

CHAPTER IV

History and Growth of Trade Union Movement in
Tea Industry of West Bengal

4.1: History and Growth of Trade Union Movement in India

Trade unionism is a world-wide movement. The evolution and growth of trade unionism has been sine qua non with growth in industrialization. Accordingly, the evolution of trade unionism in India is traced back towards the later half of the nineteenth century.

The origin and development of trade union movement in India may well be studied under distinct phases with their distinguishing features from others. Accordingly, a historical account of the various phases of trade union movement in India is presented as under:

4.1.1: Pre-1918 Phase

The setting up of textiles and jute mills and lying of the railways since 1850 paved the way for the emergence of industrial activity and, in turn, labour movement in India. Some researchers have traced the origin of labour movement in India dated back to 1860. However most of the writers on the subject trace the history of labour movement in India since 1875. The first labour agitation, under the guidance and leadership of Mr.S.S. Bengalee, a social reformist and philanthropist, started in Bombay in 1875 to protect against the appalling conditions of workers in factories, especially those of women and children and appealed to the authorities to introduce legislation for the amelioration of their working conditions. As a result, the first Factory Commission was appointed in Bombay in the year 1875 and the first Factories Act was passed in 1881. Mr. Lokhande may be said to be the founder of organized labour movement in India who founded the first trade union in the country viz. ,the Bombay Mill Hands Association(1890).This was followed by a series of associations such as the Amalgamated Society of Railway Servants in India(1897),The Printers Union of Calcutta(1905),The Madras and Calcutta Postal Union(1907), and the Kamgar Hiwardhak Sabha(1910).All these unions aimed at promoting welfare facilities for workers and spreading literacy among them ¹.

The broad features of the labour movement during the pre-1918 phase may be summarized as under:

- i) The movement was led mostly by the social reformers and philanthropists and not by the workers.
- ii) There was, in fact, no trade union in existence in the true sense.
- iii) The labour movement was for the workers rather than by the workers.
- iv) The movement was confined to the revolt against the conditions of child labour and women workers working in various industries under appalling conditions.

4.1.2:1918-1924 Phase

The phase 1918-1924 is considered as the era of formation of modern trade unionism in the country. The trade union movement got momentum just after the close of the World War I. The post-war economic and political conditions contributed to the new awakening of class consciousness among the workers. These conditions led to the formation of trade unions in the truly modern sense of the term. As a result, Ahmedabad Textile Labour Association (1917), led by Shrimati Ansuyaben Sarabhai; The Madras Labour Union (1918), led by B.P. Wadia; Indian Seamen's Union, Calcutta Clerk's Union; and All India Postal and RMS Association were formed. The various factors that influenced the growth of trade union movement in India during this phase may be briefly catalogued as follows:

- i) The wretched conditions of workers on account of spiraling prices of essential commodities during the post-World War II, workers to form trade unions to improve their bargaining power and, in turn, living conditions.
- ii) The political scenario characterized by the home-rule movement and the martial law in Punjab made the politicians to recognize the workers movement as an asset to their cause, at the same time; workers also needed able guidance and leadership from the politicians to settle their grievances with the employers.
- iii) The Russian Revolution also swayed the labour movement in India showing a new social order to the common man in the country.
- iv) The setting up of the International Labour Organization (ILO) in 1919 also gave a big fillip to the labour movement in India.

India becoming a founder-member of the ILO required to depute delegates to the ILO. Mr. N.M. Joshi for the first time was deputed as the representative from India to International Labour Conferences and Sessions. It ignited workers anxiety to organize. As a result, the All India Trade Union Congress (AITUC) was formed in 1920. By 1924; the trade union movement in India proliferated to the extent of 167 trade unions with a quarter million members. This period in the history of trade union movement has been described as the Early Trade Union period².

4.1.3:1925-1934 Phase

With increasing hardships of workers, the signs of militant tendencies and revolutionary approach in trade unionism got expression into violent strikes since 1924. The communists gained influence in the trade union movement during this period. They split the Trade Union Congress twice with their widening differences with the left-wing unionists. The moderate section under the leadership of Mr. Joshi and Mr. Giri seceded from the congress and set up a separate organization named the National Trade Unions Federation (NTUF).

Another split in AITUC took place in 1931 at its Calcutta session when the extreme left wing under the leadership of Messrs S.V. Despande and B.T.Randive broke away and formed a separate organization, namely, the All India Red Trade Union Congress. Two years later, the National Federation of Labour was formed to facilitate unity among all the left-wing organizations of labour. As a result, the AITUF and NFL merged to form the National Trade Union Federation (NTUF).

Another important feature of this period was the passing of two Acts, namely, the Trade Unions Act, 1926 and the Trade Disputes Act, 1929 which also gave a fillip to the growth of trade unionism in India. The former Act provided for voluntary registration and conferred certain rights and privileges upon registered unions in return for obligations. The later Act provided for the settlement of trade unions. This phase of the Indian labour movement may be described as the period of Left Wing Trade Unionism.

4.1.4:1935-1938 Phase

The Indian National Congress was in power in seven provinces in 1937. This injected unity in trade unions. As a result, the All India Red Trade Union Congress merged itself with the AITUC in 1935. After three years in 1938, the National Trade Union Congress (NTUC) also affiliated with the AITUC.

Other factors that contributed to the revival of trade unions were increasing awakening among the workers to their rights and change in the managerial attitude towards trade unions. In 1938, one of the most developments took place was the enactment of the Bombay Industrial Disputes Act, 1938. An important provision of the Act, inter alia, to accord compulsory recognition of unions by the employers gave a big fillip to the growth of trade unionism in India³.

4.1.5:1939-1946 Phase

Like World War I, the World War II also brought chaos in industrial front of the country. Mass retrenchment witnessed during the post-World War II led to the problem of unemployment. This compelled workers to join unions to secure their jobs. This resulted in big spurt in the membership of registered trade unions from 667 in 1939-40 to 1087 in 1945-46. Somuchso, the number of women workers in the registered trade unions witnessed a phenomenal increase from 18612 to 38570 during the same period. The AITUC again split in 1941 when Dr.Aftab Ali, President of the Seamen's Association, Calcutta disaffiliated his union from the congress and form a new organization known as the "Indian Federation of Labour". The year 1946 was also marked by two important enactments, namely, the Industrial Employment (Standing Orders) Act, 1946 and the Bombay Industrial Relations Act, 1946. Both the Acts, through their provisions, contributed to strengthen the trade unionism in the country.

