chand Kachwai
17. Shri Raja Kulkarni
18. Shri K. Mallanna
19. Shri Damodar Pandey
20. Shri Partap Singh
21. Shri Natwarlal Patel
22. Shri S. L. Peje
23. Shri K. Ramakrishna Reddy
24. Shri Ebrahim Sulaiman Sait
25. Shri Devendra Satpathy
26. Shri Ranen Sen
27. Shri Shiv Kumar Shastri
28. Shri Amarnath Vidyalankar

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri V. S. Bhashyam, Deputy Legislative Counsel.

SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary

Shri M. K. Jain, Deputy Secretary

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2. The Committee heard the evidence tendered by the following witnesses:—

- (i) Shri S. K. Sanyal, Chairman, Terai Indian Planters' Association, P. O. Matigara, Darjeeling.
- (ii) Shri Chinmoy Ghosh, General Secretary, Zilla Cha Bagan Workers Union, (A.I.T.U.C.), Sramik Bhavan, P. O. Mal, District Jalpaiguri.

A verbatim record of the evidence was kept.

3. The Committee then adjourned at 4.00 P.M. to meet again at 2.00 P.M. on Friday, the 12th July, 1974.

## XIX

### NINETEENTH MEETING

The Committee met at 2.00 P.M. on Friday, the 12th July, 1974.

#### *Members*

#### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri N. H. Kumbhare
5. Shri Nripati Ranjan Choudhury
6. Shri H. S. Narasiah
7. Shri N. P. Chaudhari
8. Shri U. K. Lakshmana Gowda
9. Shri Aziz Imam
10. Shri T. Balakrishniah
11. Shri Raghunandan Lal Bhati
12. Shri Biren Dutta
13. Shri Nageshwar Dwivedi
14. Shrimati Ganga Devi
15. Shri S. B. Giri
16. Shri J. Matha Gowder
17. Shri Hukam Chand Kachwai
18. Shri K. Mallanna
19. Shri Tuna Oraon
20. Shri Damodar Pandey

21. Shri Partap Singh
22. Shri Natwarlal Patel
23. Shri S. L. Peje
24. Shri Vayalar Ravi
25. Shri K. Ramakrishna Reddy
26. Shri Ebrahim Sulaiman Sait
27. Shri Devendra Satpathy
28. Shri Ranen Sen
29. Shri Shiv Kumar Shastri
30. Shri Amarnath Vidyalankar
31. Shri N. P. Yadav
32. Shri Samar Guha

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri V. S. Bhashyam, Deputy Legislative Counsel.

SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary

Shri M. K. Jain, Deputy Secretary

2. The Committee heard the evidence tendered by the following witnesses:—

1. Shri B. C. Bivani, Member of the Tea Association of India, Calcutta.
2. Shri H. R. Shah, Vice-President, Tea Association of India, Calcutta.
3. Shri C. Bhaduri, Labour Adviser, Tea Association of India, Calcutta.
4. Shri K. N. Sircar, Adviser, Indian Tea Association, Calcutta.
5. Shri Mahavir Prasad, Secretary-General, Small Scale Tea Estates Association, P. O. Mahanadi, Darjeeling, West Bengal.
6. Shri L. M. Pradhan, General Secretary, National Union of Plantation Workers, West Bengal.

A verbatim record of the evidence was kept.

3. The Committee then took up for consideration the complaint received from Shri G. Varadan, Member of the Kerala Legislative



Assembly, alleging victimization of a female worker, Shrimati Vadivoo (No. 387), Factory Division, Thenmally Tea Estate, Kerala, by her employer for furnishing certain facts to the Study Group 'A' of the Joint Committee on the Plantations Labour (Amendment) Bill, 1973, during its visit to that Estate together with the communication received from the Manager of the Thenmally Tea Estate, giving full facts about the incident. As, however, Shrimati Vadivoo, the lady worker, did not furnish the facts in connection with the incident in spite of the repeated reminders, the Committee directed that the Inspector of Plantations, Munnar Post, High Ranges, Kerala, the Secretary of the local union of the Plantation workers and also Shri G. Varadan, Member of the Kerala Legislative Assembly, be requested to contact Shrimati Vadivoo and ask her to send to this Secretariat the full facts about the case asked for from her for information of the Committee.

4. The Committee thereafter reconsidered the letter, dated 8th November, 1973, received from Shri H. R. Garodia, Superintendent, Cossipore Tea Estate, P. O. Cossipore, T. O. Banskandi, Cachar, Assam, explaining the circumstances in which the Study Group of the Committee could not visit his Estate in November, 1973, on account of the damage caused to the bridge leading to the Estate which appeared to have been done with the intention of preventing the Study Group to visit the Estate. The Committee was not satisfied with the explanation furnished by Shri Garodia and the apology tendered by him in his letter. The Committee accordingly directed that Shri Garodia be asked to offer an unqualified apology in the matter.

5. The Committee also desired that a clause-by-clause summary of the suggestions made by various Associations etc. in their Memoranda be prepared by the Labour Ministry for circulation to the Members for their use.

6. The Committee decided to hold its next meeting sometime during the last week of August, 1974, to chalk out its future programme of sittings and authorised its Chairman to fix the date and time of the meeting.

7. The Committee then adjourned at 6.15 P.M.

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## XX

### TWENTIETH MEETING

The Committee met at 4.00 P.M. on Monday, the 26th August, 1974.

