Chapter IX: Welfare Administration.

Section I: Health and Sanitation.

Section II: Social Security.

Section III: Welfare and Education.
Chapter IX

Welfare Administration

The success of administration of a tea garden, to a great extent, depends on the successful implementation of the various welfare measures introduced from time to time. As Ex-President, V. V. Giri observes,

'While we are planning to increase our tea production and exports, we cannot lose sight of another important aspect of the industry and that is labour welfare. No industry today can justify itself if it does not address itself to the social and economic betterment of this important partner in the process of production.'

We discuss these measures here with relevance to the administrative policies of the industry in the State.

Section I: Health and Sanitation:—In view of the location of plantations in isolated and sometimes hilly areas, from the inception of the industry the employers recognised the need to provide certain amenities to their labourers. These included the provision of housing and medical aid. In many areas anti-malaria measures were undertaken at great expense to the employers. Some of these measures achieved considerable success and by 1950 they have become successful in eliminating malaria almost completely. In the early days disease found easy victims among the concentrated working force and accentuated its effects. As a result, in a number of regions, the enterprise either failed or was on the point of failure. Moreover, the change of environment in the case of

workers and their families coming from distant places had ill effects on their health; it lowered bodily resistance, opened the way for infection, especially among children and young persons. Conservation of the workers' health became of the utmost significance in the stabilization of the labour force and consequently in the success of the enterprise and the safety of the capital invested.

The creation of plantation communities consequently made it imperative for planters to provide some kind of health and medical services, especially when plantation areas were situated at long distances from the other health facilities and where new territories were opened up using a labour force completely unaccustomed to the climate. But the provision of such medical and health facilities, even on a primitive scale, was frequently slow to develop. Although careful attention to hygiene and sanitation, maternity benefits, pre and post-natal care and other measures have considerably reduced the death rate in the gardens. But even at present these measures do not seem to be satisfactory in many gardens.

**Medical facilities** :— Provisions had been made, under plantation legislation, for adequate treatment of labourers suffering from various diseases. The Medical Facilities Act VI of 1861 provided for the appointment of a Medical Officer for every garden with a labour force of more than 300 on the roll. It was often said that the workers did not take advantage of hospital facilities even when such benefits were provided free of cost. But this betrays the lack of proper facilities as where good and careful treatment was provided, there seemed to be no reason why indoor treatment should not have been more popular.
The Commission of 1868: According to this commission the requirement of the Act VI of 1868 had been implemented but the services of the 'native doctors' were considered unsatisfactory. European Medical Supervisors were considered necessary and the Commission proposed the division of the tea districts into circles, in each of which one European Medical Officer would be stationed, who would supervise the medical facilities rendered to the tea garden workers and would submit monthly sickness and mortality returns to the Government on the basis of which the Magistrates would be empowered to order managers to take action and to impose fines for default. This proposal for compulsory implementation of medical requirements, however, was not accepted.

Insufficient facilities: The first positive action in the direction of providing sufficient medical facilities to the tea estate workers thus failed due to lack of cooperation and the position continued without much improvement for the next four decades. It was felt that in spite of the medical attendance, there was a need for further extension of the service, especially for those who were living on lines. It was revealed by the fact that a large number of time-expired labourers resorted to Government dispensaries for treatment. In a number of cases, workers whose contract did not expire were also sent to these dispensaries for

2. Report on Labour Immigration to Assam for 1897, p.53. The report among others comments include the following remarks: "It is impossible to visit an estate without noticing the number of infirm persons who are supported practically by the charity of their employers".
treatment. In such cases, however, the expenses of food were borne by the gardens on which the contract workers were employed. This unfortunate aspect of labour conditions during this period is borne out by the fact that a considerable number of workers became infirm and destitute even after long service. Although considerable amount of sympathy were displayed by the great majority of planters towards labourers who had worn themselves out in the services of tea gardens, some planters were "shortsighted and unkind enough to turn such persons out of their gardens."\(^3\)

Gradual improvement: The labour Enquiry Committee of 1906 was impressed by the lowering of the death rate to 22.9 per thousand in 1904-05. Although the Committee did not make any direct reference to the medical facilities available, from other sources it is clear that a great advance had taken place. However, Captain Christopher and Dr. Bentley, who surveyed the position with regard to malaria in the Dooars in 1908, were critical of the medical conditions on tea estates in Assam. In 1910, the Government of East Bengal and Assam appointed the Dooars Committee under the Chairmanship of an I.C.S. Officer, S.J. Monahan which refuted many of the statements of the two medical officers as the conditions in 1920 was better than those in 1908. The Committee, however, pointed out the need of better medical facilities in the tea gardens of the province.\(^4\) In spite of such findings, however, the

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Government decided against further legislative measures. The Industry accepted these criticisms to improve the conditions and the application of new knowledge coupled with the constantly increasing interests taken by the employers improved the position and the mortality rates came down rapidly.

The Assam Labour Enquiry Committee of 1921-22 found the position generally good in the Assam Valley where many hospitals were found to have fulfilled all modern requirements leaving nothing to be desired. On the other hand, the Committee referred to a garden where the indoor hospital accommodation consisted of a temporary grass hut attached to a dispensary, and in the Surma Valley they attributed the unwillingness of 'coolies' to come into hospital to the fact that the accommodation was often of an inferior character. In the mean time the country improved in medical knowledge and the School of Tropical Medicine was opened in Calcutta in 1914 and new light on Malaria, Kalaazar, hookworm etc. were thrown. The I.T.A. contributed liberally to this institute and the tea gardens were benefited by the new research undertaken in the centre.

The Royal Commission on Labour in India (1928-29) found that the death and infantile mortality rates were lower on plantations than elsewhere in India. The Commission found the medical facilities in the progressive concerns to be of high

5. Ibid, pp 98-100
standard although these were found to be unsatisfactory in the smaller gardens, where the compounders were found to have taken the place of Medical Officers. The Commission also found that there were gardens in which no medical facilities of any kind existed. Regarding the necessity of medical care the Commission observed as such under:

'The health of the worker in plantation areas is a question of primary importance to all concerned. The plantation manager rarely fails to realise that; in carrying out the duty of conserving his workers' health, he is also serving his own best interests. Not only does a high mortality rate handicap production and reduce earning capacity, but experience has shown that it is easier to attract labour to, and keep labour on a healthy garden than on an unhealthy one where, for instance, malaria is rife.'

The Commission recommended the establishment of Central hospitals serving group of gardens. Further, lack of coordination and interchange of ideas between different gardens and between the Industry and Government, being the important drawback, the Commission proposed the establishment of a Health Board, financed by a cess and empowered to issue regulations with regard to the provision of health and medical facilities. This proposal was not implemented and in the subsequent years progress continued to depend on the voluntary actions on the part of the tea companies. However, the industry at that time was very health-minded and the progress was rapid. In the mean time the Assam

7. Griffiths, Sir Percival. History of Indian Tea Industry, p. 358
Branch of the Ross Institute of Tropical Hygiene was opened in the year 1930 under Dr. Ramsay as its first director. Dr. Ramsay, the then Medical Officer of Labac Central Hospital, was already famous by his malaria-eradication works started in 1925. This Institute had done commendable service in controlling this epidemic disease infesting the tea gardens of the state.

The Second World War and after: The impact of war was to slow down the progress for the time being. The Labour Investigation Committee pointed out that as recruiting was very expensive, it was realised by many planters that conserving the health of their labour was in their own best interest. The Committee also referred to the high death-rates in the Assam gardens as compared to the rest of the Province. In 1951, the death-rate was recorded to be between 26 and 28 per thousand by R.A. Gopalswami, who made a scientific study of the problem in the meantime.

The results of these surveys were that the Industry and the Government began to take a direct interest in the provision of medical and other welfare amenities to the plantation workers. In 1947 the I.T.A. started the initiative by requesting Professor Macdonald of the Ross Institute to inspect the medical facilities in the tea industry in Assam and to make necessary recommendations for their improvement. In the meantime, at a tripartite conference in New Delhi in January, 1947, the Government of India proposed a cess to be levied from which medical services in the tea gardens would be financed. This proposal was objected to by

the employers and ultimately it was decided that the Government would lay down standards and would insist on their observance.

**Lloyd Jones Report** :- Subsequent to the above decision, Major Lloyd Jones of the Indian Medical Services was deputed by the Government of India in 1947 to draw up standards for the medical care in the tea plantations in the state. The report with stricture submitted by Major Jones, which pointed out to the poor conservancy arrangements as well as the death of mothers on labour pain, had a stimulating effect. These strictures compelled companies with good hospitals to be less complacent and made the laggards slightly ashamed. From this report we get a general account of the medical facilities existent at that time. In the Surma Valley Jones found the general standards of health rather better, even though the standards of medical care were on the whole inferior to those in the Assam Valley. The reasons for better health conditions in the Surma Valley were the following:

**First**, the number of settled population working in the tea gardens were more in the Surma Valley.

**Second**, higher proportion of labour in the Surma Valley were non-vegetarians;

**Third**, labour in the Surma Valley were much more inclined to grow vegetables and keep cattle utilising the large plots of private land available to them in the district.

10. According to the report submitted by Major Jones for every thousand live births in the tea districts 29 mothers died.

11. Major Lloyd Jones 'Report on 'Standard of Medical Care for Tea Plantations in India."
Fourth, while the immigrant half starved himself in order to remit more money to their home district, the settled workers were more expensive to ensure a better standard of living and were willing to go to the hospitals more readily for treatment.

According to the report submitted by Jones the types of medical practice prevalent in the tea gardens were as under:

(1) Firstly, Medical Association financed by a number of Companies who employed a Senior Medical Officer to supervise the works of the Medical Officers or Asstt. Medical Officers working in the individual gardens;

(2) Private practice where the doctors had individual contracts with a number of Companies;

(3) Thirdly, the system where one Medical Officer supervised the medical facilities in all the gardens belonging to the same company.

All these systems were open to criticism on the grounds that the medical policies were, to a great extent, settled by laymen rather than doctors and one doctor might be concerned with gardens in which different policy on standards of health prevailed.

Although superseded by the P.L. Act subsequently this report suggested various measures stressing the fact that the availability of simple medical care was more important than the provisions of specialised hospitals. The second session of 12. Annual Report of the I. T. A. 1955.
the Industrial Committee which was held in 1948 endorsed Major Lloyd Jones' Report on 'Standard of Medical Care for Tea Plantations in India' and outlined the plans for medical care of plantations workers. By about this time, the Constitution of India was on the anvil with its provisions for a Welfare State and the Directive Principles of State Policy. These Constitutional provisions and the prevalent enthusiastic and ambitious idea of a Welfare State had great influence on the scheme and provisions of the Plantation Labour Bill which was placed before the Third Session of the Industrial Committee in 1950. The Act was passed in 1951 and its provisions were enforced in Assam from 1956.

The subsequent years had seen rapid improvement in medical facilities and in spite of economic difficulties the industry had been able to exceed the standards prescribed by Lloyd Jones and also by the Bhore Committee Report as shown in the table below:

<table>
<thead>
<tr>
<th>Coverage</th>
<th>I.T.A standards as at 31.3.1965 standards</th>
<th>Lloyd Jones Standards</th>
<th>Bhore Committee Standards</th>
<th>End of 5 years plan</th>
<th>End of 10 years plan</th>
<th>Long term plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospital beds</td>
<td>11.34</td>
<td>10.00</td>
<td>0.55</td>
<td>1.02</td>
<td>5.67</td>
<td></td>
</tr>
<tr>
<td>Doctors</td>
<td>0.60</td>
<td>0.40</td>
<td>0.05</td>
<td>0.09</td>
<td>0.62</td>
<td></td>
</tr>
<tr>
<td>Midwives</td>
<td>0.74</td>
<td>0.40</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td>Nurses</td>
<td>0.73</td>
<td>1.00</td>
<td>0.10</td>
<td>0.23</td>
<td>1.81</td>
<td></td>
</tr>
<tr>
<td>Compounders</td>
<td>0.55</td>
<td>0.40</td>
<td>--</td>
<td>--</td>
<td>0.23</td>
<td></td>
</tr>
<tr>
<td>Anti-Malaria</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td>Assistants</td>
<td>0.23</td>
<td>0.40</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
</tr>
</tbody>
</table>

13. Another important committee deciding on the standards of Medical Education and Medical care in the country.
The Associations' record is in fact, in many respects, in advance of the standards laid down by the Lloyd Jones and the Bhore Reports.

The endeavours of the tea planters and Government, only supplemented by the use of prophylactic medicines and mosquito killing insecticides, have almost eradicated malaria, the deadliest of diseases in the tea districts in North East India. The following figures pertaining to medical personnel, units and expenditure in Assam Tea gardens even in 1937 may be interesting and provide an insight into the industry's approach to this very vital human problem.\textsuperscript{15}

\begin{verbatim}
Number of medical personnel : 2,214
Number of Medical Units : 1,353
Medical Expenditure : Rs.45 Lakhs.
\end{verbatim}

The Plantation Labour Act,\textsuperscript{1951} - This Act has made elaborate provisions for the standard and quantum of medical facilities which were until then being provided to the workers on a voluntary basis. The Act provides for a well-equipped hospital with a minimum of 15 beds in for every 1,000 workers and other allied facilities in each estate. The tea gardens are also required to maintain dispensaries and First-aid boxes. The tea garden workers and their families now receive medical care to a greater extent than available to the people in other comparable walks of life. The Act has made it compulsory for the tea estates to have one qualified doctor, one mid-wife and one compounder for every 1,750 workers.\textsuperscript{16} These standards are remarkably

\textsuperscript{15} The Planters chronicle, January 15, 1974 p. 21.

