Chapter VII: Industrial Relations and Unionism.

Section I: Industrial Relations.

Section II: Unionism in tea gardens.
Chapter VII  Industrial Relations and Unionism.

Section I: Industrial Relations:— One of the most important labour questions is the relation between employers and the employees. Since the beginning of the last century and until very recent times, there has been considerable improvement in labour conditions, but the relation between labour and capital has scarcely improved. It has, in fact, become more formal and the problems of relation have become more important in modern times. Personal relations in the industry has now been replaced by what is known as Industrial Relations, a term denoting a formal legal relation between the employers and their employees.

We find that, in the pioneering days, the human aspects of administration were mostly neglected for two reasons. First, the new entrepreneurs in tea were busy in establishing themselves and were doubtful about their own success and somehow tried to earn profit by employing the very poor section of the working population of the country who were only satisfied with the bare subsistence provided to them. Second, the unorganised workers could easily be exploited by the employers.

Labour relations in the early days of tea industry were conditioned by the circumstances of recruitment. Labourers came mostly from distant places fully dependent on the garden managers for even the simplest amenities of life. Not to speak of the ordinary workers, the attitude of the actual employers was most
unsympathetic even towards the executive personnel. This is evident from a note left by C.A. Bruce who urged upon the Government to provide some form of security to his family while he was working in the jungles of Assam. The ordinary workers always looked up to their managers for their welfare and when the position of the manager himself was not well settled the workers' interest could seldom be safeguarded.

The unhealthy condition of the 'Coolies' that were sent to Assam from Calcutta led to great sickness and mortality which seriously affected the planters. For example, out of 84,915 labourers arriving in the tea districts between 1 May 1863 and 1 May 1866 over 30,000 died by 30 January 1866. Another important factor for gradual deterioration of the human relations is the inexperience and inevitable ignorance of most of those who took charge of tea gardens. The position was stated succinctly by the Commissioners of 1867, which confirmed that the executive personnel being inexperienced and new could not manage matters properly. Moreover, the manager had magisterial power in his respective garden area and could arrest the offending worker and this power was misused by the employers in general and the garden managers in particular.

1. Bruce, C.A. Memoir of 1.10.1836.
2. Assam Labour Enquiry Committee Report, 1906 p. 37
4. Baroi, Sri Bhajanlal, Asstt. General Secretary, C.C.S.U. observes 'Not only the living conditions of the recruited labourers but the treatment meted out to them by the Tea Planters were all inhumane. The run-away coolies on being caught were tied up and flogged. One Dunne, a known and famous 'coolie-baiter' in his time was brought to trial on the charge of murder of labourers by flogging. But he was allowed freedom although the charges were of non-bailable offences. Innumerable tales of atrocities on the labourers were there.'
Fortunately, however, this abnormal condition was not present in all gardens. The fact that there were many gardens where the 'coolies' were properly looked after and where the death rate was not abnormally high only emphasised the significance of a good administrative system and brings out more clearly the evil which prevailed on the worst type of gardens. There is, indeed, abundant evidence of the contrast between the attitude towards labour of the genuine planters and that of the speculators who came in with the boom and went out with the collapse.  

Legislative Protection: — However, in those cases, where the 'coolies' required protection the Government and its officers had shown no reluctance to interfere and indeed many managers at that time complained of constant Governmental interference. The Bengal Act III of 1863 was amended in 1865 to provide better control on the administrative power of the garden managers and remove the scope of high handedness that was rampant in most of the gardens. Thus from the very early days Governmental control was considered necessary to compel the Estate Managers to render human treatment to their employees, specially the illiterate 'coolies' imported from outside to man the industry in Assam. We shall discuss about such legislative measures in the appropriate chapter. It may be sufficient here to note that even the foreign rulers of the time

5. Griffith, Sir Percival, History of Indian Tea Industry, pp 271, 376. Griffith observes, 'If the unscrupulous European adventurers who flocked to the tea industry during the boom of the sixties had continued to form an important element in the managerial personnel, circumstances would indeed have led to a reign of tyranny. Fortunately tea-garden managers in the last few decades of the last century were drawn from better class of society and so the system which grew up was a rule not of tyranny but of paternalism.
were fully aware of the inhuman conditions prevailing in some of the tea gardens resulting in frequent conflict between the labourers and the employers.

With the introduction of various legislative measures, the obligation of the employers towards the workers became statutory. Thus the old 'MA-BAP' relationship had, to a great extent, been replaced by settlements arrived at in tripartite conference and by collective bargaining. Except for isolated instances of violence here and there the position has gradually become peaceful. To appreciate this trend of development we may refer to important conflicts in chronological order.

Conflicts and causes:— No reliable statistics are available relating to disputes between employers and employees in the early years except for the frictions in the form of assaults and riots. The Assam Labour Report of 1887 records 106 cases of riots in 1884. From 1904 onwards, statistics of cases of rioting, unlawful assembly and the like were given in the annual immigration reports and they bear witness to a regrettable increase in such cases in the first two decades of the century. According to the Assam Labour Enquiry Committee of 1921-22, 141 cases of rioting and unlawful assembly occurred in the tea gardens in Assam between 1904-05 and 1920-21. The principal causes of these frictions and disputes were economic. Added to this was the growing consciousness of class interests and power of concerted action among the plantation labourers.

6. Assam Labour Report, 1887 p. 6
The first sign of such consciousness and power was seen at a tea garden in the Doom Dooma group of gardens in the Lakhimpur district (now Dibrugarh district) on September 6, 1920, when different sections of the labour force refused to turn out to work. It was soon followed by the serious rioting at Monabari and Helem Tea Estates in the Darrang district. The climax of these disputes was, however, reached in what is called the 'Chargola Exodus' early in May, 1921, when following a dispute 750 labourers walked out of a garden and were soon joined by labourers from different gardens of the Karimganj area. In a few days, 8,799 labourers out of total of 20,250 in different gardens of the district left work. Some of these disputes were accompanied by assaults, riots and lootings in which both plantations and Government officials were attacked. Of 167 labourers imprisoned for illegal assembly and riots in 1920-21, the majority were the victims of these industrial disputes. The number of labourers imprisoned for similar offences declined to 96 in 1921-22 and to 24 in 1925-26. In 1929, a number of strikes involving from 100 to 672 workers took place both in the Surma and Assam Valley and lasted from one to nine days.