#### *Members*

#### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri Monoranjan Roy

3. Shri B. N. Mandal
4. Shri Nripati Ranjan Choudhury
5. Shri H. S. Narasiah
6. Shri Ibrahim Kalaniya
7. Shri N. P. Chaudhari
8. Shri Shridhar Wasudeorao Dhabe
9. Shrimati Leela Damodara Menon

LOK SABHA

10. Shri Chhatten Lal
11. Shri Biren Dutta
12. Shri S. B. Giri
13. Shri L. D. Kotoki
14. Shri Partap Singh
15. Shri Natwarlal Patel
16. Shri S. L. Peje
17. Shri Vayalar Ravi
18. Shri K. Ramakrishna Reddy
19. Shri Shiv Kumar Shastri
20. Shri Amarnath Vidyalankar
21. Shri Balgovind Verma.

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

SECRETARIAT

Dr. M. S. Panigrahi, Joint Secretary

Shri M. K. Jain, Deputy Secretary

Shri R. K. Mazumder, Under Secretary.

2. The Committee considered its future programme of sittings and decided to hold its next series of meetings at New Delhi from 7th to 10th October, 1974, and also on the 11th October, 1974, if necessary, to hear oral evidence on the Bill.

The Chairman was authorised to select the names of witnesses to be invited to give oral evidence before the Committee and also to fix the detailed programme for that purpose.

3. The Committee also considered the question of visiting the plantations situated in the Andaman and Nicobar Islands, and the consensus of the Committee was that, subject to the permission of the Chairman, Rajya Sabha, the Committee should visit those Islands to make an on-the-spot study of the conditions of plantation labour there.

The Chairman of the Committee was accordingly requested by the Committee to approach the Chairman, Rajya Sabha, in this matter with a view to obtain his permission for the proposed visit of the Committee to the Andaman and Nicobar Islands.

4. The Committee then adjourned at 4.45 P.M.

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**XXI**

**TWENTY-FIRST MEETING**

The Committee met at 11:00 A.M. on Monday, the 7th October, 1974.

*Members*

**RAJYA SABHA**

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Dattopant Thengari
4. Shri Monoranjan Roy
5. Shri B. N. Mandal
6. Shri N. H. Kumbhare
7. Shri Nripati Ranjan Choudhury
8. Shri H. S. Narsiah
9. Shri Ibrahim Kalaniya
10. Shri K. V. Raghunatha Reddy
11. Shrimati Leela Damodara Menon

**LOK SABHA**

12. Shri Raghunandan Lal Bhatia
13. Shri Chhuttan Lal
14. Shri Biren Dutta
15. Shri Nageshwar Dwivedi
16. Shri Raja Kulkarni

17. Shri K. Mallanna
18. Shri Tuna Oraon
19. Shri Ramsahai Pandey
20. Shri S. L. Peje
21. Shri Vayalar Ravi
22. Shri K. Ramakrishna Reddy
23. Shri Devendra Satpathy
24. Shri Ranen Sen
25. Shri Somchand Solanki
26. Shri Samar Guha.

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri T. S. Sankaran, Joint Secretary.
- (ii) Shri P. R. Nayyar, Deputy Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

SECRETARIAT

Shri S. P. Ganguly, Joint Secretary.

Shri R. K. Mazumder, Under Secretary.

The Chairman made a reference to the sad demise of Shri V. K. Krishna Menon, Member, Lok Sabha, in New Delhi, in the early hours of day, the 6th October, 1974.

The Chairman also made a reference to the sad demise of Dr. S. K. , Committee Officer, Rajya Sabha Secretariat, in New Delhi, on 29th , 1974.

The Committee then observed one minute's silence, all Members doing, as a mark of respect to the memory of the deceased.

3. The Chairman informed the Committee that in pursuance of the decision of the Committee taken at its meeting held on the 26th August, 1974, he had a talk with the Chairman, Rajya Sabha, for obtaining his permission for sending a Study Group of the Committee to visit the Andaman and Nicobar Islands to make an on-the-spot study of the plantation labour existing there and that in view of the economy drive the Chairman was not pleased to grant permission in the matter.

4. The Chairman then read to the Committee the English version of the letter (in Tamil) received from Shrimati Vadivoo, the lady worker of the Thenmally Tea Estate, Mattupathi, Kerala, who was alleged to have been victimised by the Management of the Estate for giving out certain information regarding that Tea Estate to the members of the Study Group "A" of the Joint Committee while the Study Group visited that Estate in September, 1973 for an on-the-spot study of plantation labour.

In view of the fact that the lady worker, in the said letter, has stated that she had given that information to the Study Group without knowing the full facts and has now expressed her desire to withdraw her complaint, the Committee decided not to pursue the matter further.

5. The Chairman also read to the Committee the letter, dated 2nd September, 1974, received from Shri H. R. Garodia, Manager, Cossipura Tea Estate, Cachar, Assam, who it was reported got the approach bridge to his Tea Garden broken and thereby caused obstruction to the Study Group III of the Joint Committee in the matter of its visiting that garden in the month of November, 1973.

In view of the fact that Shri Garodia, in the said letter, has expressed his unqualified apology to the Committee for the lapses on his part and has begged to be pardoned for the same, the Committee decided not to pursue the matter further.

6. The Committee then heard the oral evidence tendered by the following witness:—

Shri Barin Choudhury, Assam Tea Plantation Workers Federation,  
C/o Communist Party of India, G. N. Bardoloi Road, Gauhati.

A verbatim record of the evidence was kept.

7. The representatives of the following unions who had also been invited to tender evidence before the Joint Committee did not, however, turn up:—

(i) Cha Bagan Mazdoor Union, Ukil Para, Jalpaiguri.

