Chapter- IV

LABOUR AND ECOLOGICAL RIGHTS IN THE TEA GARDENS OF JALPAIGURI DISTRICT

With the beginning of tea gardens in this region the main labour force were the Nepalis, also known as Paharis, in the Western Duars but it was soon found that sufficient labour could not be obtained locally. These Paharis (hillmen) formed only about 15 per cent of the total labour force in the Duars. In these regions most of the indigenous population was fully occupied in the cultivation of private lands. Very few gardens, especially in the hills, were Nepali labourers, but as a whole the Duars gardens became dependent on labour to be recruited from outside.

The chief recruiting grounds were Chota Nagpur and the Santhal Parganas. The 1881 census recorded 210 Oraons and smaller numbers of other immigrant tribal groups. The number grew subsequently in years and by 1901 a sizeable labour force was built up. While Nepali immigrants from the Darjeeling district continued to constitute a fair proportion of the labour force in the gardens located in the hilly areas of the Duars, the
overwhelming majority was recruited from the distant Chotanagpur and the Santal Parganas. According to the 1901 Census Report, there were 188,223 immigrants in the district as a whole. The Migration Statement showed that 80,436 immigrants were from Ranchi district and 10,562 from Santal Parganas. The 1911 Census reported that the number of persons born in Ranchi and enumerated in Jalpaiguri district was no less than 126,214.(1)

When the expanding tea cultivation made the labour problem acute, British Planters urged the government to further enhance land revenue rates so that peasants would be driven by poverty to abandon their fields and work for wages in plantations. Another recommendation by the planters was to ban the cultivation and sale of locally grown opium so as to deprive peasants of this added source of income. The response of the authorities to these and other suggestions was positive. In 1860, for instance, there was a 15-30% hike in land revenue rates on dry land. Cultivation of poppy too was banned. But the government, in a revealing and hypocritical gesture, did not ban the sale of North Indian opium, a lucrative source of revenue for it, by increased its price from Rs 14 per seer to Rs 20. Thus the European planters designed to ruin the rural economy and drive the peasants to tea plantations. In spite of all these measures the local peasantry remained averse to plantation work.
Thus the planters were left with no option but to import labour from outside. The rural economy was disturbed with the continuous intervention of the British Raj, losing its stability and equilibrium. The peasant farmers were losing their land, through falling into debt or suffering illness and other domestic disasters. These folk then found themselves landless labourers resulting in drifting away to towns and elsewhere for such of employment. Till 1859 companies and private owners attempted to bring outside labour through their agents, but the large number required to man the expanding industry made systematic and organized recruitment necessary. (2). The Tea Planters Association was formed in 1859 for this purpose.

The Planters Association did nothing to prevent the manager of one garden from enticing away and taking the coolies of another garden. When a coolie finished his agreement he was a skilled employee and employers where prepared to offer inducements to him to remain and enter in their service. Managers therefore paid bonuses for the renewal of agreements or for a fresh engagement under Act XIII of 1859 and as far back as 1886 labour bonus rules fixing a maximum bonus were adopted by the Indian Tea Association. But these rules were often ignored as the competition for labour was serious.
Representations were made from time to time asking the Government to pass a short Act where the coolies could be compelled to remain in the garden from which they have been engaged, instead of moving on to new gardens. Under these conditions the coolies were recruited for the gardens at very considerable expense, and these expenses were increasing yearly. According to Sanders in his settlement report wrote that the owners and the agents of gardens sent not only the Sardars to recruit, but have to keep a recruiting establishment of Europeans and Babus for four or five months in the year in Chota Nagpur and elsewhere. These expenses total up to a least Rs 20 per cooly recruited, of which about Rs 8 represented cost of recruiting establishment, and Rs 12 per head would represent the advances made to the cooly. Only Rs 7 out of the latter amount could be recovered from the cooly. But there was difficulty to recover these advances or to ensure that the coolly would remain on the garden. The cooly could free himself from all advances by simply going to some other garden in the district which was a frequent occurrence. For all these problems there was no legal practicable protection for the planter.

According to Sunder’s Report in page 106-107, “the price paid for an agreement cooli landed in any of those district varies from Rs 80 to Rs 120
per head and as the expenses incurred in transit of the coolies to those districts only amounts to Rs 20 to Rs 30, the profit obtained in this trafficking of human beings enormous, and has unfortunately led to every form of villainy and abuse being practiced that human agency can conceive. The Duars Sardars and recruiters returning with coolies have to run the gauntlet of the Arkatis along the whole route, and a considerable number of coolies who originally left their villages with the object and promise of being taken to the Duars gardens are lured away by the Arkatis and carried off to the Assam districts, to change hands there at Rs 100 per head and be placed under contracts.

Owners of the gardens have now to send not only sardars to recruit, but have keep a recruiting establishment of Europeans and Babus for four or five months in the year in Chotanagpur and elsewhere.”

Another problem that the planter always faced was the scarcity of labour during the rainy season. 60 to 70 percent of coolies in a garden turned out to work in the rains during the manufacturing season, thus causing enormous losses to the factory from the want of labour to cultivate the garden and to pluck the leaf. With regard to the enticements or inducements held out by the gardens to attract labour from other gardens in the district, the District
Planters Association thought of “mutual agreement” binding on all the gardens. But this remedy failed because it failed to work successfully among the planters of different gardens due to different interests. Moreover there were no penal laws to back the “mutual agreements”.

As regards the enticing away of coolies from other gardens, the fault was not with the managers as with the agents and the owners of the gardens. Small consideration was shown by them to a manager who may fail in his work in any respect. Often he was dispensed with a moment’s notice without being allowed an opportunity of explaining his difficulties. Under such circumstances he was obliged to work in his garden in the best possible manner, and maintain his labour force in full strength, even if he had to take coolies from another garden to the detriment of that garden and injury to its manager. This was the real trouble behind the labour troubles in the Duars region. Thus a short Labour Act was required to bind the coolies for a certain period to a particular garden.