The Monabarrie riots were clearly the results of hardship experienced by the 'coolies' as a result of the reduction of permissible ticca earnings and increase in the price of rice. Even in the case of Chargola exodus, to which was generally ascribed

8. Assam Labour Enquiry Committee Reports 1921-22 pp 6-20
10. Assam Labour Reports 1929 Parts I & II pp 2,3
a political cause, it was found that in many gardens the labourers were not earning a living wage before the exodus.\textsuperscript{11} Political influence, nevertheless was the secondary cause in this dispute. The main demand was for increased wages. On May 6, 1921 new rates were offered which amounted to an increase from 30 to 50 percent.\textsuperscript{12} But under the influence of certain unscrupulous persons some workers refused to accept this offer.\textsuperscript{13}

In Halem, on the other hand the trouble was largely the result of social and political propaganda in which German and other missionaries played a considerable part. In Doom Dooma justifiable complaints about the poor quality of rice issued appeared to have precipitated the trouble, but the Commissioner of Assam Valley arrived at the conclusion that the real cause was 'the failure of wages to respond to the enormous increase in prices.' It is difficult to defend this failure on the grounds of financial stringency, since the companies mainly involved paid dividends in the years concerned.\textsuperscript{14}

The Assam Labour Enquiry Committee arrived at a well-balanced conclusion that the garden coolies had suffered acute economic hardship for which they listened to the political or religious propaganda.\textsuperscript{15} Other local causes were, First, enforced work on Sundays coupled with an inadequate leave; Second, fines

\textsuperscript{11} Assam Labour Enquiry Committee Report, 1921-22 pp 6-20.
\textsuperscript{12} Assam Government Latter dated 5.6.1921.
\textsuperscript{13} Ibid p 3.
\textsuperscript{14} Griffith, Sir Percival, History of Indian Tea Industry p. 379
\textsuperscript{15} Assam Labour Enquiry Committee Report, 1921-22 pp 6-22.
for bad work, illegal deductions and withholding of wages by managers for keeping hold on the workers, and Third, short weights in measuring paddy, poor quality of foodstuff and high prices of food and clothing. The Government of Assam appreciated this position and asked the I.T.A. to prepare a standard rate of wages for each district. The I.T.A. agreed and took steps accordingly.

**Impact of War and Politics:** In the years immediately preceding the war some anxiety was caused by labour unrest, mainly fomented by agitators from outside the State. In 1937 politics began to impinge more regularly on tea garden life in Assam. Under the Government of India Act 1935, which came into force in 1937, tea garden labourers were allotted four seats in the Assam Legislative Assembly. The first election held in January 1937 aroused little interest on tea gardens. Political propaganda was organised intensively in the tea districts and for the first time the tea garden labourer was told that his views mattered. In the long run this kind of education proved to be useful as the workers soon learned to put up their grievances in the form of demonstrations, strikes etc.

The Assam Oil Company's installations at Ligboi was the focal point of such agitations and the spirit of the strike there in the year 1938 soon spread out to the tea districts of Upper Assam. In spite of non-interference from the local Government, the industry was well equipped to meet the situation created by this political awareness coupled with the impact of war. Emergency

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Committees were set up and a three-fold policy was laid down by the I.T.A. First, when a strike occurred, an enquiry committee consisting of senior planters appointed by the local branch of the I.T.A. to investigate the circumstances and to arrange immediate redress of genuine grievances. Second, in the event of an unjustified strike, the factory and the garden would remain closed and the manager would not discuss any question of alteration in tasks or wages until labourers returned to work, and Third, suitable publicity would be given to all cases of this kind.

Committee of Enquiry, 1939: The Assam Government constituted the Committee to find out the causes of strikes and other manifestations of discontent. At the beginning the I.T.A. welcomed the appointment of the Committee but on July 1, 1939, the Association declined to co-operate in the enquiry on the ground that the Committee members, especially the two non-official members, were indulging in anti-capitalistic propaganda. The enquiry was subsequently dropped altogether. By September, the situation automatically calmed down. When war broke out, the Congress Government went out of office and the possibility of stringent action under the Defence of India Act by its successor put an end to all types of agitations for the time being.

The Assam Valley now became fairly quiet although subversive activities were evident in the Sylhet district and in June 1940, the Government of Assam used their powers under the D.I.Act to prohibit meetings and processions. The situation rapidly improved, but strikes had now become a regular part of the apparatus of labour relations and the I.T.A. also recognised that the employees had a
right to strike and that there must be no discrimination against strikers or their leaders. The employers' Associations also suggested that the employers were entitled to expect that a settlement should be respected and the Association, therefore, recommended that if strike leaders continued to foment trouble after the settlement of the strike they should be dismissed and evicted, not as strike leaders, but as trouble-makers. Workers resorting to violence were to be dismissed and evicted. In practice eviction had for long been very difficult to carry out. Very often a dismissed trouble-maker remained in the garden. He is the focal point of discontent long after his dismissal.

The troubles of 1939 and 1940 had almost wholly been due to false and malicious propaganda although there were genuine reasons for grievances in some cases. The war put a check on all sorts of agitations and by 1941, relations between managers and labourers had returned to normal and the industry also took steps to screen labour from the effect of rising prices and the war projects also opened up profitable avenues of additional earnings. It was arranged in 1940 that the industry would report to the Government of Assam all strikes except the most trivial ones. The satisfactory labour relations of the later years is evident from the fact that in 1942 there were no strikes and in the three succeeding years, there were two strikes. The gardens in the North Bank of the river Brahmaputra were practically free from unrest during this period.
The following table shows this declining trend which exhibits a position of peaceful environment in the industry.