4.1.6:1947 and Since

Proliferation of trade unions in the pattern of proliferation of political parties has been a distinguishing feature in the trade union history of India during the post-Independence period. In May 1947, the Indian National Trade Union Congress (INTUC) was formed by the nationalists and moderates and was controlled by the Congress Party. Since by then, the AITUC is controlled by the Communists. The Congress socialists who stayed in AITUC at the time of the formation of INTUC subsequently formed the Hind Mazdoor Sabha (HMS) in 1948 under the banner of the Praja Socialist Party.

Subsequently, the HMS was split up with a group of socialist and formed a separate association, namely, "Bhartiya Mazdoor Sabha" (BMS) which is now an affiliate of the Bhartiya Janata Party (BJP).

Years after, the communist party split into various fractions forming the United Trade Union Congress (UTUC) and the Center of Indian Trade Union (CITU). Later again, a group disassociated itself from the UTUC and formed another UTUC-Lenin Sarani. Of late, with the emergence of regional parties since 1960, most of the regional parties have shown its inclination to a trade union wing, thus, adding to the proliferation of trade unions in the country. Thus, it is clear that the origin and growth of trade union movement in India is riddled with fragmented proliferation⁴.

At present, there are 8 central trade union organizations. Of these, four major federations with their national network are:

- 1) All India Trade Union Congress (AITUC)
- 2) Indian National Trade Union Congress (INTUC)
- 3) Bhartiya Mazdoor Sangh (BMS)
- 4) Centre of Indian Trade Unions (CITU)

Table 4.1 gives some idea about the growth of the trade union movement in India.

Table 4.1
Growth of the Trade Union Movement in India

Year	Number of Registered Trade Unions	Number of unions furnishing information	Membership of the unions submitting Returns(in lakhs)
1951	4623	2556	20
1961	11614	7087	40
1971	22484	9029	55
1981	35539	6082	54
1987	49329	11063	79
1990	52016	8828	70
1993	55784	6806	49.8

Source: Indian Labour Yearbook (1987) and (1996).

The membership scenario of the major central trade unions is borne out by the following table 4.2.

Table 4.2
Union Membership as on End March, 1994

Trade Union	Membership claimed	Membership Verified	Political Affiliation	Year of Establishment
INTUC	5435705	2587378	Congress	1947
AITUC	2973933	905975	CPI	1920
HMS	4356034	1318804	PSP	1948
CITU	2386242	1768044	CPI(M)	1970
BMS	4081424	2769556	BJP	1955

Source: Business India, Aug.29-Sept.11, 1994.

It is clear from the Table 4.2 that the BMS which is an affiliate of the Bhartiya Janata Party has secured the top position in terms of membership of 27.69 lakhs accounting for 30.10% of the total membership. INTUC, CITU and HMS follow in that order in terms of their share in total membership.

4.2: History and Growth of Trade Union Movement in Tea Industry in India in General and West Bengal in Particular

Before going to the description of history and growth of Trade Union movement in Tea Industry, I would like to give a small description about the origins of the labour force in Tea Industry. Historically, plantation all over the India were a result of colonialism and their produce were exported to the developed countries. The rapid growth of tea plantation in India during the nineteenth century was due to the popularity of Indian tea over Chinese in Britain. Hence, plantations under colonial rule were basically international in character. In the indenture system, the worker had to agree to serve on the plantation for a specified period of time and was free to return home after that period⁵.

Though this system was an improvement over slavery, which implied a lifetime commitment without any rights, the long distance from their places of origin made it difficult, if not possible, for workers to return home after the period of their contract ended.

This was further mitigated by the low wages paid by the planters that left hardly any savings for the return journey. Hence, the people preferred to remain in the plantation ever after the period of indenture. Coercion, low wages and immigrant labour were initially the three inseparable components of the plantation system. As plantation is labour-intensive industries, a reduction in the wage bill would increase profits.

Migrant labour was recruited for the plantation and the planters ensured that they worked only on the plantation at the low wages offered. Labour in Assam and in the tea districts of Dooars and Terai were recruited from the tribal people of Central India, namely, the Chotanagpur region of Jharkhand and the contiguous tribal belts of Orissa and Madhya Pradesh. These hard working but poverty stricken tribals were ideally suited for plantation work because they were able to withstand the hardships and rigorous work in the plantation.

The planters encouraged families rather than individuals to migrate to the plantations. This served a dual purpose. Firstly, since planters wanted heap labour they had to have workers who were permanently settled in the plantations and had no opportunity for alternative employment. Secondly, family based migration ensured that labour could be reproduced, thus solving to some extent, the problem of future recruitment.

In the days prior to Independence a worker was no doubt legally free to leave his garden and to seek employment in any garden he liked. But in actual practice he did not feel that he was free to move. The Labour Investigation Committee with Shri D.V Rege as the chairman found, in course of their enquiry, that the labourers on several gardens were not permitted to leave the garden by the choukidars. It was a part of the choukidar's duty to observe the movements of labour, to and from the lines. Even in case of marriages the consent of the managers concerned was generally taken ⁶.

The said committee further observed that "if a labourer is determined to leave a garden, will not be prevented from doing so but such determination is rarely to be found in an ignorant and helpless aboriginal labour."

The Committee said again that, "the labourers' liberty of movement is further affected by an agreement of 1939 among planters which is known as the Brahmaputra and Surma Valley Local Recruitment Agreement which prohibits one manager from deliberately enticing or recruiting labourers from another garden".

There being no suitable organization of workers at that time to redress their grievances, in balance the effect of the system was to diminish still further the liberty of the worker to dispose of his labour to his best advantage.

In South India the system was more or less the same where the "Kangany" worked as the planter's agent and was the backbone of plantation recruitment. He might either have been an ex-worker in the plantation or one who had a considerable pull on labour. They were appointed either through the Labour Department of the Central Association of the Planters or direct by individual management⁷.

Distinct from Kangany, there was another class of suppliers of labour who were generally rich and influential men. They recruited labour from their own areas and dispatched them to the plantations through the sub-kanganies who acted as a supervisor or a guide.