It was not until the end of the nineteenth century that any concerted action to deal with it was taken. The first move was taken in the Dooars. In 1889 some set of rules was provided. The coolies leaving one estate for another without permission was to be turned back to the previous estate, on the
request of the manager. The coolies who were not indebted to their estates could avail discharge certificate for seeking employment in any other estate only during the month of November and December. Thus on 1st May 1900 a much simplified set of rules came into force. The most interesting provision of the rules was that if an indebted coolie left one estate for another, the receiving estate on demand either could turn out the coolie or had to pay the original estate the money due by the coolie. The second provision was that if the recruiter sent to a recruiting district by one estate, returned to a different estate either alone or with other recruits, the second estate should turn out the recruiter and the accompanying coolies, or recoup the original estate for the recruiting expenditure incurred and for any advances given. Sixty five percent of gardens in the membership of the Dooars Planters Association signed the agreement.

The rules remained in this form until they were revised in 1908. The new rules in the main reproduced the older rules. To it was added the compensation rate of Rupees 6 for every new recruited coolie employed by any estate other than which sent down the recruiter who recruited him. A number of amendments were made 1916, 1918 and 1923. But in spite of all these rules the problem of enticement did not vanish away from the scenario.
as references were made to it in the Association’s correspondence in the early twenties. This suggested that labour scarcity was an existing problem in this region.

Thus the labourers in the Dooars was always ‘free’ in the sense that the labourer was not placed under any kind of contract and could leave whenever he pleased. The method of recruitment adopted in the garden of Duars differed from that adopted by the planters in Assam. The Duars labourers were ‘free’ in the sense that they were not indentured labourers subject to penal measures. One reason for this difference was that by the early 1880’s migration from Chotanagpur and nearby areas for work in tea gardens was an established social process. Moreover, by the time the tea industry came to be started in Jalpaiguri district, because of certain conveniences of the indentured system experienced by the Assam planters and increasing labour protests in diverse forms, even the latter had given up their exclusive dependence on that system and had been introducing non-indentured recruitment through garden sardars. So the planters did not resort to such over acts of coercion which were found in Assam. According to Griffith the reasons for difference between the Duars and the Assam system was nowhere explicitly stated, but it was perhaps mainly due to the
fact that Duars was much nearer than Assam to its principal recruiting ground. (4).

But at the same time it may be considered that the Duars tea garden labourer was not free from coercive methods of labour control. There was enough evidence to proof that considerable coercion, direct as well as indirect, and sometimes outright terrorization techniques were used by the planters and their agents in procuring labour, putting them to work and keeping them under control. There are very limited materials available giving detailed account of the conditions of labour in the late nineteenth and early twentieth centuries. The materials available make it clear that the Duars plantation labour was wage labour put under various types of non-economic constraints which severely restricted the mobility of labour and it turned out as ‘labour held in bondage in a free market’. (5).

Individual Dooars gardens sent sardars annually to recruit unindentured labour from Chotanagpur, Santal Parganas and Chaibasa and for many years little difficulty was experienced in finding an adequate number of recruits the Dooars permanent labour force grew from nearly 103,000 in 1913 to 150,000 in 1919. There was much enticement of the workers between garden to garden by the sardars in spite of the Labour Rules by the Duars Planters

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Association and by the Indian Tea Planters Association. The establishment of the Sardari system by which the sardar got the Paise per Hazree as a commission could have been responsible for this.

At the end of the First World War, certain difficulties were witnessed. Bihar and Orissa in 1918-19 experienced severe famine together with the disastrous influenza epidemic which eliminated the surplus population from that region. For the same reason many tea garden labourers inherited their ancestral land and returned home to cultivate it. In the meantime the acreage under tea in the Dooars had risen by eleven per cent, while industry in general had expanded considerably and the new industries were now competing with tea for the diminished supply of potential recruits. Moreover with the termination of the Assam penal contract there by offering generous term to the laborers and the growing mobility of the poorer classes in India tended to attract labour to Assam which might have gone to the Dooars. All these problems compelled the gardens of the Dooars region to widen their recruiting field. The gardens that were under the Tea Districts Labour Association` had less difficulty in recruiting labourers than the gardens which recruited individually. They found the recruitment a very expensive
operation. Thus a central organization for recruiting became necessary in the Dooars region. In 1924 ultimately it was decided that the Dooars should recruit through the Tea Districts Labour Association controlled by a voluntary board, consisting of four representatives from Calcutta, two from the Dooars Planter Association, and one from Assam. Three types of recruiting were described by the secretary to the association:

1) Ordinary Sirdari.

2) By ‘Resident Sirdars’ who were recruiters who have no intention of returning to the garden, but recruit locally and take recruits to the local agent.

3) By Paid Recruiters. These are to be managed by Local Agents and are intended to recruit labour for gardens which have no connections with the district.

Thus this system of recruitment in the Dooars region worked well through the Tea District Labour Association. The organization was found to be self supporting and the rules were strictly observed to get the necessary recruits.
So the Tea Districts Labour Association was formed as the labour recruiting branch of the Indian Tea Association, some 92 percent of the tea interests in Assam being members, while some 70% of the Dooars and Terai interests were members. The secretaries were Messers. Begg, Dunlop and Co., Ltd., Calcutta.