Table 67: Number of strikes in Assam Tea Gardens in recent years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of strikes</th>
<th>Number of cases settled locally</th>
<th>Number of cases referred for arbitration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1953-54</td>
<td>203</td>
<td>176</td>
<td>27</td>
</tr>
<tr>
<td>1961-62</td>
<td>14</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>1962-63</td>
<td>19</td>
<td>8</td>
<td>11</td>
</tr>
<tr>
<td>1963-64</td>
<td>8</td>
<td>Nil</td>
<td>8</td>
</tr>
<tr>
<td>1964-65</td>
<td>18</td>
<td>16</td>
<td>2</td>
</tr>
</tbody>
</table>

The record of strikes and agitations during the corresponding period among the staff members of tea gardens in Assam has also been more or less peaceful. The first such strike was in 1948 when the entire staff members of Hoograjuli T. E. in Darrang district ceased work upon termination of service of Sri G.C. Sarmah, who was then Secretary of the Circle and Head 17.

Clerk of the Tea estate. It lasted about a week. There were strikes in other units as shown in the table below.

Table 68: Number of strikes among staff members in Tea Gardens of Assam.

<table>
<thead>
<tr>
<th>Name of garden,</th>
<th>Date of strike</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chabua</td>
<td>25.6.1969</td>
<td>1 day.</td>
</tr>
<tr>
<td>Dhoedam</td>
<td>12.11.1969</td>
<td>2 days.</td>
</tr>
<tr>
<td>Langharjan</td>
<td>8.5.1970</td>
<td>4 days.</td>
</tr>
<tr>
<td>Makum Assam Tea Company &amp; Namdung Tea Estate</td>
<td>8.9.1973</td>
<td>4 days.</td>
</tr>
<tr>
<td>Dekhari</td>
<td>2.8.1974</td>
<td>4 days.</td>
</tr>
</tbody>
</table>

There was also a strike in the Jorehaut Tea Company gardens in 1966 lasting for one day.

**Influence of Trade Unions**: At the end of the war a more important phase of labour relations was seen to be at hand. Trade Unions soon came to play very effective role in the tea areas of the State and during the days of the great psychological upheaval involved in the Transfer of Power, which was also felt in the tea districts, the trade union leaders in Assam successfully led the illiterate workers in the right direction. The generally peaceful conditions now prevailing in the tea areas of the state is the direct result of such leadership. The garden managers also rapidly adapted themselves to the new circumstances. In the following section we discuss the growth of trade unionism in the industry in some details.

Section II: **Unionism in tea gardens**: Under the existing law, the expression 'trade union' includes both employers' and workers' organisations. While the employers' organisation in the tea industry has a very long history the workers' organisation has been of recent growth. But it is now realised that workers' organisations and employers' organisations have to play a complementary role. They have many common problems, particularly those involving communication between the organisation and its members, enforcement of discipline, education of members and the like. Employers' organisation can be registered as trade unions and indeed several are so registered. In what follows, whatever is said about trade unions of workers will also apply mutatis mutandis to employers' organisations.\(^{19}\)

**Workers' organisations**: Unionism among the workers has been practically non-existent owing to the fact the labourers on plantations were an incoherent and unorganised mass of workers'. They had no knowledge of the place and nature of their work, nor did they understand their relationship with their employers. They had been quite unable to take organised action for promoting their common interest. There were several difficulties in the earlier days to organise activities on the part of the workers. The first was illiteracy and ignorance. Second, the very composition of plantation workers made such combinations difficult. They were mostly recruited from the poorest and most ignorant classes of the people.

It is mostly their helpless condition rather than any spirit of adventure that led them to emigrate. Moreover, most of the labourers were recruited during a time of famine or scarcity. Third, the very nature of plantation industry in the State was detrimental to labour organization. Plantations being scattered over a large area there was scarcely any opportunity to the labourers in one garden to come into contact with those of others. Fourth, the condition of living had been another detrimental factor. Most of the workers used to live on the plantations and any strike on their part resulted in their eviction with their families. Fifth, the remoteness of the plantations from cultural centres including the places of industrial and political activities and the difficulty of labour leaders and political workers in entering plantations were also among the important reasons for the absence of sufficient activity on the part of plantation labourers. As a result of this backwardness of tea garden labour and its isolation from the main stream of political activity, trade unions in the tea districts of N.E. India had a comparatively late development. Sixth, precautions and vigilance on the part of the planter against any concerted action by the labourers were another important factor putting great hindrance to the growth of organized activities on the part of the labourers. Finally, the labourers were widely separated from one another by barriers of caste, language and religion. There was lack of sympathy and understanding for each other. Attempts at combinations were ruthlessly suppressed. Almost all planters were non-Indians. The wealth drawn from the tea gardens were being drained out for other purposes leaving the workers in extreme poverty.
In spite of all these difficulties, the feeling of cohesion and consciousness of class interest had been growing among the workers on various plantations specially during the third decade of the current century.

The Growth of leadership: The Sepoy Mutiny of 1857 awakened national consciousness making its impact in far away tea plantations also. As a result the Crown took over the rule of this country under the British Parliament. The Indian National Congress, the first national organisation of the country, took up the cause of these unknown and ignored sections of society. Even then Unionism among the tea labourers did not develop. But there was agitation against 'indenture' labour, a system of 'statutory slavery'. The Government had to yield and abolished the indenture system by amending the A.L.E. Act in 1915. Two important struggles by workers in Ahmedabad (1917) and Madras (1918) and the establishment in 1919 of the I.L.O. had their influence on the growth of labour movement in this country. The formation in 1920 of an All India Federation, viz, the All India Trade Union Congress was the result of these developments. While these events were taking place at the national level, the non-co-operation movement of 1921 awakened the Assam Tea Labourers also. There was large scale exodus of labour from some tea gardens. These developments were no doubt a stepping stone for the formation of well organised trade unions among the tea workers of the State.