(ii) Chia Kaman Mazdoor Union, Chowk Bazar, Darjeeling.

(iii) West Bengal Tea Garden Employees Association, 121 Chulsa, Jalpaiguri.

The Committee then adjourned at 1.05 p.m. to meet again at 11.00 A.M. on Tuesday, the 8th October, 1974.

## TWENTY-SECOND MEETING

The Committee met at 11.00 A.M. on Tuesday, the 8th October, 1974.

*Members*

## RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Dattopant Thengari
4. Shri Monoranjan Roy
5. Shri B. N. Mandal
6. Shri N. H. Kumbhare
7. Shri Nripati Ranjan Choudhury
8. Shri H. S. Narasiah
9. Shri Ibrahim Kalaniya
10. Shri N. P. Chaudhari
11. Shri K. V. Raghunatha Reddy
12. Shrimati Leela Damodara Menon

## LOK SABHA

13. Shri Raghunandan Lal Bhatia
14. Shri Chhatten Lal
15. Shri Biren Dutta
16. Shri Nageshwar Dwivedi
17. Shrimati Ganga Devi
18. Shri Hukam Chand Kachwai
19. Shri Raja Kulkarni
20. Shri K. Mallanna
21. Shri Tuna Oraon
22. Shri S. L. Peje
23. Shri Vayalar Ravi
24. Shri K. Ramakrishna Reddy
25. Shri Devendra Satpathy
26. Shri Ranen Sen

27. Shri Somchand Solanki

28. Shri Balgovind Verma.

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri T. S. Sankaran, Joint Secretary.
- (ii) Shri P. R. Nayyar, Deputy Secretary.
- (iii) Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

SECRETARIAT

Shri S. P. Ganguly, Joint Secretary.

Shri R. K. Mazumder, Under Secretary.

2. The Committee heard the oral evidence tendered by the following witnesses:—

- (i) Shri G. Kamalaratnam, Labour Commissioner, Government of Tamil Nadu.
- (ii) Shri T. S. Gill, Labour Secretary, Government of Assam.
- (iii) Shri U. Biswas, Chief Inspector of Plantations, Government of Assam.

A verbatim record of the evidence was kept.

3. The Committee then adjourned at 1.40 P.M. to meet again at 11.00 A.M. on Wednesday, the 9th October, 1974.

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XXIII

TWENTY-THIRD MEETING

The Committee met at 11.00 A.M. on Wednesday, the 9th October, 1974.

*Members*

RAJYA SABHA

- 1. Shri Nand Kishore Bhatt—*Chairman*
- 2. Shri T. V. Anandan
- 3. Shri Dattopant Thengari
- 4. Shri Monoranjan Roy

5. Shri B. N. Mandal
6. Shri N. H. Kumbhare
7. Shri Nripati Ranjan Choudhury
8. Shri H. S. Narasiah
9. Shri Ibrahim Kalaniya
10. Shri N. P. Chaudhari
11. Shri Shridhar Wasudeorao Dhabe
12. Shri C. D. Natarajan
13. Shrimati Leela Damodara Menon

#### LOK SABHA

14. Shri Chhatten Lal
15. Shri Biren Dutta
16. Shri Nageshwar Dwivedi
17. Shrimati Ganga Devi
18. Shri Hukam Chand Kachwai
19. Shri Raja Kulkarni
20. Shri K. Mallanna
21. Shri Tuna Oraon
22. Shri Damodar Pandey
23. Shri Natwarlal Patel
24. Shri S. L. Peje
25. Shri Vayalar Ravi
26. Shri K. Ramakrishna Reddy
27. Shri Devendra Satpathy
28. Shri Ranen Sen
29. Shri Shiv Kumar Shastri
30. Shri Somchand Solanki
31. Shri Amarnath Vidyalankar
32. Shri N. P. Yadav
33. Shri Balgovind Verma.

#### REPRESENTATIVES OF THE MINISTRIES

##### *Ministry of Labour, New Delhi*

- (i) Shri T. S. Sankaran, Joint Secretary.
- (ii) Shri P. R. Nayyar, Deputy Secretary.
- (iii) Shri T. S. Krishnamurti, Under Secretary.



*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

## SECRETARIAT

Shri S. P. Ganguly, Joint Secretary.

Shri R. K. Mazumder, Under Secretary.

2. The Committee heard the oral evidence tendered by the following witnesses:—

- (i) Shri Quader Nowaz, Labour Commissioner, Government of West Bengal.
- (ii) Shri Swarupanand, Labour Commissioner, Government of Himachal Pradesh.
- (iii) Shri B. C. Gupta, Labour Inspector, Government of Himachal Pradesh.

A verbatim record of the evidence was kept.

3. The Committee then adjourned at 12.55 p.m. to meet again at 11.00 A.M. on Thursday, the 10th October, 1974.

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 XXIV

## TWENTY-FOURTH MEETING

The Committee met at 11.00 A.M. on Thursday, the 10th October, 1974.