\textsuperscript{16} Rules 35 through 43 of Assam Plantations Labour Rules, 1956, prescribed under Section 10 of the P.L.Act, 1951.
high in a country where the standard of medical facilities averages at one qualified doctor for about 5,000 people and one hospital bed for about 1,000 patients. It is a significant achievement that even these high standards have been exceeded in some gardens as would be revealed by the figures given in the table below:

Table 79: Standard of medical facilities in 1964 & 1972.

<table>
<thead>
<tr>
<th>Item</th>
<th>Standards laid down in the P. L. Rules.</th>
<th>Standards achieved by gardens in the membership of the I. T. A.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1964</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospital Beds</td>
<td>15.00</td>
<td>40.85</td>
</tr>
<tr>
<td>Doctors</td>
<td>0.57</td>
<td>1.34</td>
</tr>
<tr>
<td>Midwives</td>
<td>0.57</td>
<td>1.61</td>
</tr>
<tr>
<td>Nurses</td>
<td>1.43</td>
<td>2.06</td>
</tr>
<tr>
<td>Compounder</td>
<td>0.57</td>
<td>1.57</td>
</tr>
<tr>
<td>Anti-malaria</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Health Assistant</td>
<td>0.48</td>
<td>0.94</td>
</tr>
<tr>
<td>1972</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospital Beds</td>
<td>15.00</td>
<td>36.60</td>
</tr>
<tr>
<td>Doctors</td>
<td>0.57</td>
<td>1.89</td>
</tr>
<tr>
<td>Midwives</td>
<td>0.57</td>
<td>1.79</td>
</tr>
<tr>
<td>Nurses</td>
<td>1.43</td>
<td>1.46</td>
</tr>
<tr>
<td>Compounders</td>
<td>0.57</td>
<td>1.52</td>
</tr>
</tbody>
</table>

Although in the well managed gardens the industry's endeavours towards the objective of improving the health standard of tea estate workers have been commendable there is some salt in

the allegation that in some cases the better facilities already
existing in certain gardens have been reduced to the bare
minimum as per provisions of the P.L.Rules. In the less organised
sector which represents mostly the proprietary and Indian-owned
and managed concerns, the position is far less satisfactory. This
also applies to some very large plantations recently acquired by
Indian interests. These gardens generally do not implement even
the bare provisions of the P.L.Rules and in most cases avail of
the assistance from public hospitals and dispensaries and requis­i­tion the services of outside doctors and midwives when required.

Report of the Parliamentary Committee : 1960
Committee constituted by the Government of Assam to enquire on the
implementation of the P.L.Rules in Assam found the position
discouraging in some gardens. The Committee observed,

"We have found how some managers have failed
to make necessary hospital arrangement in spite
of their having quite spacious and fairly
good hospital buildings which could have been
brought up to the standard with very little
effort and expenses. We have also found how
some of the employers have done practically
nothing for the workers, although the crop
had doubled within recent years."  

20. Constituted by the Government of Assam vide Notification
No GLR 141/60/8 of 30.7.1960.
The following table indicates the position as recorded by the Committee.

**Table 80 : Medical facilities as reported by the Parliamentary Committee : Assam : 1960.**

<table>
<thead>
<tr>
<th>Standard</th>
<th>Number of gardens</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of beds</strong> :-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>At par</td>
<td>322</td>
<td>60</td>
</tr>
<tr>
<td>Below par</td>
<td>142</td>
<td>31</td>
</tr>
<tr>
<td><strong>Other arrangements</strong> :-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>At par</td>
<td>107</td>
<td>23</td>
</tr>
<tr>
<td>Below par</td>
<td>358</td>
<td>77</td>
</tr>
<tr>
<td><strong>Arrangement for Specialised treatment</strong> :-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>At par</td>
<td>201</td>
<td>43</td>
</tr>
<tr>
<td>Below par</td>
<td>264</td>
<td>57</td>
</tr>
</tbody>
</table>

The position in the Srunah Valley has been particularly distressing for the last 25 years when the expenses on medical heads are stated to have been systematically reduced. In Cachar some garden hospitals have been converted to dispensaries. Before the P.L. Act was passed there were Central Hospitals in different areas of the district which have now been withdrawn except the one at Labac but its services are now restricted to those estates only which have its membership. In fact there are very

22. Ibid, Annexure A.
few plantations in Cachar with satisfactory medical facilities.

S.L.C. Committees: The problem of medical facilities in the tea gardens in the state are regularly discussed on tripartite basis and as per provision of the P.L. Rules, the Government has also appointed a Medical Advisory Board to advise on the problems pertaining to the medical facilities to be provided in the tea estates. But unless the Employers co-operate in the right earnest these deliberations generally do not become fruitful. In the S.L.C. meeting the General Secretary of A.C.M.S. had submitted a memorandum regarding the abolition of hospitals and curtailment and denial of medical facilities. References were made to the Scottish Assam Tea Company, Kanan Devan Hills Produce Company, East India Company Ltd., Pabhojan Tea Company Ltd., Balimara Tea Company, Assam Frontier Tea Company Ltd., Doom Dooma Tea Company Ltd., Tingrai Tea Company Ltd. etc. where existing facilities were reduced and hospitals were amalgamated leading to reduction of existing medical facilities. The Medical Advisory Board where the question was raised in its 7th sitting held on 26 August, 1966, appointed a Sub-Committee to enquire into the matter, but it appears that it had not made the enquiry. In the meantime the reduction of cost in respect of medicinal facilities became an important supervisory duty of the Principal Medical Officers serving in a few well known Group Hospitals. The representatives of employers,

25. Ibid p. 3.
however, continued to deny the allegation of curtailment of existing facilities.26

To discuss all such problems the formation of local Committees on Zonal basis with the Assistant Labour Commissioners as Chairman was suggested on the 28th Session of the S.L.C. on 27 February, 1968.27 This decision does not appear to have been ratified in time and hence no timely action could be taken in this direction.28 It is, however, a considered decision that before any re-organisation or withdrawal of medical facilities could take place, there should be bi-lateral discussion between the parties. In case no agreement is reached, the complaint would be taken up by the conciliation machinery. This would be the second stage. The medical inspector should be associated in the discussion and his assistance might be sought for the extent necessary.29

Overview:— In fine we note that much has been done in tea plantations for the improvement in the health of the workers and from 1960 the medical facilities have also been extended to the worker's family also. But there is still considerable scope and need for improvement. In view of the costs involved and also for the various complicacies involved the matters may be sorted

26. Ibid, Speech of Mr. G.T. Allen, Adviser, I.T.A.
29. Proceedings of the S.L.C. 28th Session held on 27.2.1968. Speech of the Chairman giving the ruling as above which was accepted by the Committee.
out by a joint action as per above decision through pooling of resources. By common observation we note that the solution of the unsatisfactory medical facilities lies in the strict implementation of the Act and stringent measures should be taken against the defaulting management. For this, the present Act should be suitably amended. The following points might give a reasonable start to a programme of re-orientation in the other cases.

First, adoption of a uniform and comprehensive system of medical recording;

Second, the rationalisation of medical stock and treatment protocols avoiding the wasteful and harmful stocking of out-of-date drugs;

Third, the critical assessment of the present position of environmental hygiene on each estate, with a view to drawing up long-term plans to reach what seems to be the optimal objectives;

Fourth, an increase of orientation of medical services towards preventive medicine. The easiest facets to concentrate on are maternal and health services and immunisation programmes. The existing programmes in relation to these should be evaluated and possible improvement effected;

Fifth, the evolution of a system whereby the plantation doctors can speak with a common voice and become truly advisory to the management. The bestowal of executive status to the garden doctors in Assam is a right step in this direction. The possibility of regular meetings should be explored and also the question whether such ideas as a plantation industry branch of National Association of Occupational Health would be appreciable and helpful towards this end.
The Government, Industry and the Workers should unite to explore possibilities for improving the standards of medical facilities provided in the tea gardens. The Industry should be alive to its responsibility and to the fact that it is by being closely associated with the nation's aspirations and problems that it can remain a party to the national cause of building a new India free from want and disease.

Maternity and Sickness benefits: In the earlier days these benefits were accorded as per discretion of the managers. The Assam Labour Enquiry Committee of 1921-22 examined the position with regard to sickness and maternity leave. They found that on most of the gardens adequate financial assistance, generally in the form of leave on half-pay, was given to the sick, but in the matter of maternity leave the range of variation from garden to garden was very wide. At one end of the scale they found gardens which gave six months' maternity leave with full pay; while at the other end, there were gardens which confined their assistance to free meals in the hospital if the pregnant woman chose to go for them. Perhaps the majority of gardens occupied a mean position and gave three months' leave with pay.30

The system of voluntary help appeared to work well. This is evident from the fact that the garden managers in Assam could challenge criticism on this score. For example, in the Madras Mail of the 11 September, 1880, an article headed 'Legislative Abetment of Slavery' was published which among other things contained a

statement that according to the Civil Surgeon of Dibrugarh, the low birth-rate in Assam gardens was due largely to abortion which was resorted to because the woman was to work and, therefore, could not also look after a child. H.J. Lawrie, a garden manager of Assam, replied in the following words:31

"My knowledge of tea gardens in Assam is large, extending over a period of fourteen years, and I can safely say there is no garden where a woman is not given one month's leave before, and one month's leave after her confinement. For this period, she draws half-pay. This is the minimum amount of leave; on many gardens she is allowed to remain on leave as long as she is not strong enough to work.".

The Manager challenged the writer of the article to visit Assam, to stay with him, and to check the facts for himself. The challenge was not taken up. The position, as suggested by this correspondence might be good in certain well maintained gardens but in others there were great economic hardship faced by the female workers, even otherwise, which induced them to indulge in abortion through the help of professional women.32

It is, however, established that most managers had a genuine interest of the well-being of labour. Interesting evidence on this point is provided by a letter addressed by the I.T.A. to the Government of Bengal in 1938, when the Government contemplated the introduction of statutory maternity benefits on tea estates. The information contained in the letter was based on questionnaire issued to 228 estates, 179 of which replied. In all cases it


appeared that provision was made for the care of pregnant women, before, during and after confinement and in 166 gardens monetary benefits were also provided. It was established that much thought had been given to the needs of the expectant mother and to the desirability of anti-natal supervision.\textsuperscript{33}

\textbf{Assam Maternity Benefits Bill, 1944} :- In 1944 the Government of Assam introduced the Maternity Benefit Bill in the Assam Legislature which was supported by the employers' representatives on the ground that the practice of well-run tea gardens was in advance of that provided in the Bill. It is true that in some gardens the managers were even willing to pay maternity bonus provided the young mothers attended the hospitals regularly. The Labour Investigation Committee also referred to the prevalence of the practice of payments of maternity benefits with wide variations from garden to garden.\textsuperscript{34} The most general method recorded by the Committee was the usual weekly payment of about 8 annas to a rupee or so sometime before and after delivery. In some gardens, the woman was reported to have been given leave for three months and was paid her daily hazri. Some gardens were found to have been making lump-sum ex gratia payment. These benefits were rendered also on professional consideration that it was cheaper to facilitate the birth and growth of healthy children than to recruit the future labour force from distant provinces.


\textsuperscript{34} Labour Investigation Committee Report pp. 54-57.
Assam M.B. Act (Assam Act I of 1944) consolidated the rules. Under the Act, women workers were to be given maternity benefit for a period of 8 weeks at the rate of Re 1/- per week before confinement and Rs.1-4-0 per week after confinement. The total amount payable in each case was Rs.14/-; the balance of Rs.5/- being payable in two lump-sums, one on the day of delivery in respect of the period before the day of child-birth and the other on the day the worker reported for duty if the child was alive on that day. The Act also provided for free medical treatment and aid during the period of confinement, the qualifying period being 150 days' service during the period of twelve months immediately preceding the date of notice, provided that no such condition was imposed for immigrant women, if she was pregnant at the time of arrival in Assam.

The P.L. Act 1951:— The above rates had been increased subsequently. In 1949 the benefit was 11½ annas a day in cash together with concession food-stuffs for a period of 8 weeks. The P.L. Act changed the position and the Assam Rules framed under the Act provided for twelve weeks' leave with pay four weeks before and eight weeks after confinement. The rates of benefit were related to the minimum rates of wages and were not standardised. With the passing of the Maternity Benefit Act 1961, maternity benefit has come to be paid at the uniform rate of average daily wages for twelve weeks. The Act also makes it

35. Section 75 to 83; Assam Plantations Labour Rules, 1956 pp 19-22
The Industry in Assam has been making the payments of maternity benefits as per rules. The following table indicates the position during the years 1961 to 1964.

