



Challenges to Collective Bargaining in the Tea Plantation Sector of India: A Historical Study of Assam

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Abstract:

Organized labour movement in the tea plantation sector of Assam, India in real sense started after the First World War. However, after independence only in 1950s the real trade unionism started with the formation of INTUC led ACMS. After 1970 we see the growth of left trade unionism in the tea plantations of Assam with the formation of CITU. The trade union movement in the tea plantation sector of Assam has been facing lots of problems to realize its goals in the face of rich and powerful proprietor class. More over in the age of Globalization, it has to face new kind of economic and political challenges. This paper aims to focus on the challenges before the trade union movement in the tea plantations of Assam, India in the second half of 20th century. The findings of this paper may unfold some of the ground realities of the labour movement, knowledge of which may be helpful to minimize industrial disputes. The paper may be helpful to trade unions for self-appraisal also. This is a historical study of the issues related to the trade union movement in the tea plantation sector and historical method of enquiry has been used.

Keywords: Collective Bargaining, Plantation, Tea, India, Assam

Relevant literature:

There is a great dearth of literature in this field of tea plantation labour movement. On the tea Industry, in general, there are a number of books, which have dealt with the culture, society and other aspects of tea garden labourers. But these books merely refer to labour movements and have not made any in depth study on the problem. *Economics of Tea Industry in India* by Awasthi, A.C. (1975), is a book where we find some relevant data regarding labour movement in the tea plantation sector. Here the author gives a list of labour strikes which took place in the year 1953-54 and from 1961-62 to 1964-65. The book also provides some

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information regarding trade union movement, arbitration measures of the disputes etc. But the book represents a particular period and also does not discuss the matters in details.

Shah Bagichar Sramik Aru Ain and *Sharmikar kshyoti Puran Ain*, by Saikia, Dandeswar, (1999) are other valuable books concerning the Labourers of the tea industry. But these books basically deal with the Plantation Labour Legislations. However, the first book tries to give a fair idea about tea plantation labour struggle after independence although it is not comprehensive.

Post Independence Trade Union Movement in Assam, 1947-1987, (Ph. D. Thesis, Gauhati University), by Barthakur, Mamoni, 1992, is another thesis which studies the general trade union movement of the industries of Assam. Although it covers the tea industry of Assam, it is a study, so called *from above* and not comprehensive study of the subject of our concern.

There are a few other books in this field. But they don't directly deal with the problem of our concern. The present study is based both on primary and secondary sources of literature. They have been duly acknowledged.

Introduction

The organized labour movement in the Tea plantation sector of Assam started only after the First World War. AITUC which was formed in 1920 tried a lot to organize the labourers under its banner. After the Second World War, the Indian Tea Association laid down conditions for the recognition of Trade Unions as. To qualify for such recognition, the office staff and the labour were not to belong to the one and the same union, and one-third of the relevant labour force had to be paying members. Besides, in no case was it to be directly or indirectly affiliated to the CPI.' This has brought about a set back to the AITUC led labour movement and paved the way for Indian National Congress (INC) led labour movement. On 3 May, 1947, INTUC was formed and since then it has been trying to organize the labourers of the tea plantations in the line with INC.

After the independence of India only, the real growth of the organized labour movement in the form of trade unions can be seen in the tea plantations of Assam. Since then, industrial relations in India have witnessed a close link of labour movement with political parties, ideological conflicts and splits, dominance of outsiders over the movement, State intervention and tripartite consultations ¹. From independence to 1970s this was the period when the plantation labourers consolidated themselves under trade unions. Formation of *Assam Chah Mazdoor Sangha* (ACMS), the biggest trade union of tea plantations of Assam Valley and



