Chapter III

Review of Literature
CHAPTER III

REVIEW OF LITERATURE

This chapter is divided into three sections:

1. Legislative Enactments.
3. Certain important studies related to the present work.

3.1 Legislative Enactments

First section deals with the legislative enactments on labour welfare in plantations. The Plantations Labour Act (PLA), 1951 is the most comprehensive labour welfare legislation with elaborate provisions relating to health, welfare and social security benefits. It is a central Act administered by the state governments through the rules framed by them guided by a model provided by the centre. The Kerala Government follows The Kerala Plantations Labour Rules, 1959 accordingly.

3.1.1 The Plantations Labour Act, 1951¹

This Act covers all plantations ad-measuring 5 hectares or more and employing 15 or more persons. The Plantations Labour Act, 1951 is organised in eight chapters.

1. The first chapter has two sections; section I provides a “Preliminary to the Act” and section II deals with “Registration of Plantations”.

¹ Government of India, Act 59 of 1951.
2. The second chapter “Inspecting Staff” discusses the powers and functions of inspectors.

3. The various provisions related to “Health” are given in the third chapter.

4. The fourth chapter explains the “Welfare Facilities” to be made available to the workers.

5. “Hours and Limitation of Employment” is given in the fifth chapter.

6. The provisions for “Leave with Wages” are discussed in the first part of the sixth chapter. The second part is concerned with “Accidents”.

7. Chapter seven is set apart to describe the “Penalties and Procedure”.

8. The eighth chapter gives the “Miscellaneous” provisions of the Act.

Provisions applicable to women workers in the plantation sector are given in Appendix I.

3.1.2 The Kerala Plantations Labour Rules, 1959

The Kerala Plantations Labour Rules, 1959 has seven chapters:

1. The first chapter provides a “Preliminary” to the Act.

2. Second chapter deals with “Registration of Plantations”.

3. “Provisions of Health” is discussed in the third chapter.

4. The “Welfare” aspects are brought out in the first part of the fourth chapter. “Accidents and Compensation” is the topic dealt with in the second part.

5. The fifth chapter mentions “Hours and Limitations of Employment”.

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2. Government of Kerala, Kerala Gazette, No. 14, dated 7 April 1959, as per Notification No. 19-56/57.
6. "Sickness and Maternity Benefits" are given in the sixth chapter.
7. "Miscellaneous" provisions are described in the seventh chapter.

Provisions applicable to women workers in the plantation sector, are given in detail in Appendix II.

3.2 Settlemens Made in the Plantation Labour Committee (PLC)

The second section of this chapter presents some of the settlements made in the Plantation Labour Committee (PLC). The Committee took decisions on bonus, wage fixation and revisions, abolition of Kangani system (system of recruiting labourers through intermediaries called kanganis who received commission from the workers they brought), recruitment of casual labourers, gratuity schemes for plantation workers, allowances and other various benefits, charter of demands of workers in plantation industry and other issues related to the general welfare of the plantation workers.

List of settlements/decisions made in the Plantation Labour Committee is given in Appendix III.

3.3 Important Studies Related to the Present Work

The third section of this chapter discusses the themes of certain previous studies related to the present work. Sen investigates inequalities related to such categories as class, gender and communities. Through empirical examples, he demonstrates the far reaching consequences of intra-household

gender inequalities on health care and educational attainment. He also points out the achievements of Kerala in fields like health care, infant mortality rate and female literacy level. Sen also discusses the invisibility of our women workers in the labour force. He stresses that mutual co-operation and enforcement of policies by the management and government will improve the ability of the rural women to make ‘perceived contributions’ to economic production and prosperity. The need to develop a separate approach for an accurate measurement of poverty by incorporating the capability criterion is highlighted by him. This according to him is relevant for gender differentials.

Mathur explains the relationship of various background variables and work related variables with Quality of Working Life (QWL) of women workers in construction industry. Through this empirical study, the author tests the validity of Maslow’s Need Hierarchy in unorganised industries. This study explains the meaning of the concept of Quality of Working Life (QWL) and helps the policy makers to frame laws and provisions to improve the Physical Quality of Life of workers to enhance the Quality of Working Life (QWL).

The importance of tea plantations as the largest employer of women workers is stressed by Padmini. She has made an attempt to study about the socio-economic background and consumption pattern of women workers in tea

plantations. The nature of recruitment of labourers and the common diseases among the plantation workers are also discussed in this work. Secondary data regarding the workers in the tea plantations of South India, West Bengal and Assam are used in this study. The study gives a vivid picture of the socio-economic status of the women workers in tea plantations.