**Table 81: Maternity Benefits in Assam gardens: 1961 to 1964**

<table>
<thead>
<tr>
<th></th>
<th>1961</th>
<th>1962</th>
<th>1963</th>
<th>1964</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Confinements</td>
<td>--</td>
<td>44,763</td>
<td>45,137</td>
<td>43,709</td>
</tr>
<tr>
<td>Number of cases in which notices given</td>
<td>--</td>
<td>28,758</td>
<td>28,852</td>
<td>28,720</td>
</tr>
<tr>
<td>Number of cases where women worked for less than 150 days</td>
<td>--</td>
<td>1,507</td>
<td>--</td>
<td>1,646</td>
</tr>
<tr>
<td>Number of cases where women refused Medical Examination</td>
<td>--</td>
<td>--</td>
<td>507</td>
<td>242</td>
</tr>
<tr>
<td>Number of cases where permission to absent given</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Number of Claims paid</td>
<td>--</td>
<td>41,434</td>
<td>44,054</td>
<td>41,425</td>
</tr>
<tr>
<td>Number of Claims rejected</td>
<td>1,367</td>
<td>1,221</td>
<td>1,328</td>
<td>1,054</td>
</tr>
<tr>
<td>Number of women dismissed within 6 months</td>
<td>134</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Total amount paid(Rs)</td>
<td>41,54,920</td>
<td>40,22,886</td>
<td>39,48,090</td>
<td>50,06,941</td>
</tr>
<tr>
<td>Number of women dying before delivery</td>
<td>134</td>
<td>22</td>
<td>33</td>
<td>11</td>
</tr>
<tr>
<td>Number of women dying after delivery</td>
<td>294</td>
<td>235</td>
<td>209</td>
<td>67</td>
</tr>
</tbody>
</table>

The rates of payment has remained more or less steady.

In a garden employing 586 female workers, 89 women claimed and 36. Source of Information: State Labour Department.
received maternity benefit in the year 1973 and an amount of Rs.16,692.60 p was paid to them.\(^7\)

As per rules currently in force there is no restriction on the number of issues up to which maternity benefit is payable to the women in the tea gardens. This is an apparent contradiction to the family planning programmes introduced in the tea gardens to combat the growth of ever increasing population.\(^8\) But the maternity benefit is a social need introduced long before the campaign of birth control was launched and it is for protection of the mother and the child. This is introduced from the point of view of social necessity which cannot be withdrawn or restricted.\(^9\) However, frequent confinements leads to deterioration of both health and happiness and tells upon the efficiency of the working women. The table overleaf exhibits the effect of confinement on the health and working efficiency of women in the tea gardens.

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37. The writer is grateful to Sri D.R. Das of Julia T.E. for this information.

   Speech of Changmai, K. N. representing T.A.I.

Table 82: Efficiency of Working Women before and after confinement: \(^{40}\) (Average of 20 pluckers); 1973.

**Prior to going on maternity leave:**

Total Quantity of Green leaf plucked by 20 women in 30 days ... ... ... ... ... ... ... 4,478.00 Kgs.

Average Quantity plucked per head per day ... ... 7.43 Kgs.

Total wages earned by 20 women in 30 days ... ... Rs.945.26 P.

Average wage earned per head per day (On the basis of work without subsidy)

**During Maternity Leave:**

Actual Maternity Leave and Confinement ... ... 3 Months (12 weeks)

Total wage earned by 20 women in 12 weeks ... ... Rs.3,974.40 P.

Wages earned by per day per head ... ... ... 2.76 P.

**After joining service on expiry of maternity leave:**

Total quantity of green leaf plucked by 20 women in 30 days ... ... ... ... ... ... ... 2,252.00 Kgs.

Average quantity plucked per head per day ... ... 3.73 Kgs.

Total wages earned by 20 women in 30 days ... ... Rs.746.91 P

Average wage earned per head per day (On the basis of work without subsidy) ... ... Rs. 1.24 P.

This table shows the state of health and efficiency of the women workers after confinement and in the interest of their health and happiness it is necessary to educate them to go in for smaller number of children. We shall discuss about this aspect at the end.

\(^{40}\) The writer is grateful to Sri A.T.Sarkar of Singri T.E. for these figures.
of this chapter. Here we note that it is necessary to bring about an understanding of the problem by the workers by educating them on the subject. The provision of maternity benefit is necessary for the protection of the mother and the child and it should have no bearing on the family planning programmes. Financial compulsion cannot bring about the desired results.

Sickness benefits: In the matter of sickness benefits, too, there had been great variation in the traditional arrangements on different estates. Except for the problems of dealing with the malingerer the arrangement had been generally good. Rege reports of forcing work on sick persons by doctors apparently on the instruction of the managers not to encourage malingering and not to recommend leave very often.

We have already discussed the problems of sick leave in an earlier chapter. In case of sickness the workers were paid a sickness allowance at the rate of 9 annas 6 pies per day for adults and half their daily basic wage plus 2 annas for minors for a period of up to two weeks in a year. Besides the cash allowance, the workers were also entitled to existing food concessions during the period. The P.L. Rules, 1956 provided for 14 days' sick leave in a year with two-thirds of the wages, subject to a minimum of Re 1/- per day. This provision has subsequently been amended providing

for the payment of average daily wage during the sick leave of 14 days or the minimum of Re 1/- per day for piece-rated workers. This has been accepted by the employers although the representatives of the T.A.I. and B.C.P. objected on the ground of increased clerical works and the employees' representatives apprehended that this provision might be utilised by the employers to pay only the minimum of Re 1/- per day instead of Rs.1.26 and Rs.1.17 paid to the male and female workers respectively at that time. However, the apprehension has not come true and the tea gardens in Assam are found to be paying the sick allowances as per provisions of the Act. In a garden employing 1236 workers, 854 workers availed of sick leave during the year 1973 and a total amount of Rs.14,265.61 was paid as allowances to these sick workers.

Other amenities: The most important measures taken in some gardens to combat malnutrition had been the provision of cooked food to non-working children and mid-day and night meals to undernourished children. This provision, however, was limited only to a very few gardens belonging to non-Indian planters and such provisions were discouraged mainly on the ground that such feedings introduced an item of irresponsibility into the attitude of the parents. This practice is now almost extinct.

46. Particulars submitted by Sri D.R. Das of Julia T.E. at writer's request.
Creches: The provision of creches for infants of working women also have been the subject of much controversy. In regard to the provision of creches the Labour Investigation Committee observed as follows:\(^{47}\)

"Even though the industry employs a very large number of women, there are particularly no creches for children. Infants are generally taken by mothers with them while working in the gardens while toddlers are left behind in the lines in charge of grown-up children or old women. It was stated that creches were tried in a few gardens but were not popular and that in the conditions of garden life, they were probably not a very urgent necessity. This view is not shared by the planters in South India and there can be hardly any doubt about the desirability of having creches in the tea gardens of North East India also."

There does not appear to have been any marked improvement in regard to the provision of creches in the tea gardens of Assam in spite of the fact that the P.L. Act has made it obligatory to open up creches in every plantation employing 50 or more women for the use of their children below the age of six; the creche should be conveniently accessible to the mothers of the children and should be spacious (not less than 15 square feet of floor area for each child); the creche building should be of

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47. Labour Investigation Committee Report, 1946, p. 69.
48. Assam Plantations Labour Rules, 1956 Sections 46 to 49.
sound construction with a good plinth. It should be furnished with suitable furniture and cradle for each child below the age of two and provided with playing materials. It should also have a fenced shady open air playground for the older children and the creche should be in charge of a woman trained in the care of children. Provision has also been made for wash room and a latrines for the use of the children in the creches.

The parliamentary Committee, 1960, also found that the facilities provided on this score have not been very much encouraging. The Committee recorded the position as under.

Table 83: Creche facilities in Assam gardens.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Number of gardens</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existent</td>
<td>302</td>
<td>72</td>
</tr>
<tr>
<td>Non-existent</td>
<td>128</td>
<td>28</td>
</tr>
<tr>
<td>Arrangement in existing ones:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>At par</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>Below par</td>
<td>285</td>
<td>97</td>
</tr>
</tbody>
</table>

The position has not improved over the years to date. It is stated that there is no creche facilities in Cachar. Inconvenient location, lack of suitable feeding arrangements and experienced creche attendants have been stated to be the obstacles to the success of this experiment. The problems have been discussed.


in the S.L.C. and a Sub-Committee was also formed to look into the matter and proposals have been made for suitably amending the existing provisions to make them more practical and meaningful.

Creches in plantations are much more necessary than in the other industries for here not only the proportion of women workers is much larger but all grown up persons in the family are workers. At present, in most of the gardens, the way little children and babies are strapped to the backs of the women while they work, in fair weather and in foul, is a sorry sight. All gardens should give due importance to this aspect of administration. The Central creches should be supplemented with 'sattelite creches' with light equipments. The weighment shed in the gardens may be developed to accommodate the 'sattelite creche'. Creches without provisions for food is, however, meaningless. Generally no food is made available to the children lodged in the creches. A few gardens, however, allow solid food to the children, Zaloni, Deohal and K Dakhinhangera T.E. are notable examples. These creches are popular. There should be free feeding in the creches as a measure of social obligation and the creches should be made more attractive to workers.

52. Ibid, Speech of Scallon, H.W. Vice-Chairman of ABITA.
53. Ibid, Speech of the Chairman, S.L.C.
54. Ibid, Speech of Chairman, S.L.C.
Canteens: The P.L. Rules also provides for canteens in the tea gardens to serve tea and snacks to workers on a no-profit basis and for their prices to be conspicuously displayed. In spite of this provisions, only a few experimental canteens have been started here and there. The Parliamentary Committee recorded the position as shown in the following table.

Table 84: Canteen Facilities in Assam gardens: 1960.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Number of gardens</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>103</td>
<td>25</td>
</tr>
<tr>
<td>Non-existing</td>
<td>310</td>
<td>75</td>
</tr>
</tbody>
</table>

Arrangement in existing ones:

- At par: 10 (10)
- Below par: 93 (90)

(They are more or less Factory Canteens)

Though it is obligatory under the P.L. Act no tea estate in Cachar is reported to have provided canteen facilities to the workers. Most managers consider a proper canteen unsuitable in tea gardens for the following reasons:

First, unlike in factory industries, the workers live near by and can easily have their meals in their houses;

Second, again unlike in factories, they do not work in one


56. Report of the Parliamentary Committee constituted vide Assam Government Notification No GLR 1/1/60/8 dated 30.7.1960

57. Plantation Labour in the Assam Valley p. 62.
place and often the places of work are long distances apart and it will not be convenient for the workers to go to a canteen if it is located far from the place of work;

Last, but not the least, are the caste prejudices of the workers who will not eat or drink anything unless it has been prepared by their own castes.

In stead of providing suitable canteen facilities, once or twice during working hours the managements provide free liquid tea to the workers. No sugar, gur or milk is added but the infusion is salted. This may help the workers to control their hunger temporarily but the practice is not suitable by any standard. It is a function of good administration to honour the intentions of the legislators in providing for canteen facilities in the tea gardens. The distribution of food-stuffs should be de-centralised and not the cooking which could be done at one central place.\(^5\) For their effective implementation the P.L. Rules should be suitably amended as discussed in the S.L.C. meetings.\(^6\)

Sanitation: In the earlier days the sanitation of plantation labour involved a two-fold function -

First, sanitary provisions en-route from recruiting to labouring districts, and

Second, on plantations themselves, where the labourers were actually employed.

\(^5\) Proceedings of the S.L.C. 25th Session held on 5.5.1966, Speech of the Chairman.

\(^6\) Ibid, pp.9-10.
The plantations, as a rule were worked with immigrant labourers, most of whom in the beginning were under the contract system. The Government therefore, as a party to the contract system, had more than ordinary responsibilities for the health and safety of such labourers.

Sanitary Provisions: The regulation of recruiting and transportation of the intending immigrants was one of the chief aims of the earlier legislation. The Assam Labour and Emigration Act of 1901, as amended and modified up to July 1910, provided among other things sanitary arrangements for accommodating places, detention depots, and transporting vessels. The enforcement of these rules was entrusted to inspecting, medical and other officers. The facing map shows some of such depots opened for the immigrants en-route to Assam.

In spite of such provisions, the death rate among the incoming immigrants en route was very high. Swift steamship services were introduced in 1885 and out of 18,046 immigrants entering Assam Valley on that year, 15,503 or about 85 percent were conveyed to the ports of debarkation by daily mail steamers. Such accelerated services also reduced the death-rate among the immigrants entering the Surma Valley. The recorded decline in the death-rate was from 95 per mille to 52 mille in 1885. Although the death-rate was slightly more in 1892, due mainly to the outbreak of cholera, improved sanitary provisions led to gradual

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60. Assam Labour Report, 1885 p. 2.
improvement. These provisions have improved since 1863, when the first Plantation Act was enacted. By the Act of 1901 provisions were made for housing, drainage, drinking water and medical facilities. According to contemporary reports, both the hygiene and the comfort of the workers were attended to by the inspectors. In 1888 the Sanitary Commissioner reported that considerable improvement had been made in sanitary, medical, water-supply and housing facilities but his report was based on information personally collected by him from only a few gardens he himself visited.

The importance of proper latrine facilities in tea gardens was discussed as early as in 1884. But there was no much improvement on this point for the subsequent years and the Assam Labour Enquiry Committee commented on the backwardness of conservancy in the tea districts. As early as in 1917 the Sanitary Commission had issued a pamphlet calling attention to the substantial improvement which might be expected in the health of the labour force by introducing a system of conservancy.