There was a wholesale strike in 1920 in the Assam Bengal Railway running through the tea gardens where the first of the

industrial disputes took place and this paralised the entire Railway route for more than a month. C.R. Das, J.N. Sengupta, C. F. Andrews, and other prominent leaders of the country hurried to Chandpur and rendered their yeoman service for the cause of the suffering humanity. The consequent effects of the movement launched by Gandhiji were that the Government had to yield and amend the repressive laws. All India Trade Union Congress under the leadership and guidance of Lala Lajpat Rai, C.R. Das, Jawaharlal Nehru and Subhas Chandra Bose started the struggle and created a sense of awareness in the working class, since 1920. The passing of the Trade Union Act, 1926 gave formal recognition to the workers' rights and organised. It also encouraged the further growth of the movement later on.

The Royal Commission on Labour in India was appointed in 1929. As a result of its recommendations, the T.D.E.L. Act of 1932 was formulated to provide freer movement of labour, greater security to them and better administrative law. The Commission also stressed the need for the workers to combine and get out of inhuman conditions and constant exploitations. The Government of India Act, 1935, the Second World War, and the advent of Independence quickened the pace of growth of unions. The development of union activities in the tea garden areas of Assam had been particularly rapid after independence.

In the meantime splits and mergers became a common feature of the trade union movement in the thirties. By 1946, the AITUC

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came under the control of the group whose approach for securing better terms and conditions of work for labour and for settlement of disputes differed radically from that of other labour leadership in the country. When attempts to restructure the AITUC failed, those believing in the aims and ideals other than those of the AITUC separated from the organisation and established the Indian National Trade Union Congress (INTUC) in the year 1947.25

With the achievement of independence in 1947, the INTUC encouraged organisation of plantation workers and took up their cause. Almost all the tea workers of Assam are now under the strong control of INTUC. On the side of the employees, this is the most important organisation having control over the tea workers of the State and it is the birth of the INTUC in 1947 which paved the way for strong labour organisation in Assam.

Assam Chah Mazdoor Sangha (A.C.M.S.) :- During the initial years the Chah Mazdoor Sanghas were organised districtwise. A central organisation was set up in Assam, known as the A.C.M.S., on 8 November 1958 and registered under the Trade Union Act of 1926. Prior to this date, the I.N.T.U.C. (Assam Branch) acted as the regional union. With its Head Office at Dibrugarh, the organisation, designed to help its members through mutual help, understanding and assistance, is divided into 20 circles in the Assam Valley, on the line of division made by the I.T.A. known as the Circle Chah Mazdoor Sangha.26

25. Ibid.


27. Ibid p. 11 Section 19(a)
The Circle Chah Mazdoor Sangha has no controlling organisation of its own. They were sponsored by the leaders of the INTUC and are affiliated to the Central Organisation. Under the Circle Chah Mazdoor Sangha (C.C.M.S.) there are the garden units, functioning at the garden level and responsible to their respective circle unions for their activities. The Executive Committee at the Central Organisation consists of representatives elected from the different circles and they decide the policy of the organisation as a whole.

_Relationship between the Garden units and the Circle Unions:—_ Thus the garden units having been sponsored by the Circle union, the latter has direct control over the garden units and all the policies are guided by the circle. In many cases, it is found that the members of the circle unions are also members of the garden units and as such, in case of a grievance or a dispute, the circle unions take up the matter directly. The Central Union intervenes only when two or more circle unions are affected relating to the same nature of dispute. Actually the circle unions enjoy a great amount of autonomy and it is the leaders of the Circle Unions who guide the policies of the provincial head office. Except the President and the Secretary & of the Central branch, all other members in the Executive Committee and the general council of the Provincial branch are leaders of the circle unions. In many cases the circle leaders overrule the policies decided at the Central branch.

28 In the initial days it was also known as Circle Chah Mazdoor Sabha.
Cachar Chah Sramik Union (C.C.S.U.):— In Cachar there is a separate Union known as the Cachar Chah Sramik Union. With its head office at Silchar and affiliated to the INTUC, this is the most important single labour organisation in the tea gardens of the district and it works in close harmony with its counterpart in the Assam Valley. Under this central union are the garden units directly responsible to it. This union in Cachar is found to be one of the best working unions in the whole of Assam and it has so far been successful in joint discussions with the I.T.A. and the other associations of the employers in deciding the fate of the tea workers in the district. Moreover, this union has been given representations in all tri-partite discussions either statutory or voluntary.

Other Unions:— As the INTUC had, since the beginning, shared and supported the political outlook of the Indian National Congress, its popular image was identified with that of the Congress. When the socialist group broke away from the Congress in 1948 and formed a new political party, the socialist trade union leaders who were operating with the INTUC seceded from it and formed a new central union called Hind Mazdoor Panchayat. This organisation and the Indian Federation of Labour formed during the Second World War came under the title of Hind Mazdoor Sabha (H.M.S.) in the year 1948. Some splinter groups from the H.M.S. and the AITUC set up a separate organisation viz, the United Trade Union Congress (UTUC). 29

these different groups some tea workers in this State were also organised which only account for a small section of the tea labourers.

A.I.T.U.C. — The provincial branch of this organisation was set up as early as in 1924. It was once a potent labour organisation to be reckoned with functioning in the tea plantations in Assam. Later on it alienated the sympathy of the workers. It is now practically moribund or defunct. The name of the affiliated branch of this organisation functioning in Assam with its head office at Tinsukia is the Asom Chah Karmi Sangha. As a matter of fact the existence of this union in plantations is quite informal. The union is registered but not recognised and is functioning as a rival unit in the tea gardens with very insignificant number of members.

Hind Mazdoor Sabha — With its provincial head office at Dibrugarh, this was one of the most important labour organisations in the State and is now almost out of the field. Initially there were two district organisations under it working in the tea gardens. These units functioned in the two adjacent districts under the names Dibrugarh District Chah Mazdoor Panchayat (D.D.C.M.P.) and Sibsagar District Chah Mazdoor Panchayat (S.D.C.M.P.). The first unit in the then Lakhimpur district (now Dibrugarh district) had stronghold over the workers in Panitola, Kanjikhowa, Khemti Gowali, Borkheta and Dinjan T.E. garden committees and similarly the second unit had control over about six garden Committees in the Sibsagar district. At present its only unit with some amount of
activity functioning from Tezpur is known as the Chah Sramik Union. Except the garden units, this organisation has not been given representation in the tripartite discussion with the Government. The reason is that the INTUC has a very strong hold over the garden and moreover the garden committees, wherever they existed, are functioning as rival units.