Regarding the payment system of the tea garden labourers in the Dooars region the wages were based on a principle not very different from that of the older system in Assam. A certain task was laid down for field workers which had to be completed by average labourer within three hours. If the manager needed more work from the labourer it was known as *doubli*, and in busy periods the labourer might even perform two or three *doublis*. The recommendation of the Indian Tea Association for substitution of the unit system in the Dooars region could not be implemented as the planters here were by nature conservative. The unit system was introduced a few years before the Second World War in most of the tea gardens in Assam in which the payment was made for every unit of work done.

According to the Royal Commission on Labour with the rapid increase in the cost of living, the planter preferred not to increase the wages, but to decrease the task by introducing a system of a second and even a third hazri.
In 1931 the general rate of payment for a hazri was 4 annas for men and 3 annas for women and children. The average worker took about six hours to complete the first and second hazri. The third hazri normally was completed within eight hours. This was the report that was stated to the commission. But there were instances that workers completed four and five hazris in a day.

Labourers in number of Dooars garden worked under a sardar, who in addition to a monthly wage received a commission of one pice for each hazri worked by his men. According to the Royal Commission ‘in a number of gardens the wages were paid in a lump sum to the sardar who in turn pays the individual labourer. This system was disapproved by the Commission since it often led to abuses on the labourer when he was debt to the sardar. It was known from the representatives of the Dooars Planters Association reported that the average monthly earnings in 1929 were Rs 14/4/1 for men, Rs 10/5/8 for women and Rs 2/1/5 for children. This remuneration remained almost the same to the end of the war.

During the Second World War the major problem that arose was the rise in the cost of living. To cope up with the situation most of the tea gardens took up certain policies to protect the labourer. At a conference in Calcutta in
January 1940 the Indian Tea Association and the District Associations and branches recognized that there were three possible methods of dealing with the situation. Thus recommendations were made for the sale of rice at concession rates, grant of cash subsistence allowance and provision of more work. Regarding the subsistence allowance, it could only be granted in any area after recommendation by the branch or district committee had been accepted by the General Committee of the Indian Tea Association. But it was not required to grant subsistence allowance during 1940 to first half of 1941 though many gardens issued rice or paddy at concession rates. By the second half of 1941 the rise in price of rice and cloth had become so pronounced that more radical measures were required.

In the Dooars region two factors compelled some reconsideration of concession of foodstuff policy for 1943. Firstly the gardens stocks were insufficient to meet the demand; secondly, it was witnessed that in 1942 the labour in the Dooars had earned more than sufficient to compensate for the increased cost of living. Thus the supply of rice in concession was discontinued from 1943 and instead a cash allowance of two annas per hazri for adults and one anna for children were given as compensation. When rice in sufficient quantities was not available, maize and some other food grains
were to be issued at cost price to make up the shortfall. In 1944 the weekly ration of concession food grains was increased to five seers. The additional one seer was given in the form of some commodity like maize. There were indications of labour suffering from malnutrition in the region of Dooars. This was mainly due to scarcity and high price of foodstuffs other than rice. Thus in addition to concession in rice, foodstuffs like pulses, mustard oil, salt, gur were supplied at half cost price. Vegetables were grown at gardens for the benefit of their labourers.

After the Second World War a scientific study was done about the needs and cost of living of tea garden labourer in order to know the adequacy of the wage rates. The Rege Committee which was appointed for this purpose only contented itself by recording the earnings and concessions enjoyed by the labourer, stating that wages were inadequate. An interim wage increase was carried out in 1947 and it was stated that no further wage increase would be granted until a proper investigation was carried out relating to the living standard of the tea garden labourers. In the meantime the government appointed S.R.Deshpande to examine the matter. The Deshpande Report was not published until 1948 and there were no changes in the wage rates in
1947. Only there was an increase in the earnings of plucking by twenty five percent in the gardens under Indian Tea Association.

It was noticed that the Deshpande Report was more thorough and analytical than that of the Rege Committee. It provided a minimum basis on which minimum wages could justly be calculated. The inquiry covered 43 gardens in Assam and Bengal. The family budgets were taken in to account other than studying the dietetic needs, incomes and the composition of the family.

Deshpande’s view was more realistic as he gave importance to the family and not an individual as the earning unit in the tea garden. He took a balanced view of the gap between theoretical estimates of dietetic needs and the general practice in the country and arrived at a scale of workers needs.

Thus keeping in term with the Deshpande Report the post-war-wage fixation in the region of Dooars underwent a change. There was increase in dearness allowance of three and half annas per day for adults and two annas for minors in the Dooars.

The next step was the fixation of wages under the Minimum Wages Act which was carried out in 1951. Under the Minimum Wages Order the hazri
and doubli rates were kept unchanged but the dearness allowance were raised upto 7 annas. The working hours became fixed to five-eight hours per day and overtime rates were enhanced.

**CONDITIONS OF THE TEA GARDEN LABOUR IN DUARS:**

The destitution and precarious conditions of existence of the tribal peasants in Chotanagpur and Santal parganas made them fall easy prey to the alluring prospect in the tea gardens held out before them as well as various enticements offered to them by the recruiters. The methods of recruitment of labour involved all sorts of unscrupulous methods, deceptions and outright violence to recruit men, women and children. The recruits were kept in prison-like transit depots and sent to the gardens under heavy guard.(6).

At the time of recruitment they were given an advance, partly refundable and partly non-refundable. The advance that was given to the recruits to pay off debts in their home and enable them to meet road and sundry expenses.(7). This practice gave them the expression that they were not free to move which was more strengthened by the practice of thumb impression on an
agreement bond for work for a period of at least six months in the tea estate which brought him from his native place bearing all the incidental expenses. (8).

The condition of the labourers in the tea garden was poor. They were put in a concentration camp like situation. Physical coercion, beatings, flogging were quite common. Incidents of death from physical torture were not unknown. There are unrecorded accounts of troublesome workers being thrown into furnaces of garden factories. For all this the managers enjoyed support of the colonial authority. (9).