Fortunately times have changed. The Kangany system has been abolished in South India. The Government is keen on this and the managements are adjusting themselves to the policy of the Government in abolishing this bad system.

Till the country became independent in 1947, the planters, with the backing of the colonial Government, exercised total control over labour. Planters had their trade bodies to represent their interests, whereas, workers were prevented from unionizing themselves.

The report of the commission of enquiry on the conditions of Tea Plantation Labour in India and Ceylon set up in 1944 noted, "the employers are highly organized and powerful whereas the workers are all unorganized and helpless"⁸.

The commission recommended the necessity of trade unions but admitted that they were unlikely to appear in the near future. The report of the study group for the tea industry of the first National Commission on labour noted that the main reason for the absence of trade union in the pre Independence period was because "access to the plantation was difficult, if not impossible, and attempts to form trade union before Independence were seldom successful." (NCL 1969:64)

4.2.1: Women in Trade Union Leadership

In 1999, ILO report states that union leadership is largely male-dominated and women's access to union leadership is negligible. Women workers have been active in various struggles, but have often been sidelined when it comes to electing trade union office-bearers. There is tremendous resistance at the local level to accept women as leaders and when the Union's Secretary or the president is male, women find it difficult to voice their problems.

Though there have been a few women trade union leaders from among the jute mill workers, scavengers in Bengal and Bombay mills workers, women workers were the first to protest against the long working hours in textile mills. (Kapur Anchal (ed.) Women Workers' Rights in India: Issues and Strategies - A Reference Guide, ILO, Delhi, 1999) The few women leaders in the tea industry have been influential. Manju Chattopadhyay (The Trail Blazing Women Trade Unionists of India, AITUC Publication, New Delhi, 1995) notes the leadership of Maili Chettri, a tea garden worker from Dooars, who started a union in 1946 and struggled for workers' rights in the tea plantations in Dooars, West Bengal. In this case, the tea garden workforce had joined the larger struggle of the peasants and tribals for a right to two-thirds of the produce of sharecropping in the Tebhaga movement throughout North Bengal ⁹.

The geographic features and alienated structure of plantation are reasons behind the slow growth of trade unions in early stages. The inconvenience faced by trade union leaders of urban area to reach there, the nature of migrant workers, greater share of women in the total number of workers etc. are some other reasons.

The unity developed among workers by working and living side by side on similar conditions, rationalized system of production with capitalization as in industrial work are some catalytic factors behind the emergence of trade union movement in plantation in India.

Prior to 1947, the socio-economic life of tea plantation workers was completely a life of slaves. In 1945, during the war period, a trouble cropped in Dhajia Tea Estate taking the issue of rations. Management told the workers to go Nepal for rations and other necessary things. This created a sense of deprivation in the minds of the workers. By this time, some local leaders like Ratanlal Brahmin, B.B chettri, Susil Chatterjee etc. were trying to mobilize workers by holding meetings in the labour lines secretly at nights ¹⁰.

So, no trade union movement as such took place as union was considered an illegal organization by management and Government or local administration.

Discussing the origin, the trade union movement in his book "A History of Indian Tea Industry" (1967), Sir Percival Griffith states that in Darjeeling, trouble began with the election of a communist candidate to the Bengal Legislative Assembly in 1946, after which the communist party of India organized a tea garden workers union in the Darjeeling district and then proceeded to serve strike notices in 17 tea estates.

Discussing the origin of Trade Union movement in tea industry, the 15th Sep, 1945 is to be always remembered as on that date the first union known as Darjeeling Tea Garden Worker's Union was established under the leadership of Sushil Chatterjee, Ratanlal Brahmin, B.B Chettri for the tea plantation workers.

Prior to Independence, when the nationalist movement was sweeping fast across the country, organized working class from most part of the country gave their active participation in the freedom struggle, excepting the workers of tea industry of west Bengal, who did not at all respond to this movement.

Assam, the other tea producing state at that time, however witnessed the beginning of trade union movement since 1921 under the leadership of the nationalist.

The first among the Indian states to have the trade union movement in tea gardens was Assam. The working class in the tea plantations of Assam was perhaps the most oppressed in the organized sector of the economy. Low wages, unfavourable working condition, poor housing and lack of avenues for social mobility were some of the major problems which they had been quite accustomed to. The workers were poor and weak and had no other options other than to live under the mercy of the selfish planters who were indulged in the naked exploitation of the workers.

But gradually, with the nationalist movement sweeping all over India, the situation began to tilt towards the workers side. The labour movement began to rise slowly but steadily.

The year between 1937 and 1940 witnessed an upsurge of labour unrest and the emergence of trade union. There were large number of strikes which spread from the Swedish owned Assam Match Company at Dhubri, Assam Oil Company in Digboi, the British owned Assam Railway and Trading Company to the tea gardens and Government establishment. The intensity of the labour unrest alarmed the Government of Assam expressed its anxiety over the frequency of strikes and disturbances on the tea gardens in several parts of the provinces. The Indian Tea Association made anxious representation to the Government and the attention of the ministry was drawn to the need for urgent action to maintain law and order.

As a result the Government of Assam appointed a tea garden labour committee to investigate the cause of these recent strikes. The ITA, suspicious of the Congress party and clearly unhappy with the appointment of two labour members, used its proximity to the colonial bureaucracy to delay and thwart the operation of this committee only if it were carried out by persons acceptable to the tea industry. It carried out the threat and withdrew from the committee when its objections did not elicit a positive response.

Growing labour militancy and the emergence of trade union in the tea garden had clearly emerged as the major concern for the ITA ever since early 1920s. The appearance of relatively more organized forms of labour resistance, such as strikes, in the Assam valley tea garden had been seen as the work of the outside agitators. The same refrain dominated the industry's perception in the late 1930s when the early sign of TU arrived on the scene.