Although the managers are still divided on the issue, experience has established beyond doubt the popularity of individual latrines in labour houses. Contrary to the prevailing notion, the Assam Labour Enquiry Committee, as early as in the year 1921–22, found the workers willing to take advantage of latrine accommodation.

63. Assam Labour Report, 1889, p. 64.
64. Ibid, 1891, p. 30.
and had noted that wherever the latrines had been provided the result had been accompanied by appreciable fall in the incidence of anaemia. Bucket, trench, aqua-privy and septic tank systems—these were the four different latrine systems prevalent in the tea estates of which the fourth system was considered to be the best. The third system although very convenient and sanitary, was very much limited in scope, being dependent upon the availability of streams and rivers. The first two systems were considered insanitary.

The Royal Commission in 1929, however, reported that in most plantations latrines were uncommon and it was opined that although it might be impracticable to have these dotted over a plantation for the use of working gangs, it should be possible to provide a sufficient number near house lines and in the vicinity of the tea factory. The Commission also observed that if suitable types were made available and were maintained in a reasonably sanitary condition, the desirability of using them could be brought home to the labourers. The Labour Investigation Committee, re-iterating the need of providing latrines, observed as under and cited the three essentials laid down by Lamprell and Ramsay.

66. Assam Labour Enquiry Committee Report, 1921-22, p. 97
67. Report of the Royal Commission on Labour in India, p. 410
68. Ibid.
"There are three essentials, the ignoring of any of which will, in all probability, result in failure of the system to become popular with the labourers. Firstly, the latrines must be properly constructed; Secondly, they must be introduced to the labourers with a convincing campaign of propaganda and education; and Thirdly, one latrine must be supplied to each household. The failure of labourers to use latrines as stated by some managers is due to the fact that all or some of the essentials mentioned above were ignored by them. It is no use constructing one or two bore-hole latrines on a garden with some sort of shelter over them and hoping for the best."

One reason advanced by several managers for not providing latrines was that in the plantation areas it was very difficult to find sweepers who would do scavenging work. 70

Controlling of insanitary conditions: A very effective method of controlling insanitary conditions on Assam gardens was to declare those gardens unhealthy or put on the 'black list,' on which there had been ten or more deaths during the year and on which death rates had not exceeded 70 per thousand. 71 No reliable data are available on the number of unhealthy gardens prior to the year 1880. In 1880, there were 48 unhealthy gardens out of a total of 1,055 or 4.5 percent. In 1884, the number of such gardens rose to 93 or 9.6 percent. 72 In 1888, a new recording system was introduced to count the death-rates on the basis of Act and Non-Act labourers separately. It was decided to declare a garden

70. Plantation Labour in Assam Valley, p.52.
71. Assam Labour Reports for the respective years.
unhealthy on which the average mortality either for the garden population as a whole or for the Act or the non-Act labourers taken separately exceeded 70 per thousand and the average annual death exceeded 10.73 This system raised the number of unhealthy gardens to 119 in 1889, which would otherwise have been only 69.74

The Government in 1891 directed the district officers to include in their annual reports a description of the unhealthy gardens and to indicate the steps taken to make them healthy. In spite of these remedial measures, when the number of unhealthy gardens rose from 119 or 12.2 percent in 1889 to 143 or 16.4 percent in 1892, the Government took immediate steps even by amending the existing legislation.75 In 1893 the Act of 1892 was amended to strengthen the control of the local administration over unhealthy estates and to enable local authorities more readily to enforce sanitary improvements on them.76 The orders were also issued by Government to the local officials to ensure implementations of the provisions of law. The local administrations were asked not to accept as valid excuse the argument that high mortality on gardens was due to the recruitment of unhealthy workers and not to accept the occurrence of epidemics as the cause of a garden's becoming unhealthy without due examination. Further regulations were also

73. Ibid, 1889.
76. Ibid, 1892, p.35; 1893 p.50.
made so that, as soon as the unhealthiness of a garden was established the coercive procedure of the Act might be put into force and, if necessary, the garden could be closed down to Act or other classes of workers. Steps were also taken to prevent wrong description of labourers as to the place of origin. The district officers were also empowered to order medical examination in the gardens wherever necessary and to summon a committee on his own motion to make recommendations as to the method of dealing with such gardens. Some modifications were also made by the Act of 1901 in provisions for health on plantations. As a result of these measures the sanitary conditions improved and in the year 1928-29 no garden was declared as unhealthy.

There is neither development nor deterioration during the next two decades and the remarks and observations of the Royal Commission and the Labour Investigation Committee regarding the conservancy measures have not been encouraging. In 1947, Major Lloyd Jones also pointed out that apart from immediate post war conditions the prime causes of the unsatisfactory state of affairs were poor conservancy arrangements.

The P.L. Rules 1956, framed under the P.L. Act, 1951 have provided for provision of Latrine and Urinal facilities and to provide for good drinking water to the tea garden employees.

77. Ibid, 1895, p. 81
Rules framed under Section 8 of the P.L. Act, 1951, every plantation has to make arrangements to maintain, at convenient places in plantations, sufficient supply of wholesome drinking water for all workers. The Rules framed under Section 9 of the parent Act require provisions of a sufficient number of latrines and urinals separately for male and female workers conveniently situated so as to be accessible to workers. The obligations imposed by law have led to improvements but some tea gardens are still lagging behind in providing these benefits. Before enactment of the legislative measures also, the well-run gardens used to provide these facilities. The 1906 Committee, for example, noted that the water supply was generally good and the 'coolie' lines occupied well-drained sites. Protected water supply has now become very common in the plantations in Assam. In a few estates, mostly belonging to Indian planters, the source of water supply is only wells and tanks, some of which are kutcha. In some gardens, it is found that the open tanks from which water is pumped to overhead tanks are not regularly disinfected. This is more dangerous than open-air sources.

The Parliamentary Committee in 1960 recorded the water-supply position in the tea gardens of Assam as per particulars

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given in the following table.

Table 85: Water-Supply Facilities in Assam gardens: 1960.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Number of gardens</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sufficiency</td>
<td>175</td>
<td>38</td>
</tr>
<tr>
<td>Insufficiency</td>
<td>267</td>
<td>58</td>
</tr>
<tr>
<td>Other arrangement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>At par</td>
<td>227</td>
<td>49</td>
</tr>
<tr>
<td>Below par</td>
<td>229</td>
<td>50</td>
</tr>
</tbody>
</table>

In the Surma Valley, in majority of the gardens, the supply of wholesome drinking water is stated to be extremely inadequate and in most of the gardens sufficient number of latrines and urinals of prescribed standard have not been made available.

Overview: The Industry should review the performance in providing the welfare measures to the workers at their own initiative so that the goodwill may be restored, wherever it is lost, paving for future improvements. Proper lighting arrangements accompanied with cleanliness in the labour housing areas will have a tremendous psychological influence on the workers as the workers naturally will hesitate to throw rubbish in clean premises. They would, on the other hand, have no qualms about it if the place were already dirty. After the initial expenditure for two or three years by the management the workers will become used to clean


surroundings and will themselves strive to keep the premises clean. Another contributing factor for the insanitary conditions in and around the workers' quarters is the putting up of cattle sheds adjoining to the workers' houses. In most cases the cattle shed built as a leanto to the workers' house naturally results in insanitary conditions. This is a matter where persuasion fails, measures of compulsion should be adopted by the employers. Some estates have provided common cattle sheds at a distance from the workers' houses and has made a rule that all cattle should be kept in these sheds. This is a practice which other employers should emulate.

Besides strictly enforcing the provisions of the P.L. Act through legal measures where necessary, the Government should take steps to classify the gardens according to their performance in respect of the welfare amenities provided to the employees and should provide suitable financial incentive to those gardens where the performances are found to be of a specified standard. We have seen above that the practice of declaring a garden unhealthy under certain circumstances followed by stringent measures against it had brought in good dividend in the old days. The practice should be revived now to put an effective check on the delinquent employers on this score. The Tea Board and the Nationalised banks should take cognisance of this welfare aspect while rendering financial assistance to a particular garden.

Family Planning: Closely allied to health and hygiene in the tea estate is the modern concept of family planning. We
review here the progress of this modern welfare practice extended to the areas of the State. As a result of measures adopted in this direction the birth rate in about 300 gardens in Assam is estimated to have come down to 22.7 per thousand in 1968. Within these gardens, there are circles and large companies that recorded a steeper fall of as low as 17 live births per thousand. In 1960, when the vital statistics were compiled for these gardens in Assam, the rate of birth among the resident population of 8,00,000 had been as high as 43.4 per thousand. The fall is vividly shown by the fewer births in each subsequent year. It has been calculated that if the 1960 birth-rate was applied in 1967, there would have been about 40,000 additional births in these gardens. Family Planning works in the tea garden areas of Tinsukia Sub-division is also reported to be very much encouraging.

The above reports show that there are ample possibilities to introduce family planning as an accepted way of life in the tea plantations of Assam specially because family planning is now widely accepted as a welfare measure. With the development of the society the views regarding population growth need a change and it is necessary to shift the emphasis to the conditioning of labour power to the more complex conditions of the present and future, and the trade unions should realise that like all power, manpower had also be kept in check. The trade union leaders and


85. Assam Tribune, 28.11.1975. This was the comment of the two member team of the Ministry of Health and Family Planning, Government of India visiting the area in November, 1975.
others have very particular and important role to play in the implementation of family planning programme launched by the Government, which is essentially a positive family welfare and health measure. Adequate facilities for family planning measures should be extended to the workers in all the gardens. It is good that the I.T.A. has been taking steps to offer financial incentives to workers undertaking family planning measures.

**Family Planning Education** :- The most important aspect of the problem, however, is to educate and motivate the workers to adopt the various family planning measures to restrict their family to ensure the building of a 'beaming tomorrow' for our progeny to come. To educate the workers is a fundamental problem of administration and we are tempted to make a thorough analysis of the problem. To prepare the programme of educating the workers we must take into consideration the fundamental characteristics which differentiate them from other industrial workers.

**Characteristics of tea garden workers** :- But for some improvements here and there the tea garden workers are not yet integrated linguistically and culturally into the larger society around them. They still maintain a distinct identity of their own. An average tea garden labour is illiterate, ignorant and fatalist with superstitious beliefs and guides his life accordingly. He is the easiest prey to all design of economic, political and religious

86. Chakravarty, R.N., Education Officer, Workers' Education Centre, Tinsukia, 'Workers' Problems in Assam-Perspective' Article published in Indian Worker, Independence day Number, 1975 pp 39-41.
exploitations surrounding him. By alone, he is a fool and coward, in group he is violent. Not reasons and logic but sentiment alone conducts his life. Jokes seldom provoke him to smile and laughter. Even after so much of thoughts and counter thoughts, the labour lines in most of the evenings, particularly on pay days and the days of rest is reverberated with shouts, odd anger and quarrels among family members or with neighbours and only on very rare cases with smiles and laughter. The pay-days and the rest-days are popularly known as 'PAGLADIN', meaning the licensed day of intoxication and of behaving as they like.

These are common to both men and women although the women are more shy than the menfolk. To talk about the sex is considered irreligious and sinful. The women generally do not open their mouths to anybody other than her family members, relations or fellow workers. They hardly come out to attend any meeting either of Trade Union or of any agency and still it is rare occasion for them to open their lips in such meetings. These are some of the undenying hard facts of their life which we must take into consideration while preparing the ground to educate the tea garden workers particularly regarding family planning measures.

Workers' attitude: We come across four groups of workers who are not adopting birth control measures.

First, those workers who are totally ignorant about such measures;

Second, those who have heard about it but not convinced of the utility of such measures;

Third, those who are convinced of the utility of the system
but have not been able to adopt them for various reasons, like non-availability of required facilities and fear of after effects etc., and

fourth, those who are religious fanatics, political activists and communal leaders organising virulent propaganda against family planning for their own sectarian gain.

The emphasis on population education and administrative handling of the personnel will definitely be different for the different groups and we should prepare the programme accordingly. The first objective should be to grow general consciousness among the workers and to make them aware of the horrors that may be caused if the population growth is not controlled. On the success of this campaign depends success of the personnel administration system in the tea gardens to a very great extent.

Section II: Social Security: The basic rights and responsibilities of individuals in society, as citizens, workers, parents, children as well as the protection to which they are entitled against risks of death, old age, illness, injury, unemployment, desertion, divorce are primary concern of social security agencies. The deteriorating condition of the tea garden population, their ill-health, ignorance, high infantile and maternal mortality among the workers, prevalence of malnutrition and lack of health and medical relief services and the sufferings of the workers from

many unforeseen calamities of life such as illness, invalidity, loss of employment or earning power are some of the reasons for which some form of security is necessary for the workers of this great industry. Maternity benefits, sickness allowance and medical care are social security measures which have been discussed in the previous chapters. The workers employed in the field and factory are covered by the Workmen's Compensation Act 1923, and are to that extent protected against the hazards of work.

**Workmen's Compensation:** Workmen coming within the scope of this Act are entitled to compensation from the employer in case of personal injury caused by accidents arising out of and in the course of employment, provided that the incapacity lasts for more than seven days and that the injury was not caused by the fault of the worker, except fatal accidents. As to the amount of compensation the Act distinguishes between death, permanent, total or partial disablement and temporary disablement and the rates of compensation vary accordingly. The Deputy Commissioners (and the Sub-divisional Officers by subsequent notification) have been declared to be the Commissioners under this Act and compensation cases are disposed of by them directly.