The restriction on the movement and freedom of the tribal peasants became restricted as they were wrenched from their habitats and moved to work sites far away from their homes and herded together in a totally unfamiliar surroundings. Thus the labour system which included recruitment from a long distance, the separation of workers from their known environment, their total isolation from their proximate surroundings because of geographical location, ethnic, social, cultural and language distances and barriers, and various forms of open as well as concealed compulsion in organizing migration—made the workers particularly vulnerable to violence and coercion. Moreover the Duars plantation area was a non-regulation tract
which meant that many of the ordinary laws and regulations were not in
force in the area. This administrative feature gave virtually unlimited powers
to the planters.

Various measures were resorted to bring the labourer under control. Plots of
land were given to the labourers, who were land hungry dispossessed tribal
peasants, for the purpose of cultivation either free or with a nominal rent for
binding them to the tea garden. Hats or weekly/ bi-weekly markets were also
arranged which were one of the modes of control over the labourers. In order
to keep the labourers of a garden confined within the garden and to reduce
their contact with the outside world including labourers from other gardens
and neighbouring villagers to the minimum, the planters by mutual
arrangement among themselves introduced the practice of ‘universal Sunday
hat’. The planter prevented to hold hat on other days than Sunday.(10).

The set of Labour Rules worked out by the DPA in 1905 was another
method to control the movement of labour from one garden to garden.
Gardens enticing labourers from other gardens were bound to reimburse the
losing gardens the expenses it had incurred on bringing a worker to the
Duars and the money it had advanced to the labourer. Moreover to deal with
any recalcitrance and unrest on the part of the labourers and to keep them
under firm control the European planters organized and maintained a private coercive machinery, the North Bengal Mounted Rifles (NBMR). (11). Thus the planters by improvising various methods were able to keep the labourers to the garden and virtually hold them in a state of captivity.

There was no law and no government supervision in the matter of emigration to the Duars, wages, tasks and general management of the estates. The Dooars Labour Act passed in 1912 was only concerned with government inspection only in the matters of sanitation and public health. The high incidence of sickness resulting in absenteeism and heavy death toll among the workers due to various diseases like malaria and blackwater fever prompted the enactment. The sahibs often fell prey to these diseases and so measures were taken by them to control these. (12).

The labourers worked under conditions of intense heat, heavy downpour and severe cold. According to the Sunder Report the workers in the garden worked from 7 a.m in the morning to 6 p.m with two hours leave. (13). The labourers worked under the supervision of a whole array of an Indian subordinate staff- sardar, dafadar, chaprasi, head dafadar or baidar employed to act as check on the sardar and dafadar, and munshi to keep an watch over the entire operation. (14). On top of all these staff was the sahib
or the planter. The sardars in the Duars gardens played an important role in exercising discipline over the labourers. The low wages and also because of abuses of payment through the sardars the labourers became indebted to the sardars. Under the circumstances, ‘the sardars in then duars may be said’, as an official committee observed, ‘to own the coolies who have been recruited by themselves or by their nominees’. (15). All these lead to firm control over the labourers.

The other elements which tied the labourers mobility became restricted were the housing tied to the employment, allotment of tiny plots of land, part payment in rice, ties of indebtedness and personal dependency relations put severe restrictions on the mobility of the labourers. The position of the labourers were turned to semi servile status and the labour market became infested with various methods of coercion. Even the non working hours were under the control of the planters.

The wage rate came to be fixed at a level that would provide subsistence to a single worker but not his whole family. This forced the female and the child to join labour and make earnings. Still the earnings of the family were so low which forced the family to take up work outside the plantation. They usually did so by cultivating its staple food like rice on the tiny plot allotted
to them. This involved a lengthening of the working hour and re-
peasantization of wage labour in the plantations.(16).

According to the official records there was 66 percent rise in the price of rise in the price of rice, wheat, the staple food of the tea garden labourers, between the years 1893-1908. In spite of this the wages of the workers remained unchanged. (17). Such meagere earnings of the workers made them indebted to the sardars and in some cases to the garden management. (18). Sunder had reported, “they (the labourers) are comfortably housed, good drinking water is supplied to them…. they are regularly looked after by a Native doctor, often by a qualified European doctor on a high pay..(19).

But the official reports of as late as 1946 or 1948 admitted that the houses made of bamboos with thatched roofs and sides were nothing but hovels with insufficient light and air, and sanitations had no standard worth mentioning.(20). Indian doctors were not qualified and European doctors were not available for treating coolies and any regular hospital did not exist. (21).

Thus the labourers were strictly controlled, poorly paid, illiterate, malnourished and diseased. The involuntary nature of work, the hard toil,
the meagre wages and the sub-human living conditions deterred the local people from seeking work in the tea gardens.

**LABOUR WELFARE:**

The Indian tea industry emerged at a time when the concept of *lassiez-faire* was getting its ascendance throughout the world. Moreover the conditions existing in the tea garden forced the government and the employees to take a more liberal view. They felt that the tea workers brought from far away places to the unhealthy tea districts could only survive if the planters took responsibility for the workers welfare. The welfare in the tea gardens meant medical facilities, housing and education and social welfare.

It was witnessed that the government was not aware with the results of the rapid extension of tea industry by clearing vast tracts of jungle. The results were carefully studied by the Commissioners of 1868 and they tried to throw light on the incidence of mortality in the early days of the industry. It was found that fevers, dysentery, ulcers and cholera were the common fatal diseases. The unfavorable climatic conditions existing in the tea gardens were taken as the main causes for these diseases.
According to Grunning’s report that extensive soil disturbance caused by expansion of tea industry was one of the cause for outbreak of malaria. It was found that the disease was caused during the course of railway, road or canal construction involving employment of number of labourers. The increase of puddles in course of excavation led to an enormous increase in the breeding grounds of the Anopheles mosquito leading to outbreaks of malaria in epidemic form. Added to this were large and mixed populations of workers who were massed together under unhygienic condition. So throughout the Duars, as a direct result of its numerous labour camps, with their shifting population of mixed character, there was a prevalence of malarial infection only met with epidemic manifestations of the disease.