To begin with, ITA was opposed to the very idea of trade union in the tea gardens. It argued that condition in the gardens was fundamentally different from those in the industrial concerns. However by 1939, confronted by the new political situation of the proliferation of nationalist and, more alarmingly, communist activities in labour politics, ITA began to review and modify its strategies. Instead of total opposition, it was decided to follow a policy of conditional recognition of a union, it was laid down that only the permanent labour force residing in the gardens should be enrolled as members, and its executives should be drawn from among them, with a maximum of two persons from outside to be members. No union would be allowed to represent more than one garden. A strike could not be called without a prior ballot with a minimum of two-third of votes cast and approved by 50% of voters. Thereafter an advance notice of fourteen days was compulsory¹¹

This policy remained on paper for the time being as the Government of India imposed the Defense of India Rules in September 1939 which suppressed, for the time being, the embryonic trade union movement in Assam.

The imposition of Defence of India Rules by Government made it harder of the momentum of the 1939 strikes however, by 1943 labour struggle outside the plantation was leading towards the organization of labour at the provincial level. The Assam Provincial Trade Union Congress (APTUC) was formed in 1943 as a branch of the AITUC and became fairly active over the next two years. The first conference of APTUC was held at Dibrugarh on 28th November 1943. The AITUC's communist were also making efforts to establish contacts with the tea garden labourers.

Between 1943 and 1945, the APTUC increased its strength in Assam from 4345 members belonging to affiliated and associated units to about 16,000 members with 41 affiliated and associated units.

The most important aspects of the ITA's adaptation to new situations and its adjustment to the industry's growing strength were its shifting policies with regard to the emerging trade union during the 1940s.

From complete opposition to the very idea of trade union in tea garden, it shifted its stance to conditional recognition at a time when uninterrupted tea production was a priority to meet growing demand as part of the war effort. These developments forced the ITA to implement its earlier proposals on trade unions¹².

4.2.2: Trade Union Movement in Tea Industry of West Bengal

In spite of the fact that tea industry in West Bengal had been in existence since 1856, the trade union movement could make its start only around the time of Independence. The reason behind the late inception of trade union movement in West Bengal was the non existence of the proper condition for the growth of trade unions.

The tea gardens workers were not organized and hence lacked the bargaining power. They were too poor and illiterate. They had no access to the outside world. Tea planters, on the other hand, were well organized. They took full advantage of the poor and ignorant workers who could not dare to raise their voice against the tyrannies of the tea planters. The relationship between the workers and the owner was that of servant and master. The workers were poorly paid and had to work under very unhygienic working condition. Their standard of living was deplorable.

Meanwhile, the planters were well aware of the large scale labour agitations which were sweeping throughout the country under the leadership of the nationalist. Planters therefore made every possible effort to prevent the penetration of such agitation in the tea gardens of West Bengal. Planters appointed chowkidar to keep watchful eye on the movement of the workers. Trade union from outside were not allowed to enter the tea garden nor the workers could go outside to meet the trade union leaders. In addition to these strict measures, the tea planters used to maintain a private armed force known as "North Bengal Mounted Rifles," to suppress any form of protest by the workers.

Thus planters were successful to nib in the bud, the threat of labour agitation in the tea gardens. By their well knitted tactics supported by the use of muscle power, the planters had suppressed the workers for so long time but not until around the time of Independence.

By 1946 the whole scenario began to change and the fortune began to tilt towards the workers side. Trade union movement slowly but steadily began to penetrate in the tea gardens of West Bengal, giving rise to new hopes and aspiration among the workers.

It is believed that trade union in the tea garden of West Bengal was first introduced by the Communist party in 1946 and the person who owes the credit to do so was Ratanlal Brahman.

He was the nominee of the Communist party of India (CPI) from the tea garden constituency of Darjeeling in Bengal Provincial Assembly election held in April 1946. During his election campaign, he got the opportunity to enter the garden and interact with workers. Throughout his campaign, Ratanlal was accompanied by Sushil Chakroborty along with some communist fellows. They hold several meetings and immediate outcome of this was the formation of the first trade union in tea industry in Darjeeling at the end of 1945. It was known as Darjeeling District Tea Workers' Union, which was later, renamed as Darjeeling District Chia Camman Mazdur Union in 1952. Ratanlal Brahman and Bhadra Bahadur Hamal were its first president and general secretary respectively. During the election campaign, Ratanlal Brahman had to pass through several obstacles, created purposefully by the planters to distract his movement. But he struggled against all odds to finally come out victorious in the election by a massive vote. His victory in the Assembly election marked the beginning of trade union movement in tea industry of West Bengal. The workers who had been, for so long, tolerating the tyrannies of the planters, now, began to organize themselves and raise their voice together to seek justice. Planters, who were until then unused to such form of protest, could now smell the downslide of their exploitative nature.

Last weapon in their armory to tackle such situation was the threat of retrenching workers but it, too proved hardly effective. Rather, the more the planters tried to oppress the workers, more they became firm on their resolve to fight.

As a consequence there were several labour agitations during 1945-46 in Darjeeling. On May 31st, 1946, Ratanlal Brahman was arrested by the police. However when the agitation seeking his release became uncontrollable, the police were compelled to release him.

18th June 1946 is an important date in the history of trade union in tea industry of West Bengal. On this very day, the Chai Camman Majdur Union placed 'strike notice' to the management of 13 tea gardens from their seven point demands which included recognition of trade union, hike in wage rate, dearness allowance @25% of total wage, better medical facilities, ration at lower rate and abolition of 'Hattabahr' system.

This happens to be the first time that the workers of 13 tea gardens went on a general strike for a day. Subsequently; there was industrial unrest in various tea gardens, with workers firm on their stand to get those rights they fully deserve¹³.

4.3: History and Growth of Trade Union Movement in Tea Industry after Independence and Prior to Globalization with Special Reference to Dooars Region in West Bengal

After attaining Independence in 1947, the character of the Indian state changed. The new Government's attitude towards the working class was more favourable than that of the earlier colonial regime. The scenario changed to some extent in the post-Independence period when Trade Unions were allowed to organize tea plantation workers. At present we find that the rate of unionization is fairly high as compared to other industries. In Assam, where the largest number of tea plantation labourers is employed, there is one major union which represents the workers, the Assam Cha Mazdur Sangha. This union is affiliated to the Indian national trade Union congress (INTUC) and is regarded as the recognized trade union.

In the early 1950's under leadership of Deo Prakash Rai, another union known as Darjeeling District Chai Kaman shramik Sangh was formed. The union was affiliated to the local party known as Gorkha League.