**Old-age unemployment benefits:** The above measures based on the employer's contributions are measures for security during the tenure of employment or when death is due to accidental injury while at work. But there are other provisions applicable to an employee when he leaves his job. Provident Fund, Insurance, Pension and the Gratuity schemes are notable in this respect.

**Provident Fund:** It was in 1954 that concrete proposal for a Provident Fund was considered in the case of the tea industry.
Assam. When conversion of rice concession was accepted the I.T.A. agreed to compensatory cash payment of 9 annas per day for Zones I & II and 8 annas per day in Zone III in Assam, with an understanding that one anna of this conversion would be treated as the employers' contribution to a P.F., if such a fund was introduced in the State. At a meeting of the State S.L.C. in June 1954 a decision was taken to introduce a P.F. Scheme for the tea garden labourers, the employers' contribution to which would be an additional burden. Early in 1955, the Government of Assam introduced the Assam Tea Plantations P.F. Bill, and the scheme was introduced on 12 September, 1955. Most of the tea companies had their own Provident Fund Schemes for clerical and other graded staff even before the introduction of a statutory scheme. But the lowest paid ordinary workers, the ordinary labourers were not entitled to P.F. The Assam Tea Plantations Provident Fund Scheme Act, 1955, for the first time made provisions for the framing of a compulsory provident fund scheme for labourers employed in the tea plantations in Assam. This ushered in a new era of socio-economic development for the tea-workers in the State of Assam. This scheme makes contributory provident fund obligatory for the workers and as such it ensured an enforced saving for the retired life of the workers. This very conception of savings, of whatever size it might be, started creating a sense of economic and social security and stability in the minds of the Tea Workers whose future so long was as bleak as it could be. The Assam Tea

Plantations Provident Fund Scheme has basically envisaged compulsory savings in the provident fund for every eligible tea worker ensuring a respectable and dependable purse at the time of retirement from service.

**Coverage**: The Scheme framed under the Act initially covered only adult persons residing in a plantation and employed in any kind of work, manual or otherwise, and getting wages directly or indirectly from the employers. The Act was amended in 1958 to cover non-resident workers as also the clerical, medical, and other staff. By another amendment of the Act in 1960, children and adolescents were brought within the purview of the Act. At present this Scheme covers all the Tea Estates in the State and all the Tea Workers excepting only a few very small units and those employees drawing emoluments exceeding Rs. 1000/- per month.

**Contributions**: Initially the employers were required to contribute at the rate of 6½ percent of basic wages and dearness allowance paid to the workers and employees were required to pay an equal amount. By an amendment of the Act in 1966, the rate of contribution was raised from 6½ percent to 8 percent of wages including all allowances. It was sought to give effect to this increased rate with effect from 1 January, 1966. But the employers objected to this on the ground of financial hardship as well as on the ground that an attempt to realise the arrear amount from the workers would result in labour unrest. Although the labourers

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89. Ibid, pp 16-17.
labourers were willing to pay the arrear in suitable instalments, the ultimate decision was to give effect to the increased rate of deduction with effect from 16 November, 1966, which enabled the employers to have about Rs. 41 lakhs and made the P.F. members lose by an equivalent amount of about Rs. 11/- per head. In the SLC the total financial implication of the proposal does not appear to have been discussed although it is claimed that the matter was discussed at length and finally it was agreed that the enhanced rate of P. F. would be given effect to from the date of notification.

Benefits under the Scheme :- At present the scheme, operating in 708 covered gardens (with 82 exempted) provides P.F. membership to about 4.5 lakh employees. The table overleaf indicates the progress of the Fund from inception up to the end of October, 1975.
Table 86: Progress of P.F. Scheme in tea gardens of Assam

(Collection and Payments: 1955 to 1975.)

<table>
<thead>
<tr>
<th>Year</th>
<th>P.F. Collection upto 31.10.1975 (Rs.)</th>
<th>P.F. Settlement upto 31.10.1975 (Rs.)</th>
<th>Investment upto 31.10.1975 (Rs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1955-56</td>
<td>2,23,33,847.35</td>
<td>1,44,089.66</td>
<td>1,12,97,061.00</td>
</tr>
<tr>
<td>1956-57</td>
<td>3,63,58,735.85</td>
<td>18,69,468.08</td>
<td>3,54,29,507.51</td>
</tr>
<tr>
<td>1957-58</td>
<td>3,06,83,946.91</td>
<td>46,55,423.10</td>
<td>2,56,41,875.26</td>
</tr>
<tr>
<td>1958-59</td>
<td>2,50,71,361.21</td>
<td>60,82,055.79</td>
<td>3,04,37,885.05</td>
</tr>
<tr>
<td>1959-60</td>
<td>3,58,06,124.00</td>
<td>61,40,428.10</td>
<td>3,59,42,289.51</td>
</tr>
<tr>
<td>1960-62</td>
<td>5,44,15,100.00</td>
<td>1,54,43,162.00</td>
<td>4,28,60,549.10</td>
</tr>
<tr>
<td>1962-63</td>
<td>3,76,34,519.47</td>
<td>1,29,00,630.00</td>
<td>3,71,64,171.14</td>
</tr>
<tr>
<td>1963-64</td>
<td>3,76,91,836.00</td>
<td>1,45,00,600.00</td>
<td>2,42,36,873.50</td>
</tr>
<tr>
<td>1964-65</td>
<td>3,78,50,410.05</td>
<td>1,55,34,673.00</td>
<td>2,22,43,639.00</td>
</tr>
<tr>
<td>1965-66</td>
<td>3,89,53,901.49</td>
<td>1,72,50,210.00</td>
<td>2,02,49,750.99</td>
</tr>
<tr>
<td>1966-67</td>
<td>3,89,98,973.00</td>
<td>1,98,67,017.00</td>
<td>2,42,00,000.00</td>
</tr>
<tr>
<td>1967-68</td>
<td>4,03,54,576.00</td>
<td>2,06,92,404.00</td>
<td>2,44,25,223.73</td>
</tr>
<tr>
<td>1968-69</td>
<td>4,18,70,504.00</td>
<td>2,16,82,273.00</td>
<td>2,16,91,985.00</td>
</tr>
<tr>
<td>1969-70</td>
<td>4,26,19,174.00</td>
<td>2,08,56,622.00</td>
<td>2,27,16,306.21</td>
</tr>
<tr>
<td>1970-71</td>
<td>4,48,94,810.00</td>
<td>2,17,33,630.00</td>
<td>3,31,65,250.00</td>
</tr>
<tr>
<td>1971-72</td>
<td>4,90,96,357.00</td>
<td>2,22,16,902.00</td>
<td>4,27,06,171.00</td>
</tr>
<tr>
<td>1972-75</td>
<td>17,56,13,578.77</td>
<td>7,20,13,288.35</td>
<td>13,25,15,662.00</td>
</tr>
<tr>
<td></td>
<td>80,02,47,756.00</td>
<td>29,35,82,240.00</td>
<td>58,69,24,200.00</td>
</tr>
</tbody>
</table>

Besides P.F., the members of the Scheme are receiving many other benefits through this saving such as (i) refundable advance for marriage and death ceremony in a member's family and (ii) non-

90. Compiled from Annual Reports on the Working of the A.T.P.P.F. Scheme for the respective years published by the Board of Trustees, A.T.P.P.F. Scheme. The figures for the years 1972-75 are collected from the statements enclosed to Letter No. PF/75/8428-38 dated 4.12.1975 addressed by the Secretary-cum-P.F. Commissioner of the Scheme to the various Labour Unions in the State.
refundable advance for (a) building of dwelling house, (b) payment of life-insurance premium, (c) purchase of shares for co-operative societies, and (d) subsistence when famine conditions prevail due to natural calamities and unemployment due to closure of gardens. On all these counts an amount of Rs.1,10,51,749.00 has been distributed among the members upto 31.10.1973.

It is important to note that final settlement of P.F. accumulation is effected with all promptness through the garden managers in the presence of garden Primary Committee constituted for administration of the fund at the garden level. Only in the case of resigned members, he has to wait for 6 months before his account is finally settled. The provision is intended to give some positive checks in the members' tendency to withdraw their name from the P.F. membership for early drawal of their accumulation. This puts up an effective control on the tendency of early withdrawal. The members of the Fund are paid interest at 4 percent per year up to the date of cessation of membership and in the cases of resignation, for an additional period of 6 months from the date of resignation. The surplus interest earnings derived out of investments as noted above is diverted to the Pension Fund.

Insurance: The Assam Tea Plantations P.F. Scheme is not limited to providing provident fund benefits only. Being aware of the fact that death of an earning member not unoften renders a dependent family utterly destitute, the Board of Trustees, the administrative organ of the scheme, introduced a novel scheme of Life Insurance.

in the year 1963 with a view to rendering protection to the family of the deceased member in such eventualities. While extending this additional benefit, it was ensured that no additional financial burden was put upon the member on that account. According to this Scheme the lives of Provident Fund members in the age group of 18 to 40 years are insured for Rs.1000/-, Rs.500/- and Rs.250/- in respect of clerical staff, male labour, and female labour members respectively at their option.

The salient features of this scheme are summarised as under:

First, a master policy covering the total risk involved in the operation of the scheme is taken out by the Board from the Life Insurance Corporation of India. This obviates medical examination or age proof of individual members and direct payment of premia by the employers, the premia being deducted from the credit balance of the insured member and paid to L.I.C.I. by the Board of Trustees.

Second, the claims on death are preferred by the Board of Trustees to the L.I.C.I. and promptitude in payment is ensured. In case he opts out of the scheme a member is entitled to a refund of 60 percent of the total premia already paid by him.

The payments of Insurance claims are made by the Board through the managers of the respective gardens.

The coverage and the progress of the Insurance Scheme from inception up to October, 1975 is as shown in the table given overleaf.
Table 87: Progress of the Insurance Scheme in the Tea Gardens of Assam: 1963-1975

1. Number of members insured ........ 1,80,471 members.
   Sum Assured ......................... Rs.7,00,49,875.00
   Amount of premia paid ................ Rs.2,57,80,549.00

2. Number of death claims settled ...... 8,147 members.
   Amount paid in settlement of death claims ...... Rs.24,29,580.00

3. Number of members to whom refund of premia paid .......... 18,399 members.
   Amount paid as refund of premia .............. Rs.16,70,918.00

From the above table it appears that there are more eligible workers not covered by the scheme so far. Every endeavour should be made to pursue the other members to join the insurance scheme in their own interest.

Pension and Family Pension: The Assam Tea Plantations P.F. Scheme provides for old age pension to the workers after retirement. This provision was implemented with effect from 2 October, 1967 covering the entire provident fund members. The Pension Fund was created by diverting the surplus interest earnings from the investment of Provident Fund Contributions. The special features of this additional social security measure are, First, no extra contribution either from the employer or from the employee is

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92. Compiled from the Annual Reports of the A.T.P.F. Scheme for the respective years and Letter dated 4.12.1975 from Secretary-cum-P.F. Commissioner of the Scheme addressed to the different Labour Leaders of Assam.
needed. Second, the benefits are in addition to provident fund and insurance benefits. Third, the scheme encourages the spirit of saving and inspires maintenance of good provident fund credit balances. It discourages frequent drawal of advances from provident fund and also discourages absenteeism as the quantum of pension depends upon the provident fund credit balance at the time of retirement or death.

The Pension scheme introduced in the year 1967 was revised in line of that of Government of India with effect from 1 April, 1972 to provide Family Pension to the family of a member in the event of his death while in service. This was yet another landmark in the welfare measures provided for Tea Workers of Assam under the auspices of the Assam Tea Plantations Provident Fund Scheme. Under this scheme also the usual Pension after retirement is granted at enhanced rates. The Scheme provides for the grant of Family Pension in the event of death in service. The benefits under the old pension scheme introduced on 2 October, 1967 continued to apply in respect of those members who retired or died prior to 1 April, 1972 while the revised pension scheme applies to those who retire or die on or after 1 April, 1972.

This new scheme comprises the Government of India's contribution at the rate of 1\(^1/6\) of the total wages of the provident fund members which works out at about Rs. 25 lakhs annually and the Board of Trustees' contribution towards pension fund from its undisbursed interest account which would be double the amount.
of Central Government's contribution. The Government of India has also agreed to bear the entire administration cost of the Scheme.

The salient features of the Family Pension are

First, Family pension @ Rs. 40/- per month for life or till remarriage and lump sum of Rs. 1000/- to the family of the deceased member who dies while in service with minimum two years' service. Second, Pension on a liberal scale for members who attain the age of retirement or on premature retirement after completing 5 or more years of membership in the provident fund, Third, additional interest at an enhanced rate in lieu of pension for those who do not complete a minimum of 5 years of membership in the Fund and Fourth, the Ex-member entitled to pensionary benefits has the privileges of commutation of the total pension admissible to him at 75 percent of the normal rate.

The coverage and the progress of the Pension Scheme upto October, 1975 is as shown in the table overleaf.
Table 88: Pensionary benefits to tea employees in Assam.