The other disease which existed at Duars was the Black-Water fever. The Europeans and the educated natives were often attacked by this disease. Black-water fever was mainly confined to Europeans, Bengali Babus and tradesmen, Chinamen, dhobis and servants drawn from the town-dwelling classes in Bengal. It was noted that the occurrence of this diseases caused heavy mortality leading to enquiry in the matter.

It was in 1908 Captain Christophers and Dr Bentley surveyed the position in Duars in regard to malaria. They were very critical about the medical
conditions existing in the tea gardens. In 1910, the Government of East Bengal and Assam therefore appointed the Duars Committee, under the chairmanship of the Honourable S.J. Monahan, ICS, to inquire into the sanitary and economic conditions of labour in the Duars. But the reports of the two medical officers and the Duars Committee could not be obtained. The annual report of the Dooars Planters Association in 1911 claimed that the Report of the Duars Committee refuted many of the statements of the two medical officers. But the medical arrangements were found to be unsatisfactory as there were serious deficiencies in it.

Anti malarial measures were taken after the First World War. This consisted mainly of killing of the larvae of Anophelis type of mosquito, the carriers of Malaria. Prevention of water-logging, spraying of insecticides in water logged areas were some of the measures taken up by most of the garden. The Ross Institute of Calcutta played an important part in this task of the tea estates.

It was only in 1930 that the first enquiry about the labour was conducted by Royal Commission on Labour. This Commission undertook a survey in all
the Tea districts and made certain recommendations about regulating conditions for employment and recruitment of labour. After this the next important enquiry carried out in this field was by D.V. Rege in the year 1943-1945. On the basis of these reports the subsequent Labour Legislations was formed.

Surveying the medical condition that existed in the Duars it was found that most of the gardens had dispensaries and common medicines for the treatment of labour. There was lack of well-qualified doctors and most of the gardens had only compounders. The Annual Report on the on the Working of the Jalpaiguri Labour Act for the year ending 30th June 1944 states that 44 gardens in the Duars had no qualified resident doctor. Very few European owned and Indian owned gardens were visited once a week by a Group Medical Officer who was paid by the gardens in the group on an acreage basis. In case of emergencies it was often difficult to avail his service as the gardens were widely scattered. Moreover there was no telephonic communication. The serious cases were removed to the Civil Hospital, Jalpaiguri, by the garden lorry only if the garden owned one, as most of the lorries were requisitioned by the military authorities. There were very few gardens that had provision for indoor accommodation. The
accommodation also varied from garden to garden. Some had adequate beds but in most cases there was a room or two with very few beds. Thus a contrast of good and bad gardens existed and there was a need for a standard arrangement to fulfill the minimum requirement. There were very few gardens which made arrangements by paying a daily hazira to a relative of the inpatient to act as attendant and cook food for the patient. There were gardens that had no medical facilities and establishment of central hospitals by the Commission was recommended for serving the groups of the garden.

The Royal Commission criticized the medical and health arrangements in the industry on the grounds that there was no co-ordination or interchange of ideas between different gardens, industry and the Government. A proposal was made for the establishment of a Health Board, financed by a cess and empowered to issue regulations with regard to provision of health and medical facilities. But this proposal was not implemented and in the following years progress depended on the voluntary actions taken on the behalf of the companies. As the industry at this time was health conscious the progress was rapid.

The following table shows the number of deaths caused by principal diseases like malarial fever, dysentery, diarrhea, phthisis and other
respiratory diseases in the tea gardens of Duars during 1939-1944. This was compiled from the Annual Report of the Jalpaiguri Labour Act for the respective years.

Number of deaths from principal diseases in the Dooars tea gardens, 1933-1945.

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL POPULATION</th>
<th>FEVER</th>
<th>DYSENTRY</th>
<th>CHOLERA</th>
<th>PHTHISIS</th>
<th>CHEST COMPLAINT</th>
<th>KALAZAR</th>
<th>BLACK WATER FEVER</th>
</tr>
</thead>
<tbody>
<tr>
<td>1938-39</td>
<td>2,85789</td>
<td>1326</td>
<td>1175</td>
<td>26</td>
<td>477</td>
<td>1061</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>1939-40</td>
<td>2,90,174</td>
<td>1228</td>
<td>1024</td>
<td>41</td>
<td>490</td>
<td>802</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>1940-41</td>
<td>2,91,253</td>
<td>1314</td>
<td>950</td>
<td>5</td>
<td>541</td>
<td>736</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>1941-42</td>
<td>2,85,877</td>
<td>1142</td>
<td>1065</td>
<td>9</td>
<td>528</td>
<td>648</td>
<td>20</td>
<td>5</td>
</tr>
<tr>
<td>1942-43</td>
<td>2,89,239</td>
<td>1244</td>
<td>1104</td>
<td>8</td>
<td>517</td>
<td>765</td>
<td>48</td>
<td>8</td>
</tr>
<tr>
<td>1943-44</td>
<td>2,75,398</td>
<td>1256</td>
<td>1181</td>
<td>144</td>
<td>543</td>
<td>241</td>
<td>28</td>
<td>11</td>
</tr>
</tbody>
</table>

But the impact of Second World War again hindered the smooth progress that was taking place in health and medical facilities. The service of large proportion of European planters and doctors became unavailable as they became engaged in the war. The supply of insecticides declined resulting in curtailment of anti-malarial measures. The shortage of drugs and medicines
and the difficulty of constructing or extending hospitals made it impossible for medical facilities to expand in proportion to the growth of the population. Malnutrition also developed in the tea districts due to the unavailability of protective and nutritious food. R.A.Gopalaswami made a scientific study of birth and death rates in his 1951 Census Report and arrived at the conclusion that the death rate in Eastern India was between twenty six and twenty eight per thousand. (23).