In 1995 both the unions cooperated for the restoration of 14 points demands of the workers and jointly called a strike. This strike became successful as workers got some favour from the management for the first time.

In the early 1960's, under the leadership of Dr. Maitree Bose, another union known as National Union of Plantation Workers was formed.

The spectacular feature of all the three trade unions had respective political affiliation. For instance, NUPW (INTUC), Darjeeling District Chai Kaman Mazdur Union (CITU) and Darjeeling District Chai Kaman Shramik Sangh (Gorkah League) had their respective philosophy. Each union played the role of pressure creator on the living conditions of the plantation workers. Thereafter in 1989, another trade union known as Himalayan Plantation Union emerged for the plantation workers¹⁴.

First, the Trade union movement in Dooars gardens was initiated and organized by outsiders hailing from Bengal-Assam Rail Road Workers Union. Bhowmik (1981) observed that the workers of the Dooars showed signs of collective action only after the trade union organizers of the Bengal-Assam Rail Road Worker's Union under an attempt to organize them in early 1946.

It can be accepted that there was a trade union movement in Dooars gardens having both the workers and management from similar socio-economic and cultural background of the country. The top leadership of the Dooars gardens was in the hands of Bengal Community and Bengali Leaders at the central committees of the union.

The aftermath of Independence was not good for unions. The hope of workers to secure better facilities and wages from the national Government were not realized. There was large-scale unrest and strikes and lockouts multiplied. The disunity in the trade union ranks was aggravated by the starting of three central labour organizations, namely, the Indian National Trade Union Congress (INTUC) in 1947, the Hind Mazdur Sabha (HMS) in 1948 and the United Trade Union Congress (UTUC) in 1949.

West Bengal, on the other hand, has a large number of trade unions operating among the workers. A study on unionization in this history (Bhowmik 1992: 11-39) showed that almost all workers were members of one or more of the existing trade union. Almost all the national trade union federations have their union operating in this state. The union affiliated to the Centre of Indian Trade Union (CITU) has the largest membership, followed by the union affiliated to the INTUC.

Despite the existence of multiple unions in the State, plantation workers have tried to form a common front to take up issues on an industry wide level. In 1962, the major trade unions came together to form the Co-ordination Committee of Tea Plantation Workers (CCTPW). This committee is an important forum for tackling issues such as wages, bonus etc. Unions affiliated to CITU, INTUC, AITUC, UTUC (United Trade Union Congress), Hind Mazdur Kissan Panchayat (HMKP) are among its constituent members¹⁵.

The smaller unions have formed their own joint forum known as Committee for Defence of Plantation Worker's Rights (CDPWR).

In Tamilnadu and Kerala too, there are a number of trade unions among the plantation workers .There are 22 unions among tea plantation labour in Tamil Nadu and in Kerala AITUC, INTUC and CITU are the main union.

The employers have their own association to put forth their interests in Assam and West Bengal, the Indian Tea Association (ITA), which is the oldest association of tea planters, is an important body. Other associations are Indian Tea Planters Association, Terai Indian Tea Planters Association, and Darjeeling Planters Association. In Assam, there are associations such as the Bharatiya Cha Parishad, Tea Association of India, Assam Tea Planters Association etc.

In South India most tea planters are members of United Planters Association of South India (UPASI).

Quite surprisingly, the tea plantation industry is considered to be the largest organized industry in India employing the largest workforce. The workers are unionized. In West Bengal, there are 32 recognized unions.

In Assam, the Assam Cha Mazdoor Sangh (ACMS) is representing the workers for the last 50 years, and is the only recognized union, though there are some more registered unions, some of them even affiliated to the central trade unions.

Yet, there is not a single tea plantation where the Plantation Labour Act (PLA) is fully implemented. The wage agreements reflect more the domination and power of the tea industry associations. The workers are never considered to be skilled except a handful who works in the tea processing factories. They remain unskilled as ever with no promotional avenues open to them. Every worker, permanent or temporary, young or old, inexperienced or experienced, receives the same wage and is classified as daily wage workers.

There is no question of computing dearness allowance or variable dearness allowance according to the scale of the Consumer Price Index (CPI). They do not receive Sunday wage. For them Sunday is an unpaid holiday.

Arrears due after every wage agreement are seldom paid. The collective bargaining process in the tea industry does not reflect the other necessary aspirations of the tea workers. The agreements are conspicuously silent on housing, healthcare, educational and other facilities ¹⁶.

The last ten years of wage agreements show that the tea employers have not conceded any major demand of the trade unions. The tea associations have not agreed to the CPI-linked variable DA, minimum wage calculation according to the prescribed norms of treating a family as three consumption units, establishment of central hospitals, clearing the huge backlog of providing houses to the workers, providing adequate drinking water, drainage and electricity facilities to all the gardens, clearing provident fund dues, early gratuity to the retired workers and regularization of all temporary workers. Nearly 40 per cent of the workers in the tea plantations of West Bengal and Assam are today temporary and casual workers and their numbers are further increasing.

This means that these workers are not covered under and protected by the PLA. The tea industry thus is reaping all the benefits without investing a single paisa on a large section of its workforce.

Major struggles and strikes are few. In 1969, there was a 21-day strike in the plantations demanding regularization of temporary workers.

Not much was conceded by the industry other than absorbing about 10,000 temporary workers. In the year 1999, the tea workers in West Bengal struck work for 10 days. An agreement was drawn up regarding regularization of the temporary workforce, establishment of central hospitals and revamping the healthcare structure in the tea gardens. Nothing has been done so far.

The strike was withdrawn only when the agreement was drawn up and signed at the intervention of Mr. Jyoti Basu, the chief minister of West Bengal.

The agreements in West Bengal are tripartite in nature, whereas it is bipartite in Assam where the Government is not a party. The long-term understanding with the INTUC-affiliated ACMS has given the Assam employers a clear domination and stranglehold over the industry¹⁷.

Officially, there is no labour unrest, industrial relations is peaceful and ACMS, understandably, 'co-operates with the industry'. In West Bengal, any demand by the workers and the unions, termed unfair by the industry, is either flatly rejected, or is repeatedly discussed by the tea industry in a series of consultations, a delaying tactic mainly, until the unions are fed up and ask the Government to intervene. All the agreements that have been drawn up at the intervention of the State Government, have favoured the employers and not the workers.