<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of claims settled</td>
<td>12,132</td>
</tr>
<tr>
<td>Monthly Pension paid</td>
<td>Rs.11,48,455.00</td>
</tr>
<tr>
<td>Yearly Pension paid</td>
<td>Rs. 7,39,929.00</td>
</tr>
<tr>
<td>Commuted value of pension paid</td>
<td>Rs.38,94,203.00</td>
</tr>
<tr>
<td>Additional interest paid</td>
<td>Rs. 17,161.00</td>
</tr>
</tbody>
</table>


<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Claims received</td>
<td>1029</td>
</tr>
<tr>
<td>Total Number of Claims settled</td>
<td>739</td>
</tr>
<tr>
<td>Total amount paid (Lump sum &amp; Monthly)</td>
<td>Rs.7,86,480.00</td>
</tr>
</tbody>
</table>


<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of claims received</td>
<td>2328</td>
</tr>
<tr>
<td>Total Number of Claims settled</td>
<td>1512</td>
</tr>
<tr>
<td>Total amount paid</td>
<td>Rs.6,20,070.00</td>
</tr>
</tbody>
</table>

All the Schemes together upto 31.10.1975.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of claims settled</td>
<td>47,892</td>
</tr>
<tr>
<td>Total amount paid</td>
<td>Rs.3,23,76,568.00</td>
</tr>
</tbody>
</table>

The information in this table are indicative of the benefits rendered to the retiring members of the scheme. But one distressing feature is the ever increasing number of pension claims submitted.

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Bhattacharjee, S.C., Secretary-cum-P.F.Commissioner, Board of Trustees.

for payment. To cite an example, more than 50 percent of the labour force of Cinnamora T.E. have availed of Pensionary benefits and consequently the membership in the P.F. have gone down from 1687 in 1967 to 860 in 1975. Thus there is a tendency to defeat the very purposes of these schemes as retirement benefits at ripe age. The Industry and the Union should be alert to this problem. Further the industry should not try to take advantage of this scheme to suspend any such existing benefits traditionally paid to their employees.

Board of Trustees: These schemes are administered by the Board of Trustees constituted by the State Government with the State Labour Secretary as its Ex-Officio Chairman. The cost of administration of the P.F. wing is met from a separate fund created by contributions by the employers @ 2.25 percent of the Gross P.F. Collection for the year. The cost of the Insurance Wing is met from the Commission earnings from the L.I.C.I. and the cost of the Pension Wing is met by the Government of India. The Board's Office furnishes the P.F. members with an annual statement of P.F. Accounts showing their P.F. accumulations except for occasional delay caused due to non-receipt of correct returns to be furnished by the gardens in time.


The Board of Trustees additives the scheme through the following chart the figure of brackets indicating the number of incumbents.

Title:

Secretary: (1)

Establishment:
- D.P.F.C. (Admin) (2)
- D.P.F.C. (Asset) (1)
- A.P.F.C.O. (2)
- A.A.O. (2)
- Administrative Officer (1)
- Registrars (1)

Insurance Branch:
- D.P.F.C. (Admin) (1)
- A.F.C.O. (1)

Petroleum Branch:
- D.P.F.C. (Admin) (1)
- A.A.O. (1)

Zonal Offices:
- (5 Offices)
- A.P.F.C.O. (Admin) (4)
- F.C.O. (5)
- A.F.C.O. (3)
- A.A.O. (2)

District Offices:
- (3 Offices)
- F.C.O. (5)
- A.F.C.O. (3)
The Officers of the Board are empowered to prosecute the employers for non-compliance with the provisions of the scheme and for non-deposit of P.F.dues in time. Besides the other establishment staffs, there are a number of Auditors at different offices who are deputed to the gardens for verification and reconciliation of accounts on the spot. The following table shows the number of prosecutions launched for non-deposit of P.F.dues in time.

Table 89: Inspection and Prosecution under the P.F.Scheme.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Inspection</th>
<th>Number of Cases filed</th>
<th>Number of Cases settled</th>
<th>Convicted</th>
<th>Pending</th>
</tr>
</thead>
<tbody>
<tr>
<td>1962-63</td>
<td>519</td>
<td>74</td>
<td>74</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1963-64</td>
<td>327</td>
<td>92</td>
<td>92</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1964-65</td>
<td>381</td>
<td>102</td>
<td>100</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>1965-66</td>
<td>353</td>
<td>111</td>
<td>111</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1966-67</td>
<td>360</td>
<td>113</td>
<td>97</td>
<td>-</td>
<td>16</td>
</tr>
<tr>
<td>1967-68</td>
<td>370</td>
<td>115</td>
<td>96</td>
<td>-</td>
<td>19</td>
</tr>
<tr>
<td>1968-69</td>
<td>369</td>
<td>109</td>
<td>81</td>
<td>-</td>
<td>38</td>
</tr>
<tr>
<td>1969-70</td>
<td>402</td>
<td>127</td>
<td>76</td>
<td>-</td>
<td>51</td>
</tr>
<tr>
<td>1970-71</td>
<td>368</td>
<td>121</td>
<td>70</td>
<td>-</td>
<td>51</td>
</tr>
<tr>
<td>1971-72</td>
<td>399</td>
<td>124</td>
<td>76</td>
<td>-</td>
<td>48</td>
</tr>
</tbody>
</table>

Conciliation and not contention being the basic principle of the Board in the matter of enforcement of the Scheme, the cases are filed only when all persuasions fail to realise results. The cases have been instituted mostly for non-deposit of P.F.dues in time and the cases have been settled outside the court on the

96. Compiled from the Annual Report on the Working of the Assam Tea Plantations Provident Fund Scheme for the respective years published by the Board of Trustees.
defaulting employers depositing the amount with interest and legal costs. Revenue cases under the P.F. Act and under Section 94 of the Assam Land Revenue Manual are followed by Criminal Cases U/s 7(2) of the A.T.P.P.F. Act and U/s 406/409 of the I.P.C. As per table above, two such cases resulted in conviction and the other cases have been compounded subsequently. As per latest available figure, an amount of Rs. 49,30,826.00 has been promptly realised by filing 193 revenue cases in different districts. The effective steps taken by the officers exclusively appointed for the purpose of the Scheme have resulted in smooth administration. As a result of timely steps taken, the total arrear provident fund accumulations is less than 1 percent of the gross provident fund collection made so far. The trend towards increasing default is being effectively dealt with by appropriate and timely measures.

Complaints against non-inclusion of some labourers as members of the Fund on the ground of their being casual workers are suitably dealt with by the inspecting officers of the Board. Complaints are also made against several plantations about deprivation of provident fund benefits by placing labourers under contractors. These are effectively dealt with by the local officials. It is of special importance to note that Provident Fund members themselves take part in certain matters connected with the fund. In every garden there is a Primary Committee represented by nominees of employees and employers. This Primary Committee's advice is taken into account while making advances to the members and also at the time of final settlement of provident fund accounts.
surely gives a sense of involvement to the members themselves in
the matter of administration of their provident fund at the garden
level.

The smooth administration of the Pension Scheme is hampered
leading to occasional delay in the settlement of claims for the
following reasons :-

(1) Ever-increasing number of pension claims necessitating
close verification at the garden level before payment ;

(2) The Pension Scheme provides that the Manager should
certify the Pension applications ensuring correctness of the claims
before forwarding to Board’s office for payment. But in utter
disregard of the clear provision of the Scheme and circulars, some
garden Managers often forward applications for family pension
as well as revised pension and old pension in respect of the same
member.

(3) The cases of double claims in respect of single member
are forwarded without any verification by some of the garden manage-
ers although as per rules Family Pension is payable only in the
event of death while at work whereas the Revised or Old Pension is
payable on retirement.

(4) Applications are often sent in defective manner and at
wrong addresses involving avoidable postal delay.

(5) Besides, there are occasional cases when the Manager forwards
applications of members still under active service.

Thus the Pension claims received by the Board’s office are
full of anomalies of all possible manner, requiring a thorough
check and re-check both at field and zonal offices and at garden
level. Such checking is imperative to guard against malpractices. It is natural that such a complicated process is time consuming. With the maturity of the Scheme since inception, the process of implementation is becoming more and more complex and the total volume is becoming larger. In spite of such difficulties the progress so far achieved by the Scheme is commendable. The garden managers should be in constant touch with the local offices of the Board and submit the claims correctly and as per rules. The Unions should come forward to educate the workers in proper utilisation of the benefits provided to them.

**Gratuity:** Although ex-gratia gratuity was paid by individual employers on the death of a worker or on disablement caused by accident, illness, etc., a regular gratuity scheme in the country was introduced only in 1957 under the Madras Settlement. The payment of Gratuity Act, 1972 (Act 39 of 1972) providing for payment of compulsory gratuity to the Ex-employees has been made applicable to the tea estates of Assam with effect from 16 September, 1972. According to the provisions of the Act the following benefits are to be derived by the ex-employees of a garden.

Gratuity should be paid to an employee drawing pay up to Rs. 1000 per month by his employer on termination of the former's services after he/she has rendered continuous services for five years with the Employer, either (a) on reaching the age of superannuation, or (b) on his/her retirement or resignation or

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(c) on his/her death or disablement due to accident or disease, provided that completion of 5 years' continuous service is not necessary where the termination of service is due to the employees' death or disablement. In the event of an employee's death, gratuity is to be paid to the nominee.

As per Act, for every completed year of service or part in excess of six months, the employer is required to pay the Gratuity at the rate of 15 days' wages last drawn by the employee on the date of termination. For the daily paid or piece rated workers, the average of total wages received by his/her during the preceding 3 months before the date of termination, but excluding over-time wages, if any, will be the basis for the computation of gratuity. The amount of gratuity at the maximum is limited to twenty months' wages.

After the obligation imposed under the Act the tea garden employees leaving service after 16 September, 1972 are being paid gratuity and the workers are benefited in that respect. The Labour Department is entrusted with the responsibility of administering the provisions of the Act. But the most important anomaly at the garden level is the lack of record of service of the general workers which is necessary for assessment of the gratuity payable to an employee. In absence of records the date of joining in the Provident Fund Scheme is conveniently taken to be the date of joining service although there are many workers in the tea gardens of Assam who are working from much earlier dates and the P.F. Scheme is operative only from September, 1955. The Government should arrange
for a special census in the tea garden areas and compel the
garden authorities to compile and maintain the service records
of their employees so that the deprivations currently faced by
the workers may be routed out at the beginning. This will also
enable the Government to constitute a Compulsory Gratuity Fund
in the line of Provident Fund.

Compulsory Gratuity Fund: Although the Gratuity Act is
a positive social security measure for the industrial workers
the uncertainty of non-payment when a particular industrial
enterprise goes out of business is still very large. To obviate
this difficulty the Government should constitute a compulsory
Gratuity Fund as per ideas indicated in the meantime. The
Government of Assam, which has already earned distinction by
successfully operating the Assam Tea Plantations Provident Fund
Scheme may take the lead by introducing a legislative measure
either under the style 'THE ASSAM INDUSTRIAL EMPLOYEES'
GRATUITY FUND ACT' covering all the private sector industries of
the state or 'THE ASSAM TEA GARDEN EMPLOYEES' GRATUITY FUND ACT'
covering only the tea gardens and on the basis of
simple arithmetic a Scheme under such an Act appears feasible
which will not only bring a sense of security but will also
help the Government in solving the problem of unemployment in the
state to a certain extent. Such a scheme for the tea employees

will be easy to operate in Assam. The approximate yearly financial transaction on such a scheme calculated on the basis of P.F.membership will be as under (given in nearest round figures):

**Total Annual Wages paid to the permanent employees in the tea gardens of Assam**: Rs.28.5 Crore

**Total Gratuity payable for one year**

- (15 days' pay) : Rs. 1.15 Crore
- Yearly Payment of gratuity for One year of inception of the Fund (calculated for 20,000 outgoing employees per year) : Rs. 0.12 Crore

**Net balance for investment etc.** : Rs. 1.03 Crore

If the Gratuity Fund is created from any particular year the total payment to an outgoing employee is 15 days' pay for the current year plus an amount equal to maximum of 19 months' pay or wages for every completed year of service prior to the creation of the Fund. The liability of the gardens for the previous years should be assessed and they should be allowed to deposit the same in suitable instalments along with the dues for the current year. The Government should take over the responsibility of payment. This will not only help the workers with security and the Government with investable money for other works but will also help the employers in discharging their welfare liabilities in a better way as the total financial liabilities for them will not be more than the usual amount of gratuity payable by them under existing rules.
During the initial 5 years of the Fund the administration should be entrusted to an existing body who will receive applications from the out-going employees through his employer and after calculation direct the garden concerned to pay the arrear in respect of the employee (excluding the portion which is already paid in instalment) within a stipulated period of time so that the account may be finally settled after adding the dues payable for the current years (i.e. from inception of the Gratuity Fund). Within the initial period of five years the arrear instalments should be recovered so that all payment may be channelised through a Government or Government sponsored body from the sixth year of operation of the scheme. This will also ensure a positive check on the tendency of some workers to leave services without valid reasons and this will also help the workers to get rid of the possible deprivation arising out of their ignorance about the rules and regulations of the scheme as the Controlling Officer will always act as an adviser to the workers in this respect.

