

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO. 2308
TO BE ANSWERED ON 01.08.2022**

PLANTATION WORKERS

†2308. SHRI HARISH DWIVEDI:

DR. JAYANTA KUMAR ROY:

SHRIMATI SANGEETA KUMARI SINGH DEO:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the number of workers engaged in plantation works in the country, State-wise including Uttar Pradesh;**
- (b) whether the Government has any social security schemes for tea plantation workers in the country and if so, the details thereof;**
- (c) whether all the plantation workers are covered under the benefit of ESI and if so, the details thereof and if not, the reasons therefor;**
- (d) whether the Government has taken action on plantation owners who do not pay their share of Provident Fund and if so, the details thereof;**
- (e) whether Tea Garden workers are not getting the prescribed minimum daily wages and if not, the reasons therefor;**
- (f) whether the Government has any scheme to pay compensations to dependents of labourers of Tea Garden in case of death and if so, the details thereof;**
- (g) whether the Government has any plan to improve the health and wellness conditions of the plantation labourers in the country and if so, the details thereof and the other steps being taken by the Government for welfare of tea plantation workers in the country?**

ANSWER

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT
(SHRI RAMESWAR TELI)**

- (a): The number of workers engaged in plantation works in the country state-wise is provided in Annexure.**
- (b): The Plantation Labour Act, 1951 mandates the tea estates to provide basic welfare services and amenities viz. housing, medical and primary education, water supply, sanitation etc. to the tea workers. Moreover, the workers of the tea industry are covered by all social security legislations like the Employees' Compensation Act, 1923, the Payment of Gratuity Act, 1972,**

Contd..2/-

the Employees' Provident Funds & Miscellaneous Provisions Act, 1952, the Payment of Bonus Act, 1965, the Maternity Benefit Act 1961, the Payment of Wages Act, 1936, the Equal Remuneration Act, 1976, the Assam Tea Plantation Provident Fund, Pension Fund and Deposit Link Insurance Fund Scheme Act 1955 – only for Assam.

(c): Employees State Insurance (ESI) Act, 1948 is applicable to all factories (excluding seasonal factories) employing ten or more persons, located in ESI notified areas. Employees earning wages upto Rs.21000/- per month in such ESI covered factories/establishments are coverable under the ESI Act. Plantation or any manufacturing process which is incidental to or connected with the manufacture of Plantation is included as Seasonal Factory as per the provisions under Section 2 (19A) of the ESI Act and hence is excluded from coverage under ESI Act.

(d): The Employers of covered establishments under Employees' Provident Funds & Miscellaneous Provisions Act, 1952 including Plantation establishments are required to file Electronic Challan cum Return (ECR) in respect of all their employees and remit the dues within 15 days of close of wage month.

In the event of non-filing of ECR, the employers are alerted through SMS/e-mail to remit the dues and if compliance is not made, action is taken to inspect the records of establishments, assess the amount in default by quasi-judicial process u/s 7A of EPF & MP Act, 1952 and recover the assessed dues. Penalty is imposed u/s 14B of the Act for wilful default in payment of dues.

The aforesaid action against defaulter is a continuous process as per the various provisions of the Act till compliance is secured.

(e): The fixation of minimum wages for tea garden workers falls under the purview of State Governments which are the appropriate Government to fix/revise the minimum wages as per the provision under the Minimum Wages Act, 1948. Moreover, the wages of tea garden workers are fixed as per agreement reached between producer associations and workers unions.

(f): No, Sir. However, the Plantation Labour Act, 1951 mandates the tea estates to provide basic welfare services and amenities viz. housing, medical and primary education, water supply, sanitation etc. to the tea workers. Moreover, the workers of the tea industry are covered by all social security legislations like the Employees' Compensation Act, 1923, the Payment of Gratuity Act, 1972, the Employees' Provident Funds & Miscellaneous Provisions Act, 1952, the Payment of Bonus Act, 1965, the Maternity Benefit Act 1961, the Payment of Wages Act, 1936, the Equal Remuneration Act, 1976, the Assam Tea Plantation Provident Fund, Pension Fund and Deposit Link Insurance Fund Scheme Act 1955 – only for Assam.

Besides, the government implements various welfare activities for tea plantation workers and their dependants in tea estates through the Tea Board. The welfare activities undertaken by the Tea Board under the Human Resource Development (HRD) Scheme aim at improving the health and hygiene of workers, education of wards of workers and imparting training to improve skills of workers.

(g): The Plantation Labour Act has been subsumed in the Labour Code on Occupational, Safety, Health and Working Conditions, 2020 and Social Security Code, 2020. The Code on Social Security 2020 envisages giving option to plantation owners to enroll its workers as member of ESIC (Employees State Insurance Corporation). The ESIC provides multiple benefits like sickness benefits, maternity benefit etc. besides medical benefits to its members.

Annexure referred to in reply to part (a) of Lok Sabha USQ No. 2308 for 01.08.2022.

The Sector-wise and State-wise details of workers engaged in plantation including Uttar Pradesh state is given in the table below:

Tea Sector:

Sl. No.	State	Number of Workers
1	Assam	733647
2	West Bengal	340635
3	Tripura	11250
4.	Arunachal Pradesh	3687
5.	Sikkim	566
6	Meghalaya	104
7	Bihar	179
8	Himachal Pradesh	327
9	Mizoram	40
10	Uttarakhand	101
11	Manipur	0
12	Nagaland	100
13	Tamil Nadu	37394
14	Kerala	35135
15	Karnataka	2650
16	Uttar Pradesh	There is no tea gardens in the state of UP
	Total	1165815

Coffee Sector: Coffee Board is not maintaining any data base on number of workers engaged in coffee planting work in the country. Uttar Pradesh is not a coffee growing area.

Natural Rubber Sector:

Sl. No.	State	Average daily employment in rubber plantations (Estimated)
1	Kerala	304000
2	Tamil Nadu	13300
3	Tripura	45600
4	Assam	29800
5	Karnataka	29500
6	Other States	28800
	Total	451000

Uttar Pradesh is not agro-climatically suitable for natural rubber cultivation.

Spices Sector: Out of the 52 spices, only small cardamom is considered as plantation crop. Small cardamom is grown mostly in the Western Ghat Region primarily in Kerala as well as in Tamil Nadu and Karnataka, mainly by small and marginal farmers. The estimated state-wise break up of labourers in small cardamom plantations is given in the table below.

Sl. No.	State	Number of workers
1	Kerala	73500
2	Tamil Nadu	10500
3	Karnataka	21000
	Total	105000