Akhil Bharatiya Chah Mazdoor Sangha:— Beside the above the following labour unions are currently functioning in the tea areas of the state but with lesser prominence and activities.

Assam Valley:—(1) Akhil Bharatiya Chah Mazdoor Sangha (A.B.C.M.S) affiliated to the Centre of Indian Trade Unions (C.I.T.U.).

(2) Uttar Asom Chah Karmi Sangha (Independent)

(3) Chah Mazdoor Union, Assam, Jorhat, affiliated to C.I.T.U.

Cachar Valley:—(1) Surma Valley Chah Mazdoor Union (S.V.C.M.U.)

(2) Assam Bharatiya Chah Mazdoor Sangha, Cachar (A.B.C.M.S.C.)

Of these organisations the A.B.C.M.S., affiliated to the C.I.T.U., with its head office in Rangapara in the Darrang district and branch office at Hailakandi in Cachar, with a total membership of about 2400 in 1973, has been functioning since 1954. The Chah Mazdoor Union, with its Head office at Jorhat, is an another unit affiliated to the C.I.T.U.

The Uttar Asom Chah Karmi Sangha (U.A.C.K.S.) (Registered No 782) with its Head Office in Biswanath Charali in the Darrang district.

The writer is thankful to Sri Dhaniram Khosla, General Secretary of the A.B.C.M.S. for supplying these particulars on 4.3.1974.
district has functioning from the year 1975 as a rival unit opposed to the A.C.M.S.

Assam Chah Karmachari Sangha (A.C.K.S.): The above are the organisations of the unskilled labourers working in the tea gardens of Assam. But it is the formation of the staff union in April, 1947, styled as the Assam Chah Karmachari Sangha, which has inspired the growth of the labour unions of Assam especially the A.C.M.S. Its counterpart in Cachar, the Indian Tea Employees' Union for Staff, has also been registered in the same year.

Working class movement amongst the tea workers in Assam gathered momentum only after India gained independence. In the early stages trade union movement in the country grew, as it were, side by side with the national movement for independence and it could not make any notable impact on tea plantation workers living as they were at that time under despotic control of the then foreign masters mostly in the remote and isolated places cut off from the main current of national events and this was particularly true for the staff members of the gardens.

After Congress came to power in Assam following the election of 1946, the Assam Provincial Congress Committee formed a separate department for the organisation of labour and Sri D.C. Bhagwati, the present President of the INTUC, was put in charge of this new department. Sri Bhagwati convened a meeting of the labour workers where an organisation named 'Assam Banua Sangha' was formed, which ultimately resulted in the formation of the present A.C.M.S. In this conference it was stressed that an organisation of members of
the tea garden staff would pave the way for organising the labour. In pursuance of this decision, Sri J.N. Bhuyan came down to Tinsukia and held a meeting with about a dozen employees of the surrounding tea gardens. This meeting was held at the Tinsukia Congress Office on 9 February, 1947. Before the tea employees agreed to participate in the meeting, they were assured that the conference would be a secret one and the proceedings would not be made public until the union had been duly registered. In this meeting it was decided to form a trade union to organise the members of tea garden staff under the name of Assam Chah Karmachari Sangha (A.C.K.S.) and a constitution was adopted. An Executive Committee was formed with the following office bearers:

- Sri B.C. Bhagawati — President.
- Sri P.R. Dutta — Vice President.
- Sri J.N. Bhuyan — Secretary.
- Sri K.C. Handique — Assistant Secretary.

The Sangha was registered on 21 April, 1947.

All Assam Convention:— Jorhat Jilla Chah Karmachari Sangha came into being in May, 1947 and from there it spread to other areas. Sri Bhagawati wrote to this Sangha to organise an All Assam Convention of tea employees at Jorhat and accordingly a reception committee was formed. The Late Sri M.N. Sarma, then an employee of Jorhat Tea Company, became the Secretary of the reception Committee. The convention was held at the Jorhat Technical School on 28 and 29 December, 1947 under the presidency of Late Sri Omeo Kumar Das, the then Minister of Labour, Government of Assam. In this

convention, a momentous decision was taken to merge all district unions into A.C.K.S. and to strengthen the base of the democratic trade union movement amongst the tea plantation workers in the province. Sri Bhagawati was elected President and Sri J.N. Bhuyan and Late Sri M.N. Sarmah were elected as Joint Secretaries. A new enthusiasm gripped the tea employees all over Assam and the employees in their thousands joined the newly formed Sangh within the first half of 1948. By the middle of October 1948, came recognition. After this the history of the Sangh has been one of continuous growth. This is evident from its membership.

Table 69: Growth of A.C.K.S. Membership

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Members</th>
<th>Year</th>
<th>Number of Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>1947</td>
<td>523</td>
<td>1960</td>
<td>8,785</td>
</tr>
<tr>
<td>1948</td>
<td>7,300</td>
<td>1961</td>
<td>8,618</td>
</tr>
<tr>
<td>1949</td>
<td>7,100</td>
<td>1962</td>
<td>8,988</td>
</tr>
<tr>
<td>1950</td>
<td>7,012</td>
<td>1963</td>
<td>9,052</td>
</tr>
<tr>
<td>1951</td>
<td>6,762</td>
<td>1964</td>
<td>8,889</td>
</tr>
<tr>
<td>1952</td>
<td>7,043</td>
<td>1965</td>
<td>8,639</td>
</tr>
<tr>
<td>1953</td>
<td>7,311</td>
<td>1966</td>
<td>8,774</td>
</tr>
<tr>
<td>1954</td>
<td>7,427</td>
<td>1967</td>
<td>8,714</td>
</tr>
<tr>
<td>1955</td>
<td>8,052</td>
<td>1968</td>
<td>8,886</td>
</tr>
<tr>
<td>1956</td>
<td>7,856</td>
<td>1969</td>
<td>9,175</td>
</tr>
<tr>
<td>1957</td>
<td>8,019</td>
<td>1970</td>
<td>9,835</td>
</tr>
<tr>
<td>1958</td>
<td>8,243</td>
<td>1971</td>
<td>10,010</td>
</tr>
<tr>
<td>1959</td>
<td>8,504</td>
<td>1974</td>
<td>10,021</td>
</tr>
</tbody>
</table>

Organisational Setup: The organisational setup of the Sangha is as under:

General Council
1
Central Executive Committee
1
Circle Executive Committee
1

Garden Units

The membership of the Sangha is open to all permanent employees. With about 10,000 members the Sangha stands for more than 90 percent of the employees, thus serving the tea industry of Assam excluding Cachar where the Tea Employees' Union acts as its counterpart.