To regain the position in medical and health services that existed before the war Major Lloyd Jones, IMS, was deputed by the Government of India in 1947 to uplift the standards of medical conditions in tea plantations. This was suggested by the employer’s representatives at the first Tea Plantation Labour Conference in January 1947.

In Bengal, Lloyd Jones, felt that the conditions after the war, was less severe than the conditions existing in Assam. He found that the labourer in Dooars was a settled labourer possessing his own independent holding and growing his own food requirements at the same time. He made certain proposals for the improvement of medical facilities and felt that simple medical care was more important than the provision of specialist hospitals.
Regarding the maternity and sickness benefits it was found to be unregulated and depended on the discretion of the managers of the tea garden. In Bengal there was no any such maternity benefit legislation as such. According to Rege’s report most of the estates paid benefits according to scales varying between Rs 10 and Rs 18/8 in the Dooars. Some gardens also paid a bonus of Rs 5 in addition to maternity benefits if the child survived the first year.

The Government of West Bengal in 1947 proposed legislation to make the payment of maternity benefits compulsory on tea estates. This proposal was supported by the Indian Tea Association and agreed that the payment should be Rs 5/4 per week for eight weeks. The relevant Act came into force in 1949 and provided a maternity benefit for a period of twelve weeks in the form of a daily cash allowance of 8 annas together with concession in foodstuffs.

In regard to the sickness benefits there were variations that existed among the gardens. According to Rege’s report, ‘In the Dooars payment of the hazri to sick patients was said to be customary, but it was found during the enquiries that it was only given only to those who were very ill. Workers stated that when they approached the doctor, they would be given some medicine and told to go back to work as they were not sick enough to be
entitled to leave and consequently to sick hazri. This was said to be due to the managers’ instructions to the doctors not to encourage malingering and not to recommend leave very often.’

The importance of proper housing for the tea garden labourers was emphasized by the 1868 Commission. The tea gardens being established in areas of dense jungle and the labour force coming from distant regions meant that the labour must be housed by the industry. The Commission mentioned clearly the pattern of house that should be constructed. It laid down that the floor should be two feet from the ground with a well thatched roof. They condemned the barrack like sheds merely divided by partitions running up to within two feet of the roof. They also called for attention of the planters about the overcrowding of the labourers in a house and pointed out that the houses built for the labourer were often situated on the border of the area cleared for the garden and the beginning of the jungle.

The Dooars Committee examined the conditions that existed in the Dooars in 1911. The absence of plinths, inadequate floor space, congestion and low-lying lines were particularly criticized. It was found that the water supply in the Dooars region was adequate. The Plantation Labour Rules enforced
proper arrangements for pure water supply in all the estates. The water supply in the tea gardens in the Dooars region improved after this.

It was not before 1947 that constructive plans for housing of the tea garden labourers were undertaken. Standards for housing that were agreed by the Indian Tea Association and other Associations were submitted to the Government of Assam and West Bengal for approval. The Associations proposed for semi-pucca houses. The standards proposed were recorded in the Report of the Indian Tea Association for the year 1947.

The Government in the nineteenth century till the early twentieth century took no initiative to impart education in the tea gardens of Jalpaiguri district. There were very few planters who out of self enthusiasm organized primary schools. Most of the planters felt that education would result in population unsuitable for working in the tea gardens. On the other hand the labourers themselves regarded the earnings of the children were of great value than providing them with education. So they also took no steps to initiate educational facilities in the tea gardens.

It was only in 1906 that Captain W.M.Kennedy was deputed by the Government of East Bengal and Assam to survey educational facilities in the
tea gardens. The report showed that only five thousand children were attending schools either run by the Government or by the tea gardens. Based on this report Kennedy submitted a proposal of establishment of three categories of school:

1) Government of lower primary schools.

2) Government-aided garden schools.

3) Private, unaided garden schools.

But no initiative was taken from the Government’s part after the submission of the report. The third category type of schools was started by individual managers only after twenty years.

In 1930 the Director of Public Instruction, Bengal suggested that every garden should have schools and collected report accordingly. In Dooars all the schools of the gardens came under the purview of the District School Board, Jalpaiguri. The income of the Board was largely provided by a cess of which one third was contributed by the tea gardens at the rate of Rs 8 per acre. The salary of the teacher was paid by the Board which amounted to Rs
18 which was supplemented by the gardens with an allowance. Thus the salary amounted to Rs 25 to Rs 40 per month in different gardens. There were complaints by the Indian Tea Association, Jalpaiguri that the School Board was not sanctioning for opening new schools in the garden.

Though the buildings and the tuition were provided free by the estates the books and the writing materials were to be purchased by the individual. Night schools for adults were not encouraged. The attendance of the children in the schools were found to be very poor. The majority of the students who attended the school were children of the Indian staff. This was mainly because most of the children being employed in the gardens failed to attend the school.

Number of Schools and average daily attendance in Dooars tea gardens, 1941-1943 as mentioned by Indian Tea Association:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>NUMBER OF SCHOOLS</th>
<th>NO. OF PUPILS</th>
<th>AVG DAILY ATTENDANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1941</td>
<td>150</td>
<td>6732</td>
<td>4218</td>
</tr>
<tr>
<td>1942</td>
<td>146</td>
<td>6723</td>
<td>4569</td>
</tr>
<tr>
<td>1943</td>
<td>149</td>
<td>5130</td>
<td>3423</td>
</tr>
</tbody>
</table>
There was good deal of discussion as to whether the primary education in the tea gardens was the responsibility of the state or the tea industry. As the tea gardens were not in a position to undertake the responsibility, the representatives of the Indian Tea Association at the Tripartite Conference in 1947, suggested the provincial governments should introduce and administer compulsory primary education in accordance with the respective provincial acts. The industry would only assist by providing with buildings.