Unemployment benefits: The hazards of unemployment through lay off or retrenchment is covered by the provisions of Chapter V-A of the I.D. Act, 1947. The I.D. (Amendment) Act, 1953, which provides for compensation to workers in the event of lay-off or retrenchment was extended to plantation workers with effect from 1 April, 1954. Compensation for lay-off is paid equal to 50 percent of the basic wage and dearness allowance and for retrenchment equivalent to 15 days' average wage for every completed year of service.
Overview: State Security is now considered in all advanced countries of the world as an indispensable chapter of the national programme to strike at the root of poverty, unemployment and disease. The existing social security measures should be properly expanded to provide more benefits to the tea garden workers and a scheme of Unemployment Insurance should be initiated with proper planning. It cannot, however, be taken for granted that the Government will be in a position to undertake very large investment in this field as the extent of any social insurance schemes and programmes for expanding amenities must be governed by the stage of our general economic and social progress. Nevertheless, seeing that plantations are sometimes subject to heavy taxation and thus contribute to the State revenues, it would seem logical that the State should play its part in providing amenities and services even though these may be on a small scale and on a selective basis for the time being.

We should note that social security is one of the essential and basic institutions of a developing society. Like all living institutions it must continuously adjust to changing conditions. The way in which it adjusts will affect the form of future problems and future needs. The challenge that is presented to us is to find ways in which increased social security protection, particularly social security protection for women, can be shaped to give support to the general goals of increasing self-dependence and self-realisation for women and for men in general and the tea workers in particular.
Section III: Welfare and Education: We discuss here the problems of general welfare and education in tea gardens of Assam which have a direct impact on the personnel administration system prevailing in the industry.

Voluntary Organisations: Over and above the statutory responsibilities of the employers to provide various amenities to their workers, there are also other welfare activities which are carried on through non-official organisations, State Governments and to a certain extent by Trade Unions. In Assam backward status of the plantation labourers also attracted the attention of certain non-official welfare organisations which sought to provide a measure of welfare for their benefit. The Assam Government had been giving grants-in-aid to these non-official organisations and in the year 1965-66 the following financial grants were given to such voluntary organisations:

- Rowroihai Labour Welfare Training Centre, Jorhat - Rs. 24,800
- Assam Tea Welfare Board for running Labour Welfare Training Centres - Rs. 26,000
- Kasturba Gandhi National Memorial Trust - Rs. 21,000
- Hindusthan Mazdoor Sevak Sangha - Rs. 35,000
- Assam Seva Samiti - Rs. 66,000

Total: Rs. 1,72,800

The Tea Board: Financial assistances are also rendered to these organisations by the Tea Board which fosters welfare activities in the tea areas of the country. The Government of India under Section 12 (5) of the Tea Act, 1953, conveyed their
approval to the constitution of a Labour Welfare Committee of the Board as a Standing Committee with four representatives each from the employees and employers with the Chairman of the Board as its chairman. The Board has spent these amounts on welfare activities in the tea areas of the State, during the years under reference.

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1963-64</td>
<td>Rs.6,19,756.00</td>
</tr>
<tr>
<td>1964-65</td>
<td>Rs.4,25,777.20</td>
</tr>
<tr>
<td>1965-66</td>
<td>Rs.3,82,399.02</td>
</tr>
<tr>
<td>1971-72</td>
<td>Rs.14,04,675.00</td>
</tr>
</tbody>
</table>

Community Centres: Under the several five years, the Government of Assam have also established more than twelve Community Centres with a view to organising welfare activities among plantation labour. Vocational training courses and recreational activities are carried on in these centres. Adult education, organisation of holiday homes, provision of labour hostels etc. are included in the planned programme. The A.C.M.S. and the Assam Branch of the I.N.T.U.C. have also taken considerable interest in welfare work and at least two welfare centres have achieved a measure of success.

In some plantation areas, hospitals, schools and churches have been established through missionary activities. The employers too, do not wholly limit their welfare activities to statutory

responsibilities. Free feeding of children, free exhibitions of Jatra and Cinema shows, organisation of religious and cultural functions, games and sports, promotion of environmental hygiene, financial and other assistance in aid of grow-more-food campaigns etc. form part of their normal activities in the well managed gardens.

Labour Welfare Board: This board was set up in the year 1952 on a tri-partite basis with the following members:

1. Labour Minister, Assam, Chairman.
2. Labour Commissioner, Assam, Secretary.
3. Two representatives of the I.T.A.
4. One representative of Hindusthan Mazdoor Sevak Sangha.
5. One representative of Assam Seva Samity.
6. One representative of Kasturba Memorial Trust.

The purpose of giving representation to the voluntary organisation was that these organisations were functioning in Assam and provided welfare to the workers even before the constitution of this Board. They were experienced in this line and the Government considered that experience would help in framing a scheme for the welfare of the tea workers in the State. Thus the wisdom and experience of the workers in the voluntary organisations were exploited for the successful operation and implementation of the various schemes initiated by the board for furtherance of the general welfare of plantation workers.

100. Ibid, p 58.
This Board was set up to provide welfare scheme in the tea estates. But except opening a few welfare centres, at the initial stages of its operation, the Board could not do much work due to the constant conflict as to who should run the centres. The Government of Assam entrusted the task of administering the welfare scheme to the voluntary organisations. But the I.N.T.U.C. representatives argued that they should be entrusted with the task and as such the Board could not decide effectively regarding the welfare measures of the workers. The I.N.T.U.C. pursued a policy of non-co-operation, but continued to be members of the Board. However, the Government put more weight on the opinion of the unions and had the INTUC extended their co-operation the various schemes would have come out successful.

The Government of Assam put forth a scheme before the Board, the cost of which came around Rs. 6 lakhs and assured that the scheme would be implemented as soon as funds were available as per estimate given below:

Table 90: Estimated cost of Welfare Scheme 1951 to 1956.

<table>
<thead>
<tr>
<th>Year</th>
<th>Recurring Expenditure</th>
<th>Non-recurring Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1951-52</td>
<td>Rs. 17,290</td>
<td>Rs. 54,400</td>
</tr>
<tr>
<td>1952-53</td>
<td>Rs. 78,565</td>
<td>Rs. 81,600</td>
</tr>
<tr>
<td>1953-54</td>
<td>Rs. 1,22,550</td>
<td>NIL</td>
</tr>
<tr>
<td>1954-55</td>
<td>Rs. 1,22,550</td>
<td>NIL</td>
</tr>
<tr>
<td>1955-56</td>
<td>Rs. 1,22,550</td>
<td>NIL</td>
</tr>
</tbody>
</table>

Under the scheme the amount was to be spent in providing adult education to men and women, primary education to children of the workers, setting up of a central hospital, reading room facilities, provision for outdoor and indoor games, cinema shows, theatrical
performances, free medicines etc. In 1952, the Tea Board granted a sum of Rs. 2 lakhs from the tea cess on the request of Assam Government for welfare measures, but we find that nothing substantial had been done due to the constant conflict between the I.N.T.U.C. and the voluntary organisations.

**Welfare Centres** :- However, as per decision of the L.W.B., in order to implement the scheme, 19 welfare centres had been opened in the tea garden areas of the state. These centres are rendering useful services furthering the cause of good administrative structure in the industry. The workers, specially the women workers, trained in these centres may offer their helping hand to the management in administering their workers peacefully.

**Training and Community Development Centres** :- Elaborate provisions have been made in the P.L.R. Rules to provide welfare to the tea garden workers and it has become inevitable to train up workers regarding the various welfare schemes meant for their upliftment. But the progress in this direction was slow partly because of Governmental delays and partly because of financial difficulties of the industry.

Three such centres in Assam were started in 1952 and in 1963 Welfare training courses for garden workers were instituted at the Rowroiah Labour Welfare Training Centre for men and at the Borasali Welfare Training Centre for women. In the mean time, the State Government has opened a few more Community Centres for such purposes under the direct control of the Labour Department.

The training provided in these centres for welfare work have to a certain extent percolated down to the tea garden labourers in general. This has good effects in ensuring smooth administration in the gardens as the enlightened workers become
a source of help to the manager of the garden if he knows how to utilise their services in furthering the cause of administration and discipline. The arrangements made by the L.W.B. for the training of nurses, midwives and creche attendants have proved to be very useful. Holiday homes organised under the Plan Projects have not only proved to be very attractive but have also been immediately useful to the participants.

In this connection, it is noted, however, that the Adivasi labourers who work in the plantations constitute a comparatively backward element in the population. They belong to a number of distinct communities speaking different languages and having different traditional background. Ordinarily, they are a happy-go-lucky lot with their traditional modes of enjoying life, but addiction to certain vices like drinking and gambling, though of diminishing importance, is still common. Moreover, their vision is narrow, they are not sufficiently ambitious to look for opportunities of advancement in the environment. The framework of law and trade unionism have considerably helped them to forge ahead in many respects; nevertheless, much remains to be done to bring them up to the level of the rest of the society. Perhaps the only answer is to be found in dedicated social work amongst them in a true missionary spirit.

The Assam Tea Employees' Welfare Fund Act, 1959, which came into force on 23 June, 1960, provides for creation of a statutory fund to organise and propagate welfare activities. A whole time welfare Commissioner has been appointed to carry on and supervise
the fund's activities with two welfare inspectors, one posted at Tezpur in the north bank of the river Brahmaputra and the other at Dibrugarh in the South bank. As per provisions of this Act the Government of Assam has constituted the Assam Tea Employees' Welfare Board. This Board constituted with three representatives each from the Government, Employers, Employees and the M.L.A.s look after the welfare activities undertaken in the tea areas of the State and control the works of the Welfare Commissioner. Since its inception the Assam Tea Employees' Welfare Board has been sitting regularly and important decisions have been taken to promote welfare activities among the tea workers by approving the expenditure proposed for such purposes. In its 25th Session held on 30 August, 1975 the Board has advised the Government to disband the Volunteer Corps working under Sri B. Sing as its Chief Organiser as it is felt that the Corps has outlived its utility in present times.

The impact of these various welfare measures undertaken so far is reflected in the health and happiness of the labourers and in building up of a community life from out of the heterogeneous elements making up the labour force on plantations. Moreover, the various welfare measures provide an opportunity to the tradition-bound labourers to acquaint themselves with modern ways of life.

101. Under Section 4(1) of the Act (Assam Act XVI of 1960) read with Rule 9 of the Assam Tea Employees' Welfare Fund Rules, 1960, the Governor of Assam is empowered to constitute the Board every three years.

Personal Interview dated 30.8.1975 at Gauhati with Sri Jogaat Puzari, a member of the Board.
It is known to all as to how the tea garden workers are passing their social lives. Most of the workers are addicted to drinking, gambling etc. and this accounts for the poverty in the life of the tea garden workers. Due to ignorance, illiteracy, lack of proper guidance, financial stringencies and social inadequacy they are compelled to follow this evil path. The Welfare Board should give due importance to such considerations and find out ways and means to eradicate the evils. The Government, management and the trade unions should unite to save the workers from such disasters by enacting suitable legislation and by providing proper education.

The welfare measures and legislative measures, if necessary, should be directed to achieving the following activities:

First, to train personnel for serving the various projects concerned with the health and well-being of labour;

Second, to enlarge the employment opportunities as well as to provide scope for subsidiary earnings through vocational training;

Third, to provide opportunities for healthy recreation;

Fourth, to enlarge the mental horizon of the workers through various educational measures including scholarships and grants to competent students belonging to the tea garden employees.

Fifth, to supplement the cash earnings of labour by providing amenities which are considered to be essential for the health and happiness of the workers;

Sixth, to provide a congenial working and living environment and prepare the basis for an integrated community life in the
Planning for the future is basically an act of faith. To do it competently and economically, the talent, the will, and the resources must come from within the industry. A happy working force is the primary consideration for its success. The Welfare measures should be such which would ensure happiness to the employees at all levels of administration. Proper education should be imparted to the working force to make them the competitive partners in the industry. We shall now discuss this aspect of the problem.

Education: One of the most important questions of plantation labour is that of education. The very fact that most of the children on plantations live with their parents means that their education must be provided on the plantation itself, if they are to be educated at all. But there was scarcely any provision for their education on the plantations, nor did the workers respond anything for the education of their children. Negligible facilities were available for education in the tea garden areas until early part of the current century. A few enthusiastic and liberal-minded managers organised primary schools, but perhaps the majority of the planters held the view that education would make the children unfit for work. The Government in the nineteenth century took little or no interest while the labourers themselves regarded the earnings of their children as of greater value than the time spent in primary education. As a general rule the planters were more interested in the improvement of communications and in the
colonization of the province. They were not interested in education. It was argued that with the extension of roads, railways, and steamer service, the reclamation of waste lands and consequent increase of wealth and population, education would automatically develop.\(^{103}\)

**Kennedy Proposals** - In the year 1906 the Government deputed Captain V.M. Kennedy with the special duty of enquiring into the question of educating tea garden labourers and the possibility of establishing schools on tea gardens. The report submitted by Kennedy showed that in the tea gardens of Assam about 5000 children were attending either Government or tea garden schools, but that labour was apathetic and the functioning of the schools depended on the benevolence of the managers. Kennedy proposed the establishment of three categories of schools, namely:

(a) Government Lower Primary Schools.
(b) Government-aided garden schools.
(c) Private unaided garden schools.