Three percent of the effective membership with members of outgoing Executive Committee and President, and Secretaries of the Circles constitute the General Council of the Sangha. The General Council enunciates policy, elects office bearers and controls the general affairs of the union. The Central Executive Committee, comprised of 22 elected members, 3 or 4 honorary members and 3 co-opted members, is the supreme functional authority and the General Secretary is the Chief Executive Officer of the Sangha.

Circles: The Sangha has 18 branches called the circles. Each circle operates in allotted jurisdiction and functions through a Circle Secretary who is answerable to the Executive Committee. A number of circles are grouped together under a Zonal Officer. There are 4 zones, two on the North bank of the river Brahmaputra and two
on the South bank. The Zonal Officers render necessary guidance to the circle officials in the settlement of disputes.

Thus the A.C.K.S. is an well-founded organisation in Assam and relationship between the garden units and the Circle units is the same as that of the A.C.M.S. The only difference is that over the circles there is the Head Office of the A.C.K.S. and the INTUC intervenes only when the Head Office of the A.C.K.S. refers the matter to the Assam Branch of the INTUC. The representatives of the A.C.K.S. as well as those of the Tea Employes’ Union of Cachar are given due recognition in the tri-partite discussions on the Government level.

Since its inception the A.C.K.S. has been rendering yeoman service to the staff members working in the tea gardens of the State. This is evident from some of the outstanding achievements of the A.C.K.S. during the first twenty five years of its existence. 33

Overview: With the growth of these associations the rights and obligations of the workers have taken a more definite form and thus certain procedures regarding the execution of works were established, with the result that relationship between workers and employers were more clearly defined. The machinery promoted as the methods employed for the purpose of ensuring the implementation of workers' obligations have been developed in such a manner as to meet the requirements of the type of work performed as well as to guarantee the efficiency of production. We shall discuss these methods in a subsequent chapter.

We, however, note that the tea workers have become conscious of their rights and responsibilities since independence and the following objectives aimed at by the different workers' organisations have greatly helped to boost up the morale of the workers at large. As noted by the National Commission on Labour, these are the Chief aims of these unions and associations:

1. First, to secure for workers fair wages.
2. Second, to safeguard security of tenure and improve conditions of service.
3. Third, to enlarge opportunities for promotion and training.
4. Fourth, to improve working and living conditions.
5. Fifth, to provide for educational, cultural and recreational facilities.
6. Sixth, to cooperate in and facilitate technological advance by broadening the understanding of the workers on its underlying issues.
7. Seventh, to promote identity of interests of the workers with the industry.
8. Eighth, to offer responsive co-operation in improving levels of production and productivity, discipline and high standard of quality; and generally,
9. Ninth, to promote individual and collective welfare.

Unionism is concerned with certain national objectives, like promotion of national integration by influencing the socio-economic policies of the community through active participation in their formulation at various levels; and instilling in their members a sense of responsibility towards industry and the community at large.

At the garden level the local units of the Central organisation are now functioning well. Generally a sardar or chowkidar is the

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President of the local union in a tea estate. There is also in each estate a Secretary and an Executive member. Local organisers appointed by the I.N.T.U.C. visit the estates from time to time under the direction of the Circle Union and render advice and help in regard to matters of organisation. The unions are recognised by the employers who also help the unit officials in raising the annual subscriptions from the general workers. Sometimes, the garden managers directly help in raising the subscriptions by regular monthly deductions from the employees' pay.

This practice, which is commonly known as the 'Check-off' system is criticised mainly on the ground that such effortless collection of the union dues make the union officials unmindful of their duties of looking to the grievances of the workers and such a system makes them more careless about the faults of the employers. In spite of such criticism, however, the National Commission on Labour in India does not disfavour this system in so far as this is confined to the recognised unions only. During the course of investigation also no such abuse of this system were identified by the present writer. It is instead, found that the workers' unions, both at the unit as well as the circle level, have been looking well after the workers' interests.

**Outsiders in unions** :- Under the Trade Union Act, 1926, any person not actually engaged or employed in the industry is deemed to be an outsider. Section 22 of the Act requires that ordinarily not less than half of the officers of a registered union shall

be actively engaged or employed in the industry concerned. Officers include the members of the executive. The Royal Commission on Labour considered this point and commented that 'in view of the desirability of securing that the members of a union take an active part in its work, we consider that two-thirds would be a more suitable minimum (for insiders)' 36 The workers' unions in India appear to adopt the argument of the union organisers that any one who has devoted his life to union work and has been a full-time union worker, whether he had ever worked as an employee in the industry or not, should not be treated as an outsider. While the Industrial Relations Study Group of the National Labour Commission emphasised the need for building up internal leadership, the Commission itself does not favour a legal ban on non-employees holding positions in the executives of the unions, which may run counter to Article 19 of the constitution. According to the Commission, whom workers should choose to elect as their leaders is a matter best left to the workers themselves. Any endeavour to dictate to unions the choice of their office bearers or leaders would be as much of an imposition from outside as the leadership of outsiders that is proposed to be eliminated by this measure. Thus it is recommended that the only fruitful line of approach is to concentrate on efforts on those measures which would help build up a strong leadership from within. 37

The National Commission on Labour suggests the following steps to strengthen the process of building up internal leadership. 38

36. Royal Commission on Labour (1929-31) pp 317, 331
38. Ibid p. 291
First, intensification of workers' education.
Second, penalties for victimisation and similar unfair labour practices.
Third, intensification of efforts by trade union organisations to train workers in union organisations.
Fourth, limiting the proportion of outsiders in the union executives as under:

(i) Below 1,000 workers the number of outsiders should not exceed more than 10 percent.
(ii) Between 1,000 - 10,000 workers 20 percent.
(iii) Above 10,000 workers 30 percent.
(iv) The permissible limit for industry-wise unions should be 30 percent.
Fifth, treating all ex-employees as insiders, and,
Sixth, establishing a convention that no union officer will concurrently hold office in a political party.