*Members*

## RAJYA SABHA

- 1. Shri Nand Kishore Bhatt—*Chairman*
- 2. Shri T. V. Anandan
- 3. Shri Monoranjan Roy
- 4. Shri B. N. Mandal
- 5. Shri N. H. Kumbhare
- 6. Shri Nripati Ranjan Choudhury
- 7. Shri H. S. Narasiah
- 8. Shri Ibrahim Kalaniya
- 9. Shri N. P. Choudhari
- 10. Shri C. D. Natarajan
- 11. Shrimati Leela Damodara Menon

## LOK SABHA

12. Shri Chhatten Lal
13. Shri Biren Dutta
14. Shri Nageshwar Dwivedi
15. Shrimati Ganga Devi
16. Shri Hukam Chand Kachwai
17. Shri Tuna Oraon
18. Shri S. L. Peje
19. Shri Vayalar Ravi
20. Shri K. Ramakrishna Reddy
21. Shri Devendra Satpathy
22. Shri Shiv Kumar Shastri
23. Shri Somchand Solanki
24. Shri Amarnath Vidyalankar
25. Shri N. P. Yadav
26. Shri Samar Guha
27. Shri Balgovind Verma.

## REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri T. S. Sankaran, Joint Secretary.
- (ii) Shri P. R. Nayyar, Deputy Secretary.
- (iii) Shri T. S. Krishnamurti, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

## SECRETARIAT

Shri S. P. Ganguly, Joint Secretary.

Shri R. K. Mazumder, Under Secretary.

2. The representatives of the following Boards, who were invited to give evidence before the Committee, did not turn up:—

- (i) Tea Board, Calcutta.
- (ii) Coffee Board, Bangalore.

3. The Committee considered its future programme of sittings.

After some discussion, the Committee decided to hold its next series of meetings on 30th and 31st October, 1974 and 1st and 2nd November, 1974, in New Delhi for the purpose of:—

- (i) Hearing the views of the Ministry of Commerce, Government of India on the various provisions of the Bill.—30-10-1974.
- (ii) Clause-by-clause consideration of the Bill.—31-10-1974, 1-11-1974 and 2-11-1974.

4. The Chairman requested that Members desirous of giving notice of Amendments to the Bill should send them so as to reach the Rajya Sabha Secretariat as early as possible but in any case not later than the 28th October, 1974.

5. The Committee then adjourned at 11.30 A.M. to meet again at 2.00 P.M. on Wednesday, the 30th October, 1974.

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## XXV

### TWENTY-FIFTH MEETING

The Committee met at 2.00 P.M. on Wednesday, the 30th October, 1974.

#### *Members*

#### RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Dattopant Thengari
4. Shri Monoranjan Roy
5. Shri B. N. Mandal
6. Shri N. H. Kumbhare
7. Shri H. S. Narasiah
8. Shri Ibrahim Kalaniya
9. Shri N. P. Chaudhari
10. Shri C. D. Natarajan
11. Shri U. K. Lakshmana Gowda
12. Shrimati Leela Damodara Menon

#### LOK SABHA

13. Shri Aziz Imam
14. Shri Chhuttan Lal
15. Shri Biren Dutta

16. Shri Nageshwar Dwivedi
17. Shrimati Ganga Devi
18. Shri J. Matha Gowder
19. Shri Hukam Chand Kachwai
20. Shri L. D. Kotoki
21. Shri Tuna Oraon
22. Shri Damodar Pandey
23. Shri Natwarlal Patel
24. Shri K. Ramakrishna Reddy
25. Shri Devendra Satpathy
26. Shri Ranen Sen
27. Shri N. P. Yadav
28. Shri Balgovind Verma.

REPRESENTATIVE OF THE MINISTRIES

*Ministry of Labour, New Delhi*

Shri P. R. Nayyar, Deputy Secretary.

SECRETARIAT

Shri S. P. Ganguly, Joint Secretary.

Shri M. K. Jain, Under Secretary.

2. The Committee heard the oral evidence tendered by Shri R. Thirumalai, Additional Secretary, Ministry of Commerce, New Delhi.

A verbatim record of the evidence was kept.

3. The Committee then, after some discussion, decided to hold a general discussion on the various provisions of the Bill during the remaining days of the current series of sittings of the Committee.

4. The Committee then adjourned at 4.00 P.M. to meet again at 11.00 A.M. on Thursday, the 31st October, 1974.

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XXVI

TWENTY-SIXTH MEETING

The Committee met at 11.00 A.M. on Thursday, the 31st October, 1974.

*Members*

RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Dattopant Thengari

4. Shri Monoranjan Roy
5. Shri N. H. Kumbhare
6. Shri Nripati Ranjan Choudhury
7. Shri H. S. Narasiah
8. Shri Ibrahim Kalaniya
9. Shri N. P. Chaudhari
10. Shri K. V. Raghunatha Reddy
11. Shri C. D. Natarajan
12. Shri U. K. Lakshmana Gowda
13. Shrimati Leela Damodara Menon
- 13A. Shri B. N. Mandal

LOK SABHA

14. Shri Raghunandan Lal Bhatia
15. Shri Chhuttan Lal
16. Shri Biren Dutta
17. Shri Nageshwar Dwivedi
18. Shrimati Ganga Devi
19. Shri Hukam Chand Kachwai
20. Shri Raja Kulkarni
21. Shri K. Mallanna
22. Shri Tuna Oraon
23. Shri Damodar Pandey
24. Shri Natwarlal Patel
25. Shri Vayalar Ravi
26. Shri K. Ramakrishna Reddy
27. Shri Ibrahim Sulaiman Sait
28. Shri Devendra Satpathy
29. Shri Ranen Sen
30. Shri Shiv Kumar Shastri
31. Shri N. P. Yadav
32. Shri Balgovind Verma

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri P. M. Nayak, Secretary
- (ii) Shri D. S. Nim, Joint Secretary
- (iii) Shri P. R. Nayyar, Deputy Secretary
- (iv) Shri Dharni Dhar, Director
- (v) Shri T. S. Krishnamurthy, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

## SECRETARIAT

Shri S. P. Ganguly, Joint Secretary

Shri M. K. Jain, Deputy Secretary.