As a result of this survey, several schools were started on various tea gardens, but the attempt did not succeed due to lack of encouragement from both parents and managers.\(^{104}\) As the children are profitable both to planters and parents alike the chances of success for voluntary education were thin. Further, the interest of the Government faded away as soon as Kennedy had presented his report and for over twenty years it was left for enthusiastic

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individual managers to start schools in the third category.

Growth of Government Control: The first notable efforts from the Government of Assam came when, in 1930, the D.P.I. asked the I.T.A. as to what extent its constituents would be prepared to support a scheme for the extension of education on tea estates. The I.T.A. was willing to co-operate but no scheme appeared to have been produced by the D.P.I. The industry itself now began to give more attention to this aspect of tea garden life. This initiative was stimulated by public criticism and by the suggestion that legislation making the establishment of schools compulsory might be introduced. The I.T.A., in 1938, took positive steps for establishment of Primary Schools and notes intended to assist managers in the organisation of primary schools were issued by the I.T.A. From this stage there had been steady progress and by 31 March, 1942, there were 547 schools in Assam Tea Gardens, 467 of which were maintained entirely by the Companies concerned at an annual cost of Rs. 1,5 lakhs. The Government still continued to lag behind in this matter and the local self-governing authorities took little interest in tea garden areas.

Under such circumstances, the problems of educational facilities raised a question of principle, viz, to what extent the employer be held legally and prudentially responsible for the education of his workers, and if he is to be held so responsible, for what type of

In this context the Royal Commission observed, -

"In India nearly the whole of industrial labour is illiterate, a state of affairs which is unknown in any other country of industrial importance. It is impossible to over estimate the consequence of this disability which are obvious in wages, health, in productivity, in organisation and in several other directions".

The Royal Commission, therefore, recommended that, -

"education of the industrial worker should receive special attention and that employers should try to develop the education of their workers' children."

The Labour Investigation Committee stressed the desirability of the tea industry increasing the number of schools in the gardens and hoped that the attendance in the schools would improve if children below 12 years of age were not employed. The Committee however, could not decide on the desirability of imposing the responsibility of education upon the employers as a matter of policy. Although the employment of children below 12 has subsequently been discontinued, the hopes of the committee in regard to improvement in school attendance appear to have been belied. Undoubtedly there has been a slight increase in the number of

schools in the tea gardens and the attendance therein has increased during the period from 1938 to 1950 as shown in the table below.

Table 91: Number of Schools in tea gardens and number of students.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of children living on tea gardens</th>
<th>Number of Schools</th>
<th>Number of Children attending school</th>
</tr>
</thead>
<tbody>
<tr>
<td>1938-39</td>
<td>5,64,147</td>
<td>491</td>
<td>20,858</td>
</tr>
<tr>
<td>1939-40</td>
<td>5,71,950</td>
<td>505</td>
<td>25,000</td>
</tr>
<tr>
<td>1940-41</td>
<td>5,67,401</td>
<td>547</td>
<td>21,646</td>
</tr>
<tr>
<td>1944-45</td>
<td>5,65,040</td>
<td>348</td>
<td>11,529</td>
</tr>
<tr>
<td>1945-46</td>
<td>5,60,217</td>
<td>340</td>
<td>10,706</td>
</tr>
<tr>
<td>1946-47</td>
<td>4,73,308</td>
<td>327</td>
<td>12,498</td>
</tr>
<tr>
<td>1947-48</td>
<td>4,86,597</td>
<td>407</td>
<td>20,628</td>
</tr>
<tr>
<td>1948-49</td>
<td>4,91,943</td>
<td>453</td>
<td>22,404</td>
</tr>
<tr>
<td>1949-50</td>
<td>5,00,416</td>
<td>586</td>
<td>29,361</td>
</tr>
</tbody>
</table>

From this table it is apparent that the number of school going children was low compared to their population. The reasons for such a state of affairs are, First, the parents are not sure about the value of education as the ultimate lot of their children was to follow in the footsteps of their parents and become estate labourers for which schooling was not considered necessary. Second, the parents are also haunted by the fear that if the children are given schooling they would ultimately break away from them and seek avenues of employment away from the hearth and home. Third, more plausible reason given by the parents is that the non working children are required to remain in the house.

109. Reports of the Controller of Emigrant Labour for respective years.
to look after the small children and infants, to look after the cattle, to watch the paddy spread-out for drying etc.¹¹⁰

During this period, it was noticeable that only few girls were attending schools. In many cases the school buildings were unattractive and more often than not a single teacher had the charge of the instruction of three to five standards. In many cases books and slates were provided free by the estates, but even this had failed to attract the children. In the Indian owned gardens much more attention was paid to the education of workers' children and the number of children attending schools was much larger in spite of the fact that the Indian estates were smaller and had only a smaller resident population. It was found that majority of the children were of the clerks who did not relish the idea of their children rubbing shoulders in the school with the workers' children and in some schools workers' children were assigned a separate place.

The general complaint of the management appeared to be that they could not get suitable teachers at the pay scales recommended by their Associations. Scarcity of teachers, unattractiveness of the schooling, the apathy of the parents etc. appeared to be the impediments in the expansion of education on the gardens. More than these, however, was the need for making proper arrangements in the estate for looking after small children when their mothers were at work so that school going children might not be kept at

home for the purpose.

Legislative provisions 1- Thus the state of education imparted to the children in the tea gardens depended on the benevolence of the employers and for reasons stated above, the tea garden schools, wherever existed, did not function properly. In a Tri-partite conference held in 1947, the I.T.A. suggested that the State Government should introduce and administer compulsory Primary Education in accordance with the respective provincial Acts, and the industry agreed to continue the assistance in the matter of providing buildings. The same view was put forward in 1950 and the I.T.A. rejected a proposal from the Central Education Board that the tea industry should accept full responsibility for the running of the Primary Schools, but should be exempt from payment of education cess. The Association stated emphatically that though its members would construct and maintain school buildings, they were not competent to discharge the responsibilities for running the schools. In West Bengal this view was accepted, by which the gardens agreed to pay education cess and have no further statutory responsibilities for education but in Assam the old system or lack of system continued until the Assam Plantations Labour Rules were published in 1956 by which it was made obligatory for the employers to provide education to the children of their workers.

Present Provision 1- Section 14 of the Plantation Labour Act, 1951, provides that where the children between the age of 6 and 12 of workers employed in any plantation exceed 25 in number, the State Governments may require such employer to provide educational
facilities for the children in such manner and of such standards as may be prescribed. A teacher for every 40 pupils is provided. The State Government, under this Section of the parent Act, has published the Assam Plantations Labour Rules, 1956, making provisions for educational facilities for workers' children vide section 52 to Section 57. The State Government, by a subsequent notification, introduced a sub-section 57(A) providing for an Advisory Board to advise the State Department on the matters relating to provision of educational facilities to the workers' children.

As we have noted earlier, even before the passing of this Act, employers, although on a limited scale, took it upon themselves to provide elementary schools for the benefit of the children resident on the estates. Such schools are now in evidence on almost all estates. The Statutory regulation, however, has failed largely in improving the quality of education or the standard of teaching. The Report of the Parliamentary Committee constituted by the Government throws some light on the educational facilities existent in the tea estates of Assam.

111. Government Notification No GLR 78/54/62 dated 10.3.1959.

112. The Committee was constituted vide Government Notification No GLR 141/60/8 dated 30.7.1960.
The findings are as under:

Table 92: Educational Facilities in Tea Gardens of Assam in 1960.

<table>
<thead>
<tr>
<th>Number of gardens</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existent</td>
<td>387</td>
</tr>
<tr>
<td>Existent but insufficient</td>
<td>8</td>
</tr>
<tr>
<td>A Class school nearby or within the garden itself</td>
<td>39</td>
</tr>
<tr>
<td>Non-existent</td>
<td>13</td>
</tr>
</tbody>
</table>

Arrangement in Private Schools:

<table>
<thead>
<tr>
<th>At par</th>
<th>Below par</th>
</tr>
</thead>
<tbody>
<tr>
<td>87</td>
<td>225</td>
</tr>
<tr>
<td>25</td>
<td>57</td>
</tr>
</tbody>
</table>

Thus the educational facilities in the tea estates are in a state of neglect although it is necessary that labour power born into the society is carefully nurtured and trained up to enable it to contribute to the continuing development of social and economic life. The employers have constantly maintained that provision of education is a State responsibility and the Government should take over the responsibility in co-operation of the employers and the tendency now is to run garden schools by Education Boards or the Government.

Government take-over: In Assam the education department has taken over the schools initially in the two districts of

Sibsagar and Cachar. Initially the department faced difficulties due to the non-co-operating attitude of the management, who at first refused to sign the agreement without first referring the matter to their principals. Subsequently, however, the necessary agreements have been made and the school buildings and the land have been handed over at a nominal rental of Re 1/- per year. The estates have undertaken to provide more land for any expansion of the school which may become necessary as a result of an increase in the number of children from the tea estate. The estates have also agreed to give existing teachers the same facilities like housing, firewood etc. which they were enjoying at the time of takeover for so long as the teachers remain at their parent estates.

The Government of Assam, determined to take over the tea garden schools, constituted a Sub-Committee of the State S.L.C. to sort out the controversy with regard to scales of pay, amenities and marginal adjustments. In spite of such initiatives, however, the points of controversy still exist and there has been no much improvement in the educational system in the tea estates and the schools in the other districts have not so far been taken over by

the Government. It is also complained that the tea garden management of Sibsagar district have failed to honour the terms of agreement made by the Tripartite Committee constituted under the state S.L.C.in respect of bearing the excess amount of emoluments of teacher as compared to scales etc. of the State Board of Elementary Education. They have also failed to continue the fringe benefits and deposit the earned gratuity of the school teacher. It is also reported that more than 50 percent gardens of Cachar district had not honoured the said settlements.

A well thought-out and integrated programme of education suited to the needs of the tea garden population is yet to be evolved. According to an experienced teacher, serving in a tea garden school, the condition of the schools has gone down after their take over by the Elementary Education Board, the notable drawback being the long leave under the Board's rules. This leaves the students disinterested and the students forget the lessons during the leave period.

**Assistance from Tea Board**

The financial assistance rendered by the Tea Board in the shape of meeting the educational

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120. The Comment has been made by Sri Motiur Rahman, School teacher of Diffloo T.E. and broadcast by All India Radio, Gauhati at 1800 hours on 30 March, 1975.
expenses of the children of tea plantation workers up to the
highest level and for meeting partly or in full the non-recurrent
expenditure incurred by a student going in for higher education
has been a factor of increasing importance. The quantum of aid
given by the Tea Board has been increased progressively during
the last few years. The industry and the workers should take
advantage of this help to educate their children in the proper
manner.

Education of adults:—It is gratifying to note that adult
education is receiving more attention although there is nothing
to suggest that even the fringe of the problem has been touched.
Adult education has been tried only in a few gardens with a view
to enlarge the mental horizon of the labourers and promote better
living. Such facilities should be expanded.

Workers' Education Programme:—Mention should also be made
in this connection of the educational programmes launched by the
Government of India. Though the educational background of tea
garden workers is rarely of the required standard, by suitable
adjustment of the curriculum and training methods, it has been
possible to extend the benefits of the Workers' Education Scheme
to tea plantations. The object of the scheme is not directly the
promotion of labour welfare; still it is likely to advance the
cause of education and welfare in a variety of ways through labour
management collaboration. The Workers' Education Centres in Tezpur
and Tinsukia are doing useful service by training up selected workers
and trade union officials at the garden level who in turn are
expected to educate their colleagues at the respective gardens.
Overview: Thus generally speaking the educational facilities provided for plantation children are far below the actual needs, both quantitatively and qualitatively, and do not compare favourably with other plantation facilities. This is partly due to the lack of interest on the part of parents, the result perhaps of the wide-spread illiteracy and poverty which prevent them from dispensing with the income that could be earned by the children. On the other hand, education as it is practised now does not seem to be directed to any clear objective. Children born and brought up on the estates view their future in terms of some sort of employment on the spot or another plantation, and consequently parents and children are not impressed by the need for education. It is, however, noted that the general social awakening in the recent times has increased the demand for educational facilities. The Government and the industry should take advantage of this social awakening and a concerted effort by both the central and State Government should be initiated immediately to raise the educational standard of the tea garden population. We suggest that **First**, all the Primary schools in the tea gardens should be taken over by the Government with proper facilities. **Second**, the education should be based and the curriculum should be designed to fit into the special taste of the set of people for whom it is intended. **Third**, necessary arrangements should be made to impart education to the adult workers who are illiterate. **Fourth**, the workers' education scheme is catering to the needs of workers and it may play a vital role in improving
their lot. Hence the Workers' Education Scheme should be implemented in all the tea gardens and whole-hearted co-operation should be extended by the management and the unions.

In order that the education be rendered beneficial, facilities should be provided for those who wish to continue their education beyond a certain stage. Education beyond the primary stage might either form part of the national education programme or be organised in such a way as to facilitate the movement of plantation children into other occupations. Failing this, a surplus labour force is bound to be built up on the plantations, thus unfavourably affecting the level of employment and earning and thereby tilting the entire administrative structure in the industry. It should be realised that education is a long-term investment which is bound to give good returns to both employers and public authorities. Therefore, a programme of action should be drawn up and executed by the two parties, financially and otherwise. Without such enlightenment the administrative policies pursued in a garden cannot be successful.