The provision of free meals for children also existed in the tea gardens according to Rege’s report. The report given by him is as follows:

‘Many gardens in the Dooars have started the practice of giving a free mid day meal to children when the effects of malnutrition were becoming evident. A typical meal consists of rice, dal, vegetables, and one garden occasionally gives even fish and mutton. In one garden the children were sitting in dust while taking their free meal. The doctor, when asked, stated that he had suggested better seating arrangement to the manager who, however, said that they were used to it. Full advantage is not, however, taken of this amenity by workers who take their children with them to work. Some managers refused to introduce free feeding on the ground that such feeding should be the sole responsibility of parents and that by its
introduction an element of irresponsibility is allowed to creep into the attitude of the parents towards their children.’ So the desirability of the managers played an important role in the aspect of welfare of the workers in the tea garden which varied from garden to garden.

According to the report served by Rege about the condition of labour in the tea gardens no uniform standard of condition of labour existed in the plantation. This sought for separate regulations that were different from general framework of industrial legislation. This was because the conditions existing in the plantation was very much different than those existed in the other industries. Thus after the Second World War the representatives of Indian Tea Association felt the necessity of a central plantation code comprehending all labour legislation in force on tea gardens. The proposal was accepted at the first meeting of the Industrial Committee on Plantations in January 1947. In 1948 Conference a draft Bill similar to the Factories Act was circulated. The Central Government went ahead with the Bill in the form of draft and the Plantation Labour Bill was passed into Law in the year 1951.
Certain features of Plantation Labour Act are mentioned below:

- Under Plantation Labour Act every labourer had to provided with hosing accommodation for which no rent could be charged.

- The Plantation Labour Rules in regard to housing could enjoy certain amount of land like the spare lands of the garden could be used as Khet lands by workers.

- The medical relief under the Plantation Labour Act was to be entirely bored by the employers.

- Protective clothing was to be provided to the workers like raincoats while working in the field, woolen clothes during winter.

- The employer had to provide the labourer with pucca houses which replaced the age-long katcha houses constructed before by the tea company.

- Canteen and crèche were other facilities that were to be provided by the employer.
LABOUR MOVEMENT IN THE TEA GARDENS:

It was noticed that the labour movement in the tea gardens of Duars region which involved more than two lakhs of workers was of rare occurrence though there were other movements of labour belonging to different industries present during that period. Neither the troubles of 1921 nor the political agitation of 1939 affected the Duars. Labour movement in its organized form resulted much later. There were certain reasons behind this late origin:

- The geographical location of the Duars was one great factor. The tea districts of Jalpaiguri were isolated from the rest of the country. The communication system was also weak. For many years the bad reputation of the Dooars for malaria and black water fever effectively discouraged political leaders to work here.

- The majority of ownership of tea gardens belonged to the local middle class Bengali’s. These people discouraged any kind of formation of political association which may disturb their tea gardens in the long run.
The district political leadership was in the hands of the highly educated elite class and they were not interested to maintain any kind of communication with the labour class who were recruited from regions outside the province. The social relation between them was absent.

The British had a different view about the absence of labour movements in the tea gardens. They felt that as the labourer came from distant areas they became wholly depended on the manager for the simplest amenities and necessities of life putting them under direct control of the managers. To quote Griffith, “the unquestioned king of a garden population geographically isolated from more advanced elements of society”. At the same time it was felt that the situation was balanced as the tea garden managers in the last few decades being drawn from a better class of society the situation of tyranny was avoided with a feeling of paternalism. The managers built the houses of the coolies, established the market and regulated the prices, supplied rice when necessary, constructed puja houses where religious festivals where held and solved the disputes between labourers. The abundance of such managers were found in great majority. According to Griffith majority of the tea garden coolie was happier than that of the ordinary Indian landless
labourer at that time. Thus under such system strikes and riots were of rare occurrence. He felt that the labourers in the nineties appeared to be more self confident and perhaps was less inclined to accept the absolute authority of the manager. This was mainly because of the rise in prices in daily goods and also the influence of the political developments which were then moulding India in a more progressive pattern.

According to the British Government Report in 1895 the planters and the Government was made aware of the situation. The labourers were becoming aware of their rights and they were protesting against any wrong committed by the planters. The tea labourers were demanding more rice in ration. In 1911, there was report that labourers in the few gardens were revolting against the oppression of the planters. They were protesting by not going to work and moving out of garden. In 1916 there was ‘tana bhagat andolon’ in the tea gardens which created an awakening among the labourers of tea garden.

It was only in 1920-21 that the influence of the non-cooperation movement was felt in the Duars region. The coolies felt it was an opportunity to gain ownership of the gardens. The political agitation was noticed in the different gardens of Jalpaiguri separately but it failed to develop into a greater
movement. According to the new rules implemented by the government in 1935 one seat was reserved for the labour from the Duars garden. As there was absence of any kind of association in the gardens an independent member named Babu Litta Munda supported by the owners of the garden became selected for the post.