Like the aftermath of strike and the eventual agreement, there is a lot of resentment amongst the workers, but the very threat to their survival forces them to keep quiet and accept the verdict. For a tea plantation worker, whose forefathers were indentured immigrants, and were born and brought up inside the tea gardens, dismissal means not only the loss of livelihood but a threat to their general existence. With no familial connection with their original homeland, they have nowhere to go, nowhere to work, once they are turned out of their gardens. They are forced to choose a life of meek acceptance.

It is therefore very clear that, beyond a point even the phenomenon of an hundred per cent unionization does not matter much. A trade union exists much more at a micro level, at the plantation unit level, where their existence helps the tea workers, otherwise secluded and isolated from the mainstream, at least, to address their daily needs.

The trade unions have been their only link with the outside world. At a more macro level, the trade unions have contributed much less. One reason could be the absence of leaders from the working community itself. The trade unions in West Bengal are mostly controlled by the Bengali Bhadrakol who does not even work in the tea gardens. Very few of the central office bearers are from the tea industry or from the workers themselves.

At the plantation level, leaders are mostly from the sub-staff, who belong to the same ethnic groups as the workers, but are supervisors by occupation. Going by the hierarchical set-up of the tea plantations, they command a large group of workers from their own ethnic group and are in-charge of them. Due to the internal organizational set-up of the plantations and ethnic solidarity, these sub-staff command a very strong loyalty of the workers under them. It is quite possible that this organizational dynamics has been very consciously incorporated into the organizational dynamics of the labour unions.

So, the trade unions have to only make an effort to initiate the people from the sub-staff level into their organizations. The workers will follow suit.

In Assam, ACMS works under a strong political stranglehold of the Congress (I). But, the leaders are from the tea community, again, the sub-staff. The same phenomenon is observed in other trade unions also. Of course, the Assamese here do not aspire to be the leaders of the tea plantation unions.

The unions are not representative of the women workers. Women, as a whole, are the back-bone of the plantation economy and social life. The majority of the workers are women. Any change in the organization of work and economy in a plantation affects them first and foremost. Similarly, the women also remain the potential agents for any change likely to come in an enclave economy like that of the plantations¹⁸.

With the institution of labour laws and the PLA in the tea plantation industry, it is the women who have been the prime target of deprivation and exploitation. Ten years before, they were paid less than the men. They have been subjected to long working hours and heavy workload. Even the pregnant women are not spared from activities like deep hoeing.

The profit-hungry industry has been slowly marginalizing the women. The majority of the temporary workers, today, are women. For them, social welfare benefits under PLA including maternity and medical benefits do not exist. The permanent women workers are also discriminated and are regarded as separate entity from their parents, husbands and thereby are not regarded as dependants.

Their husbands are not entitled to subsidized food grains and medical benefits and these practices are not only perpetrated by tea companies under the Government undertakings or private sector only, the track record of some of the multinational tea giants likes Unilever, Williamson Magor and McLeod Russel is no different. They are all party to the sin of employing forced labour and not allowing a free labour market to develop thus rendering tea labour unfree.

The trade unions in the tea industry are operating under the same hierarchical and organizational set up master-minded and practiced by the planter's right from the colonial days. Beyond a point, logic says that they will never be able to confront the tea industry to struggle for the betterment and uplift of the tea workers. The trade unions have to understand this and have to undergo a major organizational change to survive and be able to discharge their responsibilities towards the tea plantation workers.

Trade unions have to emerge as a much stronger force in a milieu where social responsibilities do not exist. After the Independence of India from the British, a comprehensive labor code for the plantation workers under the Plantation Labor Act was passed by the Indian parliament in 1951. As a result, tea garden workers are more organized and have the right to collective bargaining.

Over 1.5 million workers work in India's tea industry, traditionally one of India's most important and profitable industries. Yet tea gardens are facing closures and lockouts around the country. Why are India's tea plantation workers in so much trouble when tea continues to reign supreme among consumers across the world? Today, tea plantation owners give a litany of woes which have become familiar and ominous to the labor movement across the world - profit margins have dropped competition from Sri Lanka and Kenya is stiff, cost of production is too high and so on. What follows: arbitrary pressure on productivity; reduction in wages; elimination of benefits; closures; lock outs; and de-unionization? The mantra is "cut the cost of production," and invest the huge profits not in compensating labor but in the marketing end of the industry, in creating and promoting a profusion of brand names, the logic being that the retail end is where the profits lie ¹⁹

The position of trade unions has vastly improved after Independence, and the growth of such unions in the plantation industry as a whole in different years may be seen from below:

Table: 4.3

Number of Unions Submitting Returns

Year	Number of unions submitting returns	Membership(in thousand)
1956-57	101	267
1958-59	139	497

From the year 1960-61 the number of trade unions along with their membership (in thousand) has been shown separately for tea plantation. The figures in respect of tea plantation for different years shown below:

Table: 4.4

Number of Trade Unions and Membership

Year	Number of trade unions	Membership(thousand)
1960-61	27	155
1961-62	26	151
1962-63	27	87

The following are the important trade unions of the tea plantations workers in the Dooars region are as follows:

Cha Bagan Mazdoor Union

Dooars Cha Bagan Workers Union

Panchim Baga Cha Bagan Sramik Kormochari Union

National Union of Plantation Workers

West Bengal Tea Gardens Employees Association

Tea Association of West Bengal

Bengal Dooars Railway Workers Union (BDRWU) played a major role in the formation of trade union in Dooars tea gardens. The support received from the members of BDRWU proved quite instrumental for the communist in spearheading the trade union movement in the Dooars tea garden. The first tea garden to come under the influence of BDRWU was Haihaipathar (now called Rapali) near Mal. The other tea garden which also came up under the influence of Communist were Denguajhar, Bagrakote and Lakhipara under the able leadership of Mr. Ratanlal Brahman and Debprasad Ghosh, the trade union movement received the proper direction and ultimately in July 1946, Zilla Cha Bagan Mazdur Union was formed with the workers of nearly 13 gardens.

This trade union happens to be the first central trade union for the tea garden workers of Dooars. Ratanlal Brahman and Deb Prasad Ghosh became its first president and secretary respectively; this union was later affiliated to the AITUC.