industrial recognition towards it was the biggest step towards the consolidation of labour identity. After independence, the hurdles before trade union activists lessened, as the government forwarded a helping hand towards them, even by providing them with vehicles and microphones. A section of the planters also encouraged the organization of the unorganized labourers. Lie Wellyn, the Representative of the tea cultivators, met Kamakhya Prasad Tripathi, the President of INTUC, Assam branch, and expressed his desire to support the cause of the labourers. Most probably the proprietor class wanted a safety valve to the growing discontentment of the unorganized labourers in the tea plantation sector ². Accordingly, vide a circular dated 21 July, 1947, the Indian Tea Association appealed to the management of the tea gardens to cooperate with Rabin Kakoti, the representative of INTUC, in the organizational work of the labourers. Thus, the age of trade unionism in the tea plantations of Assam began in a slow but steady way. In the words of P. Griffiths, “the old ‘*ma-bap*’ (literally mother-father) relationship, to a great extent was replaced by codes of rights and settlements arrived at in tripartite conference or by collective bargaining”³. The Plantation Labour Act, 1951 reaffirmed the plantation labourers a separate and special identity. It helped a lot to convert their image from bonded labourers (*coolies*) to recognized labour force of this sector.

The trade unions were formed in district and circle levels in all Assam and had been registered according to the Trade Union Act. These unions prepared constitutions of their own and functioned accordingly ⁴. After the Election of 1952, various new trade unions emerged in different industries. This post 1952 trade union movement however relinquished its old responsibility of socio-political reformation or to represent the class ideology of the labourers. Now it took the shape of “Pure Trade Unionism” and confined itself to the economic demands of the labourers and followed bureaucratically framed regulations ⁵.

However, there was a turning point in the whole process of being organized. At the Sixteenth Session of Indian labour Conference, held in Nainital, on 19 and 20 May, 1958, it was decided that “where there were several unions in an industry or establishment, the one with largest membership should be recognized.” Probably following this decision, INTUC Assam branch, under the initiative of late Mohendra Nath Sarma proceeded to organize the tea plantation labourers of Assam under one banner. A meeting was held at Bardubi, on 9 August, 1958, with the executive members of Assam branch INTUC and executive members of the prevailing *Jila* and circle *Chah Mazdoor Sanghas*. In this meeting it was decided to bring all the *Jila Chah mazdoor Sanghas* and circle *Chah Mazdoor Sanghas* under the united banner of the *Assam Chah Mazdoor Sangha* (ACMS) ⁶.



Apart from ACMS, other Left trade unions also started their activities, especially after 1970. CPI (M) influenced CITU, CPI (ML) led ASCSS and other a few unions have been playing important role in the movement of labourers in the tea plantation sector of Assam.

The trade union movement has been facing lots of problems to realize its goals in the face of rich and powerful proprietor class. This paper aims to focus on the challenges before the trade union movement in the tea plantations of Assam, especially in the Brahmaputra valley in the post-independence period. The findings of this paper may unfold some of the ground realities of the labour movement, knowledge of which may be helpful to minimize industrial disputes. The paper may be helpful to trade unions for self-appraisal also. This is a historical study of the issues related to the trade union movement in the tea plantation sector.

The challenges before the Trade Union movement in the tea plantations of Assam

After a critical analysis of the post-independence labour movement in the tea plantation sector of Assam, the following issues may be put forward as major challenges before the trade unions.

Inter Union Rivalry:

Inter union rivalry has been the major challenge before the trade union movement of tea plantation sector of Assam, as it has destroyed the unity among the labourers of the industry and often resulted chaos and bloodshed. The rivalry has often been between the ACMS on one side and the other left trade unions, on the other, who were able to make hold in the sector after 1952 and remarkably after 1970s. The ideological differences and political inclinations of the trade unions has made the plantation sector a political battle field and thereby destroyed the healthy industrial environment. There are many instances of inter union rivalry which resulted in bloodshed. For example, during the year 1998, two women activists of CITU of Mornoi tea estate were killed, which as alleged by the union, were carried out by hired killers of ACMS and the management jointly⁷.