The Committee held a general discussion on the provisions of the Bill.

The discussion was not concluded.

3. The Committee then adjourned at 1.00 P.M. to meet again at 11.00 A.M. on Friday, the 1st November, 1974.

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 XXVII

## TWENTY-SEVENTH MEETING

The Committee met at 11.00 A.M. on Friday, the 1st November, 1974.

*Members*

## RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri H. S. Narasiah
6. Shri Ibrahim Kalaniya
7. Shri M. P. Choudhari
8. Shri K. V. Raghunatha Reddy
9. Shri C. D. Natarajan
10. Shri U. K. Lakshmana Gowda
11. Shrimati Leela Damodara Menon

## LOK SABHA

12. Shri Chhatten Lal
13. Shri Biren Dutta
14. Shri Nageshwar Dwivedi
15. Shri Hukam Chand Kachwai
16. Shri Raja Kulkarni
17. Shri K. Mallanna
18. Shri Tuna Oraon
19. Shri Damodar Pandey
20. Shri Vayalar Ravi
21. Shri Ebrahim Sulaiman Sait
22. Shri Devendra Satpathy
23. Shri Ranen Sen
24. Shri Shiv Kumar Shastri
25. Shri N. P. Yadav
26. Shri Samar Guha
27. Shri Balgovind Verma.

## REPRESENTATIVES OF THE MINISTRY OF LABOUR, NEW DELHI

- (i) Shri P. M. Nayak, Secretary.
- (ii) Shri D. S. Nim, Joint Secretary.
- (iii) Shri P. R. Nayyar, Deputy Secretary.
- (iv) Shri Dharni Dhar, Director
- (v) Shri T. S. Krishnamurthy, Under Secretary.

## SECRETARIAT

Shri S. P. Ganguly, Joint Secretary.

2. The Committee held a general discussion on the provisions of the Bill.

The discussion was not concluded.

3. The Committee then adjourned at 1.15 P.M. to meet again at 11.00 A.M. on Saturday, the 2nd November, 1974.

## XXVIII

## TWENTY-EIGHTH MEETING

The Committee met at 11.00 A.M. on Saturday, the 2nd November, 1974.

*Members*

## RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri N. H. Kumbhare
5. Shri H. S. Narasiah
6. Shri Ibrahim Kalaniya
7. Shri N. P. Chaudhari
8. Shri K. V. Raghunatha Reddy
9. Shri C. D. Natarajan
10. Shri U. K. Lakshmana Gowda
11. Shrimati Leela Damodara Menon

## LOK SABHA

12. Shri Aziz Imam
13. Shri T. Balakrishnan
14. Shri Chhuttan Lal
15. Shri Biren Dutta
16. Shri Nageshwar Dwivedi
17. Shrimati Ganga Devi
18. Shri Hukam Chand Kachwai
19. Shri Raja Kulkarni
20. Shri Tuna Oraon

21. Shri K. Ramakrishna Reddy.
22. Shri Devendra Satpathy
23. Shri Ranen Sen
24. Shri Shiv Kumar Shastri
25. Shri Amarnath Vidyalankar
26. Shri N. P. Yadav
27. Shri Balgovind Verma.

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri D. S. Nim, Joint Secretary.
- (ii) Shri P. R. Nayyar, Deputy Secretary
- (iii) Shri T. S. Krishnamurthy, Under Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

SECRETARIAT

Shri S. P. Ganguly, Joint Secretary.

Shri M. K. Jain, Deputy Secretary.

2. The Committee concluded the general discussion on the provisions of the Bill.

3. The Committee then discussed its future programme of sittings and decided to hold its next series of meetings from 6th to 9th January, 1975 and also on 10th January, 1975, if necessary, to consider the Bill clause by clause.

4. The Committee also decided that Members desirous of giving notices of amendments to the Bill should send them so as to reach the Rajya Sabha Secretariat by the 2nd December, 1974, and that the Ministry's amendments, if any, should also reach the Secretariat soon thereafter.

5. Some Members stated that they wanted to bring forward amendments to some sections of the Plantations Labour Act, 1951, which were not touched by the amending Bill under consideration of the Committee.

After some discussion, the Committee decided that the Chairman, Rajya Sabha, may be requested to give his ruling on the point as to whether the Committee was empowered to consider amendments to those provisions of the Principal Act (the Plantations Labour Act, 1951) which had not been touched by the Bill under reference [The Plantations Labour (Amendment) Bill, 1973], and the Chairman of the Committee was authorised to approach the Chairman of the Rajya Sabha in the matter.

6. The Committee then decided to ask for further extension of time for the presentation of its report upto the 1st day of the last week of the Ninety-first Session of the Rajya Sabha. The Chairman was authorised to move necessary motion in the House in that regard.

7. The Committee then adjourned at 12.50 P.M. to meet again at 11.00 A.M. on the 6th January, 1975.



## XXIX

## TWENTY-NINTH MEETING

The Committee met at 11.00 A.M. on Monday, the 6th January, 1975.

*Members*

## RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri N. H. Kumbhare
6. Shri H. S. Narasiah
7. Shri Ibrahim Kalaniya
8. Shri N. P. Chaudhari
9. Shri K. V. Raghunatha Reddy
10. Shri C. D. Natarajan
11. Shri U. K. Lakshmana Gowda

## LOK SABHA

12. Shri Raghunandan Lal Bhatia
13. Shri Biren Dutta
14. Shri Nageshwar Dwivedi
15. Shrimati Ganga Devi
16. Shri J. Matha Gowder
17. Shri Hukam Chand Kachwai
18. Shri Raja Kulkarni
19. Shri Tuna Oraon
20. Shri Partap Singh
21. Shri S. L. Peje
22. Shri Ranen, Sen
23. Shri Shiv Kumar Shastri
24. Shri Somchand Solanki
25. Shri Balgovind Verma.