One special feature of the trade union activities in the tea gardens of Assam, however, is the non-election of women members to the executive of the organisation. Although almost all the female workers are members of this or that union by virtue of their regular annual subscriptions, they are mostly dormant members. It is necessary to elect them to positions of responsibility.

Employers' Organisations: As noted earlier, the trade union activities include also the activities of the employers' organisations. The employers' organisations in the tea areas of the state have been instrumental in guiding the employees serving therein. The
Planters had organised themselves for corporate activities from the very beginning. The most important of the Planters' associations in India were the Bihar Planters' Associations established in 1801, Indian Tea Association established in 1881 and the United Planters' Association of South India (UPASI) established in 1893. The UPASI also started a labour department with six divisional offices and agents throughout India.\footnote{Cotton, E.W.E., Handbook of Commercial Information for India, Calcutta, 1924, pp 31, 45.}

All these associations were originally organised for preserving their business interests. On the question of labour, they had a common policy. The Tea Planters' Association and the UPASI acted together in demanding uniform law and regulations for recruitment of labour, conditions of employment, and terms of contract. By their representatives in the Legislative Councils and also in the various Commissions and Committees appointed on the question of plantation labour, they influenced the policy of the Government towards labour. At times there were over-representation and in the early years of the present century there was agitation for the reduction of the representation of planters in the local boards. During the discussion on the Local Self Government Bill, 1914, attempts were made to curtail their over representation. But their representatives in the Assam Legislative Council assisted by bureaucracy which consisted mostly of Europeans found a community of interest in defending the preponderance of the planters.\footnote{Bao, V. Venkata, A Hundred Years of Local Self-Government in Assam (1967) p. 190.}

\footnote{Ibid.}
contended that the capital invested by the planters in the tea industry was 16 millions, that the area covered by it was 7,65,98 acres and that the labour force employed in it was 5,70,000. It was also argued that the representatives of the planters represented a large number of people who were not voters. On the average every planter member of a local board represented 9,000 persons, £3,00,000 capital and 6,000 acres of cultivated land. Finally, it was argued that the industry was responsible for the development of communications in the province. The Indian members of the Legislative Council, however, contended that the basis of representation must be relevant. Not merely capital invested but also population, land revenue, local rates paid or both must be taken as the basis of representation.

Thus it is apparent that in the early days the foreign planters formed their associations to augment their vested interests and they did not try to understand local feelings and aspirations. They lived in a world of their own and did not mix with the common men. Contrary to the argument that tea industry was responsible for the prosperity of the province, it was primarily concerned with the promotion of its own interests and incidentally with those of the province. After Independence they were deprived of their representation in the legislature.

42. A.L.C.P. 12.1.1928, Speech of Mr. Miller.
43. Ibid 15.3.1915, Speech of Mr. Paykir.
44. Ibid 12.1.1928, Speech of Mr. Miller.
These employers' associations have, however, been successfully helping the member gardens in all matters of administration and have been acting as the representatives of the planters in all Government bodies and committees. We give below a brief description of the principal employers' organisations in Assam. The area-wise control of these different organisations at the end of 1964 is given in the following table.

Table 70: Area-wise Control of Employers' Associations in Assam in the year, 1964.

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Membership area (in Hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.T.A. (Assam Branch)</td>
<td>99,239</td>
</tr>
<tr>
<td>I.T.A. (Surma Valley Branch)</td>
<td>14,204</td>
</tr>
<tr>
<td>T.A.I.</td>
<td>28,877</td>
</tr>
<tr>
<td>A.T.P.A.</td>
<td>21,667</td>
</tr>
<tr>
<td>B.C.P.</td>
<td>15,663</td>
</tr>
<tr>
<td>I.T.P.A. (Surma Valley)</td>
<td>7,361</td>
</tr>
<tr>
<td>Total (Assam)</td>
<td>1,86,991</td>
</tr>
</tbody>
</table>

Indian Tea Association (I.T.A.):- The Indian Tea Association, the oldest organisation representing the Tea Industry in India, was founded in 1881. It is a voluntary organisation, protecting and promoting the individual and collective interests of members by all means at its disposal. One of its chief functions is to regulate the terms and conditions of employment in the tea companies and their estates and to improve the conditions of labour. The I.T.A. is accepted by all concerned as the most representative organisation of tea industry, capable of expressing, with authority, the view of the

48. Compiled from reports published by the Associations under reference.
industry in all respect and its membership is open to proprietors, partnership firms, private and public limited companies and also sterling companies. The most important sterling interests of the tea industry in the State are represented by the I.T.A. at London and although there is no organic connection between the associations at Calcutta and London, there is close cooperation between them and majority of members of I.T.A. London are members of the association in India. The I.T.A. has two branches in Assam called the Assam Branch (A.BI.T.A.) and the Surmah Valley Branch (AVI.T.A.) and both these branches together represent more than 60 percent of the total acreage under tea in the State. Almost all non-Indian T.Es. and a few Indian T.Es. are members of this premier association.

**Tea Association of India (T.A.I.):** The Tea Association of India, formed in January, 1956, among the indigenous sections of tea planters, reflects the growing feeling among many of them of the need for a strong and well-knit association to represent their interests. After its inception, it is having increasing support from the industry. The Association is an all-India body and its activities extend to the whole of India and membership is open to all Indian tea estates. The T.A.I. has 65 member gardens in the Assam Valley and 55 member gardens in the Cachar district on 31.3.1971.49

Besides generally looking after the interests of the Indian tea industry, the Association also represents the case of its members before public bodies and tribunals and thus renders assistance in ensuring smooth administration at the garden level.