It was in 1938-39 that the Indian Communist Party of India which was declared illegal began working at Jalpaiguri under the disguise of the Congress Socialist party. They were more involved with the peasants than the labourer’s movement. According to the Labour Investigation Report on 1944, it was mentioned that the Duars tea garden within the last five years were found to be more or less peaceful other than few occurrence of strikes. The Duars Plantation Report in 1945 also claims that the situation in the tea gardens were peaceful. According to the Rege Commission Report the labourers were, “all unorganized and helpless. The Dooars Planters Association stated that there were only two small strikes in the last five years.” The National Commission of Labour(1969) stated that the “access into the plantations was difficult, if not impossible and attempts to form trade unions before independence were seldom successful.”
It was only in 1946 that serious unrest was witnessed in the tea gardens of Jalpaiguri. According to the Report of the Indian Tea Association for 1947, “as a result of outside agitation bands of labourers ha left their work and headed by Communist leaders, were roaming the countryside, in many cases armed with lathis and spears, with the object of entering bustees and raiding paddy stocks in support of a general demand by the ryots of the district for a two-thirds share of the paddy crop, instead of the half share which they had always received in the past from zamindars. In most cases the demands were put forward by the labour to the tea garden managers, these included demands for increased rations of food and cloth and were not infrequently accompanied by a demand for the dismissal of one or more members of the garden clerical staff, with the result that on some gardens the Indian staff had been forced to leave.”

Behind the rise of the trade union movement in the tea gardens the Bengal Assam Rail Road Worker’s Union played an important role. The members of this Association secretly kept in touch with the labourers of the tea garden. They were at last successful in forming an association of the labourers of the tea garden in protest against the oppression of the planters. ‘Jalpaiguri Cha Bagan Mojdur Union’ was formed. The unions of Sungachi,
Tunabari of Malbajar region, Lakhipara, Red Bank, Dalpara, Diana (Banarhat) and Danguajhar near Jalpaiguri town were found to be more active. To note these unions were all near the rail junctions. Slogans like ‘Hamara mung dena hoga’, ‘bilati malik London bhago,’ ‘inclub jindabad’, were often used by the tea workers. The ITPA reports that, ‘the Communist Trade Unionist were able to stir-up unrest in several gardens’.

From 1946 onwards the tea gardens of Jalpiguri witnessed the birth of various trade unions. At Alipuarduar in 1946 under the initiative of R.S.P the United Trade Union Congress different associations were formed in the tea gardens of Jalpaiguri. They raised their voices against the low wages, revive and reform the job agreements, to maintain equality in all the gardens in regard to privileges granted to the workers. Nine gardens under the Shaw Wallace company at Alipurduar protested against the less distribution of ration rice leading to strikes in those gardens. The Jalpaiguri district Chabagan Majdur Union presented their demands to the Labour Commission. The demands were increase in wages, good living condition and better medical facilities. The other two important unions formed at this time were ‘The Gorkha League’ and ‘Congress Socialist Party’. According to the DPA’s Annual Report 1947-48, ‘work in a large number of tea garden came
to a stand still inspite of the employers trying their best to prevent workers from leaving. The rebel workers also put forth their own demand which mainly related to improvement in their living conditions and increase their food rations.’

Inspite of all this developments it was noticed that the orderly progress of the unions in the tea regions of Jalpaiguri district was hampered by the absence of sound, active and political leaders. In the meantime the Congress wanted to establish their union in the tea gardens of this district with the prior permission of Dooars Planters Association and Indian Tea Planters Association. (I.T.P.A. Report 1947). (24). The planters in order to balance the Communist movement which was becoming very intense in the tea gardens began to encourage the Congress to form unions in their plantation region.

According to the letter written by Deputy Commissioner of Jalpaiguri to the sub-divisional commissioner the situation becomes clear, “all the politically minded people in it (the district) are deeply concerned financially with tea and they do not want the labour force upset…..I should regard the tea gardens area as quite safe, unless some notorious and diabolical expedient is suddenly sprung on us by which the coolies can be aroused to frenzy.”
Another letter written to the Bengal Chief Secretary from Sub-Divisional Commissioner of Rajshahi mentions, “so far as can be seen no interference with labour on tea gardens is likely. The Congress leader and every Indian of means in Jalpaiguri are deeply involved in the tea industry and the last thing they desire is any trouble which would affect the dividends. Possibly they would not mind creating trouble in British owned gardens but would be afraid of it spreading to Indian gardens.’’

The extract from the Proceedings of the special meeting of the Executive Committee of the Indian Tea Planters Association held on August 2, 1947 mentions, “the meeting considered the letter dated the 25th July from the Jalpaiguri District Congress Committee wherein the Congress informed the Association of its desire to organize Trade Unions amongst Tea Garden Labourers. The Congress in its letter made it clear that as designing parties were exploiting the labourers for purposes other than for real benefit of the labourers, it intended to establish trade union which would be run on proper trade union lines. The meeting also considered the report of an informal discussion held on the 25th July 1947 between the representatives of the D.P.A., the Congress and the Association on the subject…” and decided that the, “Association should advise member bodies to give every possible help
and assistance to the Congress”. The D.P.A. also took decision to encourage the congress to form unions, “the Congress members with cards of identification will be given permission to hold meeting in gardens with a view to form unions”. According to the D.P.A Report of 1948 it was found that, “about thirty Congress sponsored unions had been started”. Thus the unity of the labour movement in the tea regions was hampered. The initial splits lead to more splits like AITUC, INTUC, CITU, UTUC resulting in multiplicity of unions.

In a broad sense the aim of the trade union movement was to unify the workers for collective bargaining and also to help the workers in developing their own leadership so that they could function without the help of outsiders. Thus though different garden unions were formed, many of these became controlled by self seeking local agitators, and the perennial quarrels between Congress, Socialist, and the Communist leaders and the factions existing within each group maligned their character. The result was that it was not until 1955, after a period of general unrest and violence the Indian Tea Association gave recognition to the Dooars unions.
END NOTES


5. Das Gupta, op.cit., p.66


10. Ibid., p.67


15. Ibid.