## REPRESENTATIVES OF THE MINISTRIES

*Ministry of Law and Justice, New Delhi*

- (i) Shri N. P. Dube, Secretary.
- (ii) Shri D. S. Nim, Joint Secretary.
- (iii) Shri P. R. Nayyar, Deputy Secretary

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

## SECRETARIAT

Shri S. P. Ganguly, Additional Secretary.

Shri R. K. Mazumder, Senior Legislative Committee Officer.

2. The Chairman made a reference to the sad demise of Shri L. N. Mishra, Minister of Railways, on the 3rd January, 1975. The following resolution moved by the Chairman was adopted by the Committee:—

This meeting of the Joint Committee of both Houses of Parliament expresses its deep sense of shock at the untimely and tragic death of Shri Lalit Narain Mishra, Minister of Railways and condemns the dastardly act that resulted in his death.

The Committee recalls with sorrow and regard the close association Shri Mishra had with Labour and his contribution to this field when he was earlier Deputy Minister and Minister of State in the Ministry of Labour of the Government of India. He was a dedicated freedom fighter and an able Administrator. His death has deprived the Members of Parliament of a very valuable colleague and the nation a true patriot.

The Committee resolves to convey to the members of his bereaved family its most sincere and heart-felt condolences.

The Committee then observed one minute's silence, all members standing, as a mark of respect to the memory of the deceased.

3. Chairman directed that all the amendments given notice of by members should be circulated.

4. Some members suggested that Hindi version of the amendments should also be circulated along with the English version. The Chairman asked the Secretariat to comply with the wishes of the members as early as possible.

5. The Committee then took up clause-by-clause consideration of the Bill.

*Clause 2*

The following amendment was accepted—

"Page 1 of the Bill: After line 8, insert the following:—

"(i) in clause (a) of sub-section (4), after the word "cinchona", the words "cetronila, grass, cardamom, arecanut, medicinal herbs, banana, apple, pine apple, cashew nut, olive, cocoa and coconut", shall be inserted".

Consideration of Clause 2 was not concluded.

6. The Committee then adjourned at 1.30 P.M. to meet again at 10.30 A.M. on Tuesday, the 7th January, 1975.

XXX

THIRTIETH MEETING

The Committee met at 10.30 A.M. on Tuesday, the 7th January, 1975.

*Members*

RAJYA SABHA

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan

3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri N. H. Kumbhare
6. Shri Nripati Ranjan Choudhury
7. Shri H. S. Narasiah
8. Shri Ibrahim Kalaniya
9. Shri N. P. Chaudhari
10. Shri K. V. Raghunatha Reddy
11. Shri C. D. Natarajan
12. Shri U. K. Lakshmana Gowda

LOK SABHA

13. Shri Raghunandan Lal Bhatia
14. Shri Chhatten Lal
15. Shri Biren Dutta
16. Shri Nageshwar Dwivedi
17. Shrimati Ganga Devi
18. Shri J. Matha Gowder
19. Shri L. D. Kotoki
20. Shri Raja Kulkarni
21. Shri K. Mallanna
22. Shri Tuna Oraon
23. Shri Natwarlal Patel
24. Shri S. L. Peje
25. Shri Devendra Satpathy
26. Shri Ranen Sen
27. Shri Shiv Kumar Shastri
28. Shri Somchand Solanki
29. Shri Balgovind Verma

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri D. S. Nim, Joint Secretary.
- (ii) Shri P. R. Nayyar, Deputy Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

## SECRETARIAT

Shri S. P. Ganguly, Additional Secretary.

Shri R. K. Mazumder, Senior Legislative Committee Officer.

2. The Committee resumed clause-by-clause consideration of the Bill.

*Clause 2*

The following amendments were accepted—

(1) Page 1, line 11, for “6.5 hectares” substitute “hectares”.

(2) Page 1, line 14, for “twenty” substitute “fifteen”.

(3) Page 1, line 19, for “6.5 hectares” substitute “5 hectares”.

(4) Page 2, line 4, for “6.5 hectares” substitute “5 hectares”.

The Clause, as amended, was adopted.

*Clause 3*

The following amendment was accepted:—

Page 2, line 13, for “rupees five hundred” substitute “rupees seven hundred and fifty”.

The clause, as amended, was adopted.

Clause-by-clause consideration of the Bill was not concluded.

3. The Committee then adjourned at 1.30 P.M. to meet again at 10.30 A.M. on Wednesday, the 8th January, 1975.

**XXXI****THIRTY-FIRST MEETING**

The Committee met at 10.30 A.M. on Wednesday, the 8th January, 1975.