Thus, the history of trade union movement in Dooars tea gardens gives us the account of the tremendous amount of struggle of the communist who fought against all odds to establish trade union in tea gardens. BDRWU also made an enormous contribution which made the task much easier for the communist. The full fledged support of BDRWU was instrumental in the formation of trade union in the tea gardens of Dooars²⁰.

4.4: Growth of Trade Union Movement in Tea Industry in Dooars

Trade union in Dooars tea garden came into existence in 1946. Initiative taken up by the Communist was backed by the support from BDRWU which was an organized trade union at that time.

Like any other association, trade union too passed through different phases in its journey to reach its present position. It would therefore be more meaningful to present the growth of the trade union movement in tea industry phase wise.

First phase (1946-1947): Initial phase

Second phase (1948-1951): Set back phase

Third phase (1952-1970): Restoration and Development

Fourth phase (1971 onwards)

4.4.1: First phase (1946-1947)

During this period two major labour union movements took place, viz, food movement and Tebhaga movement. In 1946 the entire Bengal was under the grip of acute shortage of food grains. The communist party of India started food movement all over the Bengal. The tea garden of Dooars participated in the movement.

Food movement was immediately followed by a 'tebhaga movement' in 1947 which was launched by the communist party to ensure a one third share of the produce to the share cropper. The peasant involved in this movement belonged to the same origin as the adivasi workers of the tea gardens of Dooars. So there was a natural inclination among the Dooars tea garden workers to join this movement.

Followed by these two consecutive movements, the friction between the workers and the planters began to increase. They made every possible effort to suppress the labour movements but did not succeed; rather the workers became more resolved on their stand. With situation going out of control, the planters had no other choice, than to use the armed force to restrain the movement.

On 1st march, 1947, police opened fire at farmers at Matha Chulkas village while they were trying to break the granary of Ataharuddin, a jotedar. In this incident, five farmers lost their lives. On 4th April, 1947, nine people were killed in police firing at Mathabari village near chulsa, while trying to break the granary. Tebhaga movement did not widespread in Terai, due to the lack of farmer's organization. It was only due to the individual effort of Nripen Bose, that Tebhaga movement could make its presence felt in two occasions in Terai. In 1946, about hundred of farmers gathered at the granary of Nabin Roy, a jotedar at Patharghata near Matigara Police Station. They broke out the granary and shared three parts of crops among them. But Nripen Bose along with 6 farmers were arrested and jailed for 3 weeks.

The other incident took place in Matigara in December 1947, when some adivasi land less farmers under the initiative of Nripen Bose tried to break out the granary, but their attempt was foiled by the police²¹.

4.4.2: Second phase (1948-1951)

The communist who were spearheading the labour movement in the tea garden received a major set back when the Government of India imposed a ban on the CPI in 1948. Consequently many leaders of the communist were either jailed or had to go underground. As a result the continuity of the already struggling trade union movement became very difficult. However, as per the declaration of the High Court in 1951, the ban was lifted and soon after the general election of 1952, the communist leaders were freed from jail. The leaders restarted their movements and soon succeeded in gaining support from the tea garden workers.

4.4.3: Third phase (1952-1970)

This phase marked the beginning of the inter union rivalry in tea garden. During this period, different political parties started tea labour union. In 1962, the Co-ordination Committee of Tea Plantation Workers (CCTPW) was formed by the major trade unions in tea gardens. It has been able to ensure unity among the diverse trade union only at the industrial level but not at the industrial level. During the first half of the Sixties, tea gardens had a tendency to resort to 'gheroes' which often degenerated in violence, confinement and assault of the managerial staff. As a result, labour management relation deteriorated.

From the middle of the Sixties, the labour unrest became more explosive in Dooars tea gardens. Workers resorted to strike along with gheroes. Consequently; workers lost their wages and employers lost their production. The movement received a strong support from the coalition U.F Government.

4.4.4: Fourth phase (1971 onwards)

From the beginning of 1970s, the labour unrest started to decline. Employers recognized trade union movement as a democratic right of the workers. Trade union also responded to the appeal of the employer and gave up their militant attitude and iron out the differences at the bilateral level. In 1972, when Congress Government was voted in power, the labour-management relation started to become cordial. In 1974, the Central Government imposed emergency in India. Industrial unrest became much more explosive in the post emergency period. There were several strikes resulting in huge loss of man days. In 1977, the left front Government led by CPI (M) was voted into power. A wide spread agitation was launched by the leftist trade unions several issues such as bonus, wages etc. There were lots of strikes; the workers went on dharnas, demonstration and gheroes.

In 1982, the left front Government was again voted into power. But this time Government had changed its attitude towards employers and persuaded a new labour policy discouraging the strikes that would vitiate the atmosphere for investment by the employers. Period from 1982 onwards the tea industry of West Bengal witnessed a complete shift of trade union movement.

4.5: Challenges and Opportunities Faced by the Trade Unions after Globalization in India

A participant in the Philippines said, "There is no point to a globalization that reduces the prices of a child's shoes but costs the father his job." A participant from Poland gave an analogy of a force which could be harnessed: "If globalization is a river, we must build dams to generate power."

In other words, globalization in its scope, content and application has become quite controversial. According to Stiglitz (2002) globalization has the potential to enrich everyone in the world, particularly the poor. But the way globalization has been managed, including the international trade agreements those have played such a large role in removing barriers, and the policies that have been imposed on the developing countries in the process of globalization, need to be carefully and critically scanned.

Verification of membership strength of Central Trade Union Organizations is conducted by the Chief Labour Commissioner from time to time. BMS, INTUC, CITU, HMS and AITUC have emerged as the biggest five. They control the workers in coal, mining, ports and docks, railways, textiles, iron and steel, engineering and power sectors. The new entrant is Self-Employed Women's Organization (SEWA) which is a registered trade union and whose membership strength will be verified by the Chief Labour Commissioner as per a court directive ²².

Several CTUOs like NLO, HMKP have lost their all India character. Due to globalization, contractualisation and casualisation and as a result of the entry of several multi-nationals, the unions have been losing strength and power ever since the reform process has begun. The public sector industries no longer can price their products on cost plus basis. According to a directive issued by the Department of Public Enterprises, the PSEs cannot depend on budgetary support for increasing the wages and allowances of the workmen of their work. The man days lost due to strikes and lockouts are very high compared to most other countries. Percentage of women members in trade unions that submit returns has increased but the figure is not a satisfactory one as a substantial section of women workers are engaged as 'home workers'. Less than two per cent of the workers in formal and informal sectors of India are covered by collective bargaining agreements.