Apart from bloodshed, in the process of industrial bargaining, inter union unity has not been seen. This sort of disunity among the trade unions has adversely affected the greater interest of the labourers. CITU has frequently been advocating for a united labour movement to yield better result. But due to political differences among the trade unions, it is seemed as an impossible task at this movement.



Politicization of trade unions:

Politicization of trade unions has been the main but negative feature of trade union movement after independence. ACMS, affiliated to INTUC is which in many cases appears to be a Congress dominated or directed trade union. ACMS has been providing the prime platform for many labour leaders or trade union activists to exercise their goal in electoral politics⁸. Very much the same way, the left parties CPI, CPI(M), CPI(ML) have their active trade unions in the sector. The Assam Gana Parishad, the regional political party of Assam, formed the Shram Parishad, the labour cell of the party to counter the political hold of the Congress party in the tea plantations. This politicization of trade unions destroyed the very character of an industrial trade union. Rather they have become more or less a 'labour cell' of a particular political party. Shelling out from this political bondage and exercising the real trade unionism has been a major challenge before the trade union movement of the tea plantation sector of Assam.

Corruption:

Corruption of the trade union leaders and too much kowtowing to the management have diluted the very power of a trade union. Often it has been alleged by the rival trade unions and many intellectuals that ACMS often sided with the management betraying the cause of the labourers. moreover, ever since the system of 'check-off' (system under which the subscription to the union is deducted by the management⁹) was introduced in the 1970s, ACMS leaders have been steadily losing touch with the workers because money comes automatically to them, without, paying heed to them. Due to this gap the member workers of ACMS, in a few instances, went on strike without the sanction of their union¹⁰. Coming out from such type of bonding is a major challenge before the trade union movement of the sector.

Failure in implementation of the Plantation Labour Act, 1951:

The trade unions of the sector has so far been a total failure in implementation of the Plantation labour Act, 1951. A study reveals that the tea garden labourers have been fighting for their basic wage and other basic amenities due to them under the PL Act, 1951¹¹. The study reveals that the labourers hardly got their basic requirements fulfilled totally. It has been statistically proved that the demands or the issues, raised by the labourers in each decade after 1960 remained more or less the same at least up to 2000 AD. Most of the demands are basic in nature and statutorily due to them. School bus, ambulance, electrification, street light, *ryoti pattas* of cultivable land to the labourers, cattle pounds are some of the non-traditional demands that the labourers had been making during the period of the study. Thus, the unchanging pattern of labour



demands proves that the development of the labourers of the tea plantation sector remained stagnant throughout the period, with a little change from that of the colonial period. They were not in a position to expect beyond a minimum basic level and *ipso facto*, their material development remained stagnant. The study reveals top demands (for which industrial disputes raised) during the four decades from 1960 -2000 AD. In the first decade (1960-70 AD) firewood, in the second (1971-80) 20% bonus, in the third (1981-90) various allowances like gratuity, pension, PF, HR etc. and in the last (1991-2000), house repairing posed as the top most demands for which industrial disputes had taken place. These all are the basic amenities due to the labourers under the Plantation Labour Act, 1951. Till today even these issues has been the bone of contention between the management and the trade unions. Thus, the labour legislation has failed to satisfy the working class mainly due to delay and cost involved and the defects of implementation. It is an urgent need of the time to amend the labour legislations especially the Plantation Labour Act, 1951. As early as in 1973, the government of India constituted a joint Parliamentary committee to study the issues of amendment of the Act and ACMS submitted a memorandum before the committee stating the defects of the Act.¹² To overcome from this basic level of demands and amendment or full implementation of PL Act 1951, are the top priority for the Trade Unions of the sector.