*Members***RAJYA SABHA**

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan
3. Shri Monoranjan Roy
4. Shri B. N. Mandal
5. Shri N. H. Kumbhare
6. Shri Nripati Ranjan Choudhury

7. Shri H. S. Narasiah
8. Shri Ibrahim Kalaniya
9. Shri N. P. Chaudhari
10. Shri K. V. Raghunatha Reddy
11. Shri C. D. Natarajan
12. Shri U. K. Lakshmana Gowda
13. Shrimati Leela Damodara Menon

LOK SABHA

14. Shri Raghunandan Lal Bhatia
15. Shri Chhatten Lal
16. Shri Biren Dutta
17. Shri Nageshwar Dwivedi
18. Shrimati Ganga Devi
19. Shri J. Matha Gowder
20. Shri Hukham Chand Kachwai
21. Shri Raja Kulkarni
22. Shri Tuna Oraon
23. Shri Partap Singh
24. Shri Natwarlal Patel
25. Shri S. L. Peje
26. Shri Vayalar Ravi
27. Shri Ebrahim Sulaiman Sait
28. Shri Devendra Satpathy
29. Shri Ranen Sen
30. Shri Shiv Kumar Shastri
31. Shri Somchand Solanki
32. Shri Balgovind Verma

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Labour, New Delhi*

- (i) Shri D. S. Nim, Joint Secretary.
- (ii) Shri P. R. Nayyar, Deputy Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah, Deputy Legislative Counsel.

SECRETARIAT

Shri S. P. Ganguly, Additional Secretary.

Shri R. K. Mazumder, Senior Legislative Committee Officer.

2. The Committee resumed clause-by-clause consideration of the Bill.

*Clause 4*

The following amendments were accepted:—

(1) Page 2, line 28, for "1973" substitute "1975".

(2) Page 2, for lines 41 to 47 substitute "(3) After the receipt of an application under sub-section (1), the registering officer shall register the plantation."

(3) Page 3, after line 9, insert "(b) Where as a result of any intimation received under sub-section (5), the registering officer is satisfied that the plantation is no longer required to be registered under this section, he shall cancel the registrat on thereof".

After some discussion, further consideration of the Clause was held over.

*Clause 5*

The Clause was adopted without any change.

*Clause 6*

After some discussion, the Committee decided to hold over consideration of the Clause.

*Clause 7*

The Clause was adopted without any change.

*Clause 8*

The Clause was taken up for consideration.

The draftsman was directed to delete the words "defectively constructed" occurring in the marginal heading of new section 16 A inserted in the Clause.

The discussion on the Clause was not concluded.

3. The Committee then adjourned at 1.35 P.M. to meet again at 10.30 A.M. on Thursday, the 9th January, 1975.

**XXXII****THIRTY-SECOND MEETING**

The Committee met at 10.30 A.M. on Thursday, the 9th January, 1975.

*Members***RAJYA SABHA**

1. Shri Nand Kishore Bhatt- *Chairman*
2. Shri Monoranjan Roy

3. Shri B. N. Mandal
4. Shri N. H. Kumbhare
5. Shri Nripati Ranjan Choudhury
6. Shri H. S. Narasiah
7. Shri Ibrahim Kalaniya
8. Shri N. P. Chaudhari
9. Shri K. V. Raghunatha Reddy
10. Shri C. D. Natarajan
11. Shri U. K. Lakshmana Govda
12. Shrimati Leela Damodara Menon

LOK SABHA

13. Shri Aziz Imam
14. Shri Chhuttan Lal
15. Shri Biren Dutta
16. Shri Nageshwar Dwivedi
17. Shrimati Ganga Devi
18. Shri J. Matha Gowder
19. Shri Hukam Chand Kachwai
20. Shri Raja Kulkarni
21. Shri K. Mallanna
22. Shri Tuna Oraon
23. Shri Damodar Pandey
24. Shri Partap Singh
25. Shri S. L. Peje
26. Shri Ebrahim Sulaiman Sait
27. Shri Devendra Satpathy
28. Shri Ranen Sen
29. Shri Shiv Kumar Shastri
30. Shri Samar Guha
31. Shri Balgovind Verma
32. Shri N. P. Yadav

REPRESENTATIVES OF THE MINISTERS

*Ministry of Labour, New Delhi*

- (i) Shri D. S. Nim, Joint Secretary
- (ii) Shri P. R. Nayyar, Deputy Secretary

Ministry of Law and Justice, New Delhi

Shri S. Ramaiah, Deputy Legislative Counsel.

SECRETARIAT

Shri S. P. Ganguly, Additional Secretary

Shri R. K. Mazumder, Senior Legislative Committee Officer.

2. The Committee resumed clause-by-clause consideration of the Bill.

*Clause 4*

(1) On reconsideration the Committee accepted sub-clause (6) of the clause (approved at its meeting held on the 8th January, 1975), in the following modified form:—

Page 3, after line 9, insert “(6) Where as a result of any intimation received under sub-section (5), the registering Officer is satisfied that the plantation is no longer required to be registered under this section, he shall by order in writing, cancel the registration thereof and shall, as soon as practicable, cause such order to be published in any one newspaper in the language of, and having circulation in, the area where the plantation is situated.”

[The Draftsman was authorised to make corrections, if necessary, in the wordings of the amendment.]

(2) The following amendments were also accepted:—

(i) Page 3, for lines 10 to 13, substitute “3C. (1) Any person aggrieved by the order of a registering officer under sub-section (6) of section 3B may, within thirty days of the publication of such order in the newspaper under that sub-section, prefer an appeal to such authority as may be prescribed.”

(ii) Page 3, line 19, after “the appellant”, insert “the employer referred to in sub-section (5) of section 3B.”

The clause, as amended, was adopted.

*Clause 6*

The Committee reconsidered the clause and accepted the following amendments:—

(1) Page 4, for lines 9 to 11, substitute ‘(i) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) In every plantation wherein fifty or more women workers (including women workers employed by any contractor) are employed or were employed on any day of the preceding twelve months or where the number of children of women



workers (including women workers employed by any contractor) is twenty or more, there shall be provided and maintained by the employer suitable rooms for the use of children of such women workers.