Schultz\(^9\) points out that people are an important part of the wealth of nations. The productive capacity of human beings is larger than all other forms of wealth taken together. Hence he stresses the significance of investing in human capital to enhance human welfare.

Bina Agarwal\(^10\) examines gender-related differences in the distribution of responsibilities and resources for survival within poor rural households in the Indian context. The study is divided into six sections. She argues that the burden of rural poverty falls more heavily on females than on males. There is widespread gender-based inequalities in the distribution of resources, especially that go in fulfilling basic needs such as food and health care. Moreover, she also finds that the nutritional status of children under poverty conditions is much more closely linked to the mother’s earnings than the father’s as women’s earnings, much more than men’s, go towards the family’s basic needs.

The need for recognition of public policies for the development of women in agricultural employment and the significance of integration of


\(^10\) Bina Agarwal, *op cit.*
women in overall development are highlighted by Parthasarathy. Making use of the studies of A. K. Sen, Uma Lele, Kalpana Bardhan and Bina Agarwal, the author projects the unequal distribution of rural poverty between men and women within the households. He stresses the need for unveiling the contributions of women in the path of development. The study is divided into three parts. Parthasarathy examines the effect of public policy in the light of the agrarian structure and land relations. He has surveyed secondary sources of data to constitute this study. Public policies including agrarian reforms, growth and technology, legislation, family planning, nutrition, health, education, minimum needs, etc. will according to him, empower women workers.

Women’s work in the Indian context is analysed by Alak N. Sharma and Seema Singh. They stress the relevance of a social breakthrough if equity and empowerment of women are to be achieved. The significance of education, training and skill upgradation of the women workers to make the development programmes successful is also highlighted in this study.

Devaki Jain\textsuperscript{17} examines some studies at the national and international level to reveal the relevance of re-characterising the social and economic environment to bring the women workers into the planning process. She suggests some policies to be borne in mind if women's perspectives for development are to be realised. The author has succeeded in citing the inadequacy of measurement tools in household surveys to assess women’s labour. She also points out that various inequalities are perpetuated in the case of women workers in the labour market.

George Isaac\textsuperscript{18} makes a thorough study of the women workers in the South Indian tea plantations. Their socio-economic background, consumption pattern, savings and debt position etc. are analysed in this study. The author makes use of primary data to arrive at the findings.

Sankaranarayanan and Karunakaran\textsuperscript{19} point out the peculiar features of the agricultural sector of Kerala. On account of a large number of valuable cash crops, the agricultural sector of Kerala is more commercialised than any other state in India.

Based on primary and secondary data, Sunil Mani\textsuperscript{20} explains the significance of the plantation crops to Kerala economy with respect to area,

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  \item \textsuperscript{17} Devaki Jain, \textit{op cit.}
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production, productivity and employment. The recruitment and service conditions of labour are also discussed.

Sivanandan\(^{21}\) is of the opinion that Kerala has to device its own developmental strategy for agricultural growth because of its topography, cropping pattern and relative advantages of the predominance of high value cash crops.

United Planters’ Association of Southern India (UPASI)\(^{22}\) has various publications which provide information about labour in plantations. These works discuss the origin and growth of various plantation crops in Kerala, nature and recruitment of labour in plantations, wages and other welfare facilities provided by the Plantations Labour Act etc. Economic importance of these crops to the nation is also stressed in these studies.

Kanchan Sarkar and Sharit K. Bhowmik\(^{23}\), through their study of three tea plantations of West Bengal, find that participation of women workers in trade unions has been low despite the fact that they form half the labour force in plantations. Besides explaining the features of plantation labour, they cite the reasons for the high employment of women in tea plantations. It is found that the level of literacy of the women is very low, but their response to trade unions is high. Most of them have joined or changed unions under the

22. UPASI, Glenview, Coonoor.
influence of either father, son, husband, brother or male relatives. The authors argue that in that male-dominated tribal society, women are expected to perform all the household chores which prevent their active participation in unions. The social backwardness and low level of literacy of these women force them to continue their inferior status. The role of the state in generating social and political consciousness among these women workers from within the plantation system is stressed in their conclusion. The Plantations Labour Act lays down various provisions to provide basic facilities for this. The authors give examples to show that women have the potential for leadership which needs to be developed. For this trade unions or other agencies should take initiatives to develop their political consciousness.