Farm Mechanization and Downsizing:

The process of farm mechanization and downsizing the manual labourers has had an adverse impact on industrial relation of the industry. In a labour-intensive industry like the tea plantation sector, the most effective way of cost reduction and profit maximization is to increase the productivity of labour or downsize the labour force. This has been the policy of the proprietor class in this sector and the state machinery remained indifferent to it. For example, the labour force was reduced in the tea plantation sector of Assam by 36 percent in 1954, when the Minimum Wages Act came into being.¹³ In 1951, a year prior to enactment of the Plantation Labour Act, 1951, there were 5,39,000 workers against 1,55,674 hectares of cropped areas and for every hectare there was 3.46 workers. Soon after the adoption of the Act the ratio came down to 1:3.13 and in 1970 the ratio came down further to 1:2.48. In 1980 the ratio has fallen to 1:2.16 hectares and ratio have fallen to 1:1.7 in 1983 although there was an additional increase of 29,733 hectares of area under tea.¹⁴ To check, it the labourers signed an agreement with the Planters' Associations in 1969, to maintain stable workforce. But in spite of this effort since 1.1.1969 to increase employment the matter has not improved although there was an increase in production and area under tea cultivation. Therefore, this is another major challenge before the trade unions to put pressure on the management and the government to reduce workload of the labourers.



Unsatisfactory Role of the State Government:

The state government has been playing a major role in the tea industry of Assam in the process of mitigation of industrial disputes, making of tripartite agreements to fix minimum wages, making various laws etc. But attitude of the government and the officials of the labour department in this regard, has been found not upto the satisfaction. In many cases, the government inspectors who are supposed to monitor the implementation of the PL Act, take bribes from unscrupulous management and ignore labor issues¹⁵. The proprietors were no longer willing to bear the burden of social security of the labourers. In most of the cases, the state remained indifferent to the labour problems. The trade unions must win the side of the government and shield the self of the labour community. But the task is very arduous, for which the trade unions, especially ACMS must undergo with drastic self-reformation within it.

Lake of Awareness and Education on the part of Labour Leaders:

Lake of awareness and education on the part of labour leaders in the local level of the trade union organisations has been a major weak point of the trade unions. As said by Sriram in 2009, the president and the secretary of the local ACMS union of a tea garden did not even know about the Plantation Labour Act, 1951¹⁶. This sort of ignorance on the part of the leaders is a major limitation of a labour movement.

Conclusion:

Labour is the main driving force of an industry. Yet, the proprietors constantly exploit the labourers with a view to increase their profit. In comparison, the labour force is very weak, and unity is their only strength. By forming various trade unions, the labourers have exhibited their power of unity. But too much dependence on trade unions is also harmful. If the labourers are not educated and aware individually, the trade union leaders may influence the labourers for their personal gain. Moreover, such dependency may also decrease the individual efficiency of the labourers. Similarly, the labourers must not only fight for their gain but also at the same time be aware and judge the extent of their success and causes of failure. But for it the labourers must be educated. Only spread of education can solve labour problem permanently.

Unity and cooperation among trade unions is another aspect which can contribute a lot to strengthen a labour movement. At the grass root level, problems of labourers may vary from industry to industry but at one level, their problems are common, e.g. creation of public opinion, government communication etc. on these issues co-operation among different trade unions is essential.



The garden units of a trade union are the real basis. But it has been observed that in many tea gardens, ACMS garden units have been run by same President and Secretary year after year, practically doing nothing for the labourers. They are indifferent to the creation of labour awareness and fascist in their way of working. Such behaviour of union leaders causes mistrust among the members and weakens the union. So, the garden units of the trade unions must be strong, democratic and its grass root level leaders must be easily accessible to their fellow members. The trade unions should be guardian of the ignorant labourers not simply a platform of self-seekers to propel their political career. E.A Ramaswamy, opines that the future of trade unionism depends on its ability to forge a new strategy that blends cooperation with conflict. The experience of the Nordic countries and Germany proves it to be a right strategy. So long as they remember where and when to conflict, the trade unions will remain relevant and be able to stem the depletion of membership and serve a much-needed social purpose.¹⁷

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