*Explanation.*—For the purposes of this sub-section, and sub-section (1A), “children” means persons who are below the age of six years.”.

(2) Page 4, for lines 18 to 20, substitute “preceding twelve months, or where the number of children of such women workers is less than twenty, the State Government, having regard to the number of children of such women workers deems it necessary that suitable rooms for the”.

The clause, as amended, was adopted.

#### Clause 8

Further consideration of the clause was taken up.

The following amendments were accepted:—

- (1) Page 5, line 5, after “not” insert “solely and directly”
- (2) Page 5, line 11, for “ten” substitute “fourteen”.
- (3) Page 5, line 12, for “fourteen” substitute “twenty”.
- (4) Page 5, line 28, after “the deceased”, insert “or by any agent duly authorised by such dependant or, if such dependant is a minor, by his guardian.”
- (5) Page 5, line 32, for “three”, substitute “six”.
- (6) Page 5. delete lines 38 to 42.

The clause, as amended, was adopted.

#### Clause 9

The following amendments were accepted:—

- (1) Page 7, lines 38-39, for “wages at such rates as may be prescribed”, substitute “double the rates of ordinary wages”.
- (2) Page 7, line 40, after the word “for”, insert “more than nine hours on any day and”.
- (3) Page 7, after line 41, insert the following “(3) For any work done on any declared public holiday or usual weekly holiday, the worker will be entitled to double the wages as in the case of overtime work.”

The clause, as amended, was adopted.

*Clause 10*

The clause was adopted without any change.

*Clause 11*

The clause was adopted without any change.

*Clause 12*

The clause was adopted without any change.

*Clause 13*

The following amendments were accepted:—

- (1) Page 9, line 8, for "or" substitute "and".
- (2) Page 9, line 9, for "one" substitute "three".
- (3) Page 9, lines 9-10, delete "or with both".

The Clause, as amended, was adopted.

*Clause 14*

The Clause was adopted without any change.

*Clause 1, Enacting Formula and the Title*

The following amendments were accepted:—

- (1) Page 1, line 1, for "Twenty-fourth", substitute "Twenty-fifth".
- (2) Page 1, line 4, "1973", substitute "1975".

Clause 1, Enacting Formula and the Title, as amended, were adopted.

3. The Committee authorised the Legislative Counsel to carry out changes of minor and consequential nature, if necessary, in the Bill.

4. The Committee authorised the Chairman to fix a date for considering the Draft Report and the Bill, as amended.

5. The Committee then adjourned at 1.45 P.M.

**XXXIII****THIRTY-THIRD MEETING**

The Committee met at 3.30 P.M. on Thursday, the 20th February, 1975.

**MEMBERS****RAJYA SABHA**

1. Shri Nand Kishore Bhatt—*Chairman*
2. Shri T. V. Anandan

3. Shri Monoranjan Roy
4. Shri N. H. Kumbhare
5. Shri Nripati Ranjan Choudhury
6. Shri H. S. Narasiah
7. Shri Ibrahim Kalaniya
8. Shri N. P. Chaudhari
9. Shri Shridhar Wasudeorao Dhabe

LOK SABHA

10. Shri Biren Dutta
11. Shrimati Ganga Devi
12. Shri Hukam Chand Kachwai
13. Shri Raja Kulkarni
14. Shri Tuna Oraon
15. Shri S. L. Peje
16. Shri Balgovind Verma.

REPRESENTATIVES OF THE MINISTRIES

*Ministry of Law and Justice, New Delhi.*

- (i) Shri N. P. Dube, Secretary.
- (ii) Shri D. S. Nim, Joint Secretary.

*Ministry of Law and Justice, New Delhi*

Shri S. Ramaiah—*Joint Secretary and Legislative Counsel.*

SECRETARIAT

- (i) Shri S. P. Ganguly, Additional Secretary.
- (ii) Shri M. K. Jain, Chief Legislative Committee Officer.
- (iii) Shri R. K. Mazumder, Senior Legislative Committee Officer.

2. The Chairman made a reference to the passing away of Shri Partap Singh, a member of the Committee, on the 24th January, 1975. The Committee observed one minute's silence, all members standing, as a mark of respect to the memory of the deceased.

3. The Committee considered the Bill as amended and adopted the same.

4. The Committee then took up consideration of the draft Report and adopted the same with minor changes.

5. The Committee decided that the whole of the evidence tendered before it may be laid on the Table of both the Houses.

The Committee decided that in view of economy the evidence need not be printed; however two sets thereof might be kept in the Parliament Library after the same was laid on the Table of both Houses.

6. The Committee authorised the Chairman or, in his absence, Shri Monoranjan Roy to present the Report on its behalf and to lay the evidence on the Table of the Rajya Sabha after the presentation of the Report.

7. The Chairman announced that the Report would be presented to the Rajya Sabha on Monday, the 3rd March, 1975 and that the evidence would be laid on the Table the same day.

8. The Committee authorised Shri Raja Kulkarni or, in his absence Shri Tuna Oraon to lay the Report of the Committee and the evidence on the Table of the Lok Sabha on Monday, the 3rd March, 1975.

9. The Committee decided that the Minutes of Dissent, if any, should be sent to the Rajya Sabha Secretariat by 1.00 P.M. on Saturday, the 1st March, 1975.

10. The Chairman thanked Members of the Committee for the keen interest taken by them in the working of the Committee and the cooperation extended to him by them.

11. The Committee then adjourned at 4.15 P.M.