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49. Source: Association Reports for the relevant year.
Assam Tea Planters' Association (ATPA): This association was formed by the Indian garden owners and embraces under its membership 164 gardens as per details shown in the following table.


<table>
<thead>
<tr>
<th>Name of district</th>
<th>Number of gardens</th>
<th>Total Hectares</th>
<th>Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Naharlaghat</td>
<td>9</td>
<td>1195.46</td>
<td>2955.17</td>
</tr>
<tr>
<td>Tinsukia</td>
<td>16</td>
<td>1626.57</td>
<td>4003.86</td>
</tr>
<tr>
<td>Dibrugarh</td>
<td>15</td>
<td>2457.83</td>
<td>6095.65</td>
</tr>
<tr>
<td>Sibsagar</td>
<td>26</td>
<td>2597.43</td>
<td>6426.19</td>
</tr>
<tr>
<td>Jorhat</td>
<td>43</td>
<td>3710.35</td>
<td>9162.34</td>
</tr>
<tr>
<td>Golaghat</td>
<td>39</td>
<td>5234.32</td>
<td>12919.82</td>
</tr>
<tr>
<td>Nowgong &amp; Kamrup</td>
<td>8</td>
<td>1020.65</td>
<td>2524.49</td>
</tr>
<tr>
<td>Darrang &amp; North Lakhimpur</td>
<td>5</td>
<td>704.86</td>
<td>1741.06</td>
</tr>
<tr>
<td>Goalpara</td>
<td>3</td>
<td>740.90</td>
<td>1830.11</td>
</tr>
<tr>
<td>Grand Total</td>
<td>164</td>
<td>19288.37</td>
<td>47659.19</td>
</tr>
</tbody>
</table>

The difficulties of small tea gardens in Assam knew no bounds during the War when Assam itself was the spring-board for far east operations. The gardens and the members of the A.T.P.A. played their part in a noble manner and so did their workers. To feed the population when everything was difficult was a problem and they faced it fairly and squarely.¹⁵¹ Through the exertion and initiative


of Nabin Chandra Bordoloi, an association of the indigenous planters, known as Assam Valley Indian Tea Planters' Association, was brought into being in June 1935 at Dibrugarh. It was set up not with the intention of establishing a rival institution against some other long established and potent institution but was established as a long-felt desideratum of the local Planters. The then Assam Valley Indian Tea Planters' Association is today's Assam Tea Planters' Association with its Head Office at Jorhat.

**Bharatya Cha Parishad (B.C.P.):** This is another important organisation of employees with 128 member gardens as per district-wise division shown below:

<table>
<thead>
<tr>
<th>District</th>
<th>Number of gardens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dibrugarh</td>
<td>74</td>
</tr>
<tr>
<td>Lakhimpur</td>
<td>1</td>
</tr>
<tr>
<td>Sibsagar</td>
<td>30</td>
</tr>
<tr>
<td>Cachar</td>
<td>12</td>
</tr>
<tr>
<td>Kamrup</td>
<td>5</td>
</tr>
<tr>
<td>Darrang</td>
<td>2</td>
</tr>
<tr>
<td>United North Cachar &amp; Mikir Hills</td>
<td>2</td>
</tr>
<tr>
<td>Nowgong</td>
<td>128</td>
</tr>
</tbody>
</table>

Besides, the Association has one garden each as its member in the neighbouring states of Tripura and West Bengal.

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52. Speech of Mr. P.K. Barua as Chairman of the Reception Committee of the General meeting of the A.V.I.T.P.A. held at Dibrugarh on 28 October, 1936.

Consultative Committee of Plantation Associations: All the above associations have a Consultative Committee with its office in Calcutta which has the following constituent associations.

Indian Tea Association.
Assam Tea Planters' Association.
Bharatiya Cha Parishad.
Indian Tea Planters' Association.
Surma Valley Indian Tea Planters' Association.
Tea Association of India.
Terai Indian Planters' Association.
Tripura Tea Association.

and

United Planters' Association of Southern India.

This Central Unit ensures proper co-ordination in matters of general interest pertaining to the industry at its national level.

Problems of Employers' Associations: All problems pertaining to employers' organisations have their roots in the system of industrial relations at the national level. The national pattern has had its inspiration from the international pattern which we have absorbed from India's association with I.L.O. The chief objective is to involve workers and employers in a co-operative effort to increase production through collective bargaining in order to promote equitable distribution under mutually agreed terms and conditions of employment in consonance with Government's economic and social policies. The progress of such a labour intensive industry as tea depends on how happy and healthy are the relations between the employers and the employed and how solidly they are welded together through mutual understanding.
The trade unions often suffer from well-intentioned but misguided intervention by Government. The vital need of the day is a strong healthy trade union on the one hand and a well organised and progressive looking employers' organisation on the other hand. Both must be free from Governmental interference and should enjoy all immunities provided under the I.L.O. Convention No 87 on Freedom of Association. It is necessary that our Government gives the highest priority to the need of establishing strong trade unions enjoying complete freedom of association as envisaged in the I.L.O. Bible. Although our Government fully respects the I.L.O. Convention on Freedom of Association in spirit but, for technical reasons, it has so far, refrained from ratifying the Convention. Fortunately, there has been, so far, hardly any interference from the Government in the activities of the Employers' organisations. In order to enjoy and be eligible for such immunity, the employers' organisations should believe in their social obligations to the community in general and to the working classes in particular and should be ready to conform to the code of fair labour practices for achieving...

54. Tata, Mr. Naval, Speech delivered at the Annual General Meeting of the West Coast Employers Federation held at Cochin on 29 March, 1972.
(The lanters' Chronicle, May 1, 1972).
healthy and happy partnership with responsible trade unions.

For the development of healthy and stable industrial relations and to promote collective bargaining at different levels, it is necessary to stand together in establishing a strong organisation to be able to speak with one voice. This applies equally to the employees' associations, since the ultimate goal is identical. The ultimate need for the employers is to organise themselves in search of industrial peace in active co-operation with labour. With an understanding between the labour and management there will be no opportunity for a third party to interfere in their internal affairs.