Actually, the TU movement is searching for a strategy to tide over the present deplorable situation in tea plantation. Sometimes, it is seemed that they have not got concrete ideas regarding the role to be played in the crucial stage. The declining trend in the industry is in a novel form, entirely different from those seen before. The problem is multidimensional in nature.

The problem cannot be solved in a particular estate alone. But at the same time there are estates functioning normally. Some estates provide remuneration of workers; some others do not do so. The crisis is associated also with the policy decision of State and Central Governments.

This complex situation necessitates a deviation in the conventional trade union activity.

In the early stages, most of the movements were against the authoritarian attitude and unwillingness of management to provide better wage and welfare measures.

So, the arrow of agitation could be pointed towards a specific area. Since the problems are multidimensional, the interference of TU should also be so. Since the problems become complex, role of TU also becomes complex. To be frank, the TU movement should be elevated to such a level, in all aspects, to satisfy the needs of changing times. In spite of the golden age of TU in Plantation and its role in the over all development of workers, TU activists may admit that there are some drawbacks in the functioning of TU. These drawbacks are theoretical as well as organizational²³

They can be classified as below:

(a) Lack of Professional Touch and Comprehensive Approach

Since the problems are complex, TU leaders should study each and every aspects of industry such as productivity, wage rate, profit and loss, administration, drawbacks in management etc. TU should also be well aware of the impact of external factors like trade policy, government policy etc. Now a day, so many leaders are well aware of general matters, but do not try to go in to the micro level. As part of their political activity they obtain some knowledge regarding the problems of plantation as a whole but do not try to study the implications in detail.

So they cannot effectively participate in conferences with management and Government. Micro level interference in affairs of industry is a pre- requisite for macro level movement. In brief, 'professionalism' in TU activity should be maintained.

(b) Unhealthy Competition of Trade Unions

The number of TUs may be reduced. TUs should be freed from "party politics", unwanted interference of political parties adversely affect the creativity of TU. Actually, this process seriously affects creative politics or long-term healthy political development.

(c) Inadequate Commitment to the development of Industry

Economists and TUs have proved the argument of management for a wage cut to overcome crisis as baseless. State level TU leaders extend their full Co-operation to raise the productivity of tea, without a cut in wage. But they do not try to spread this idea to the grass root level. The earnest involvement of workers is needed for the survival of industry. The TU should teach each and every worker that it is the duty of a worker to protect the industry, along with protecting rights.

(d) Democracy in TU

Along with unwanted 'party politics', the lack of democracy, may also be avoided. Trade union leaders themselves accept that the degree of democracy and as the same time discipline is deteriorating. It adversely affects the process of mass mobilization. It also leads to bureaucratic trends in TU, which is inimical to workers, industry and the general political movement. The confidence of workers in TU looses due to the lack of democracy. The number of general bodies in the grounds level has been reduced.

(e) Discarding Non- Economic Factors

A comprehensive TU movement should consider all the aspects of workers, both economic and non-economic. The non-economic factors such as welfare measures and cultural affairs have been discarded by TU for years. This is a sharp deviation from the initial trend .So the TU - worker relation also becomes economic or monetary.

Workers become disappointed with the tiny monetary loss. They cannot be mobilised for a long-term movement in a crisis.

(f) Marginalization of women workers

Women workers represent more than 50 percent of total workers. But they are remained marginalized in TU. Involvement of women is limited with membership and in some estates participation in rallies or demonstrations. The concept that women are totally submissive to the dictates of the males is not real. There are occasions in the study area itself where so many women workers activity participated even in organizational level.

But there is the lack of integrity and hard work on the part of TU leaders to accommodate them. Majority of the sample women workers say that the TU centers are not ready to accommodate them in organizational level. How can a trade union act as the present day demanded, if more than 50 percent of workers do not participate in their general bodies? Majority of sample women workers are of the view that TUs do not give adequate attention to the problems of women. How can a trade union address women workers sincerely, if they are not adequately accommodated in higher organizational level? Certainly, women do have the potential for leadership. But it is not developed and nourished by TU.

(g) In sufficient Support from Masses

The crisis in the tea affects not only the workers, but also the surrounding non-plantation areas. The remedies to the problems are to be come from different corners. So, a mass mobilization including all the classes of people may be necessary to pressure on variety of fields. Some times there can surely be a coalition with management also. Now the solidarity of other classes of people to the tea workers is insufficient. It is very fruitful to start a discussion regarding the scope of co-operative movement in the tea industry.

If such a situation arises, the TU movement should be well equipped, theoretically as well as organizationally to bear the responsibility²⁴.

4.6:Recent Trends in Trade Union Movement after Globalization in Dooars Region

Industrial economy of the country has undergone changes after the liberalization process started from 1990. Concomitantly, the trade unionism in the country has also undergone changes. Some of the important changes taken places in the trade union movement in India in the recent times are outlined as follows:

4.6.1: Attitudinal change

One perceptible trend witnessed, of late, is the change in the attitude of trade unions towards management. This is evident from the following facts:

i) There is a decreasing trend in the number of trade union members. For example, the membership of INTUC has come down to 54.05 lakh in 1993 from 54.35 lakh in 1989. So is the case of CITU also. Of course, decreasing membership in trade union is very much evident elsewhere as well e.g., Australia, France and Japan etc.

ii) Gone are days of cat-call strikes, bandhs, gheraos and violence. With increasing education and awareness of workers, trade unions have become more mature, rational, and realistic in their approach and action. As such, trade unions now do not oppose economic reforms but the adverse effects of reforms.

iii) With such reconciling attitude, they have started accepting the new human resource practices like voluntary retirement scheme (VRS), Golden Handshake, and a like which used to be bone of contention till the other day.

4.6.2: Depolitization of Unions

Days are also gone when trade unions seem relish affiliations and confirming the trite saying "Nature abhors vacuum." Having realized the evils of political affiliations of union, they have started to insulate themselves against the political influence. Trade unions in leading organizations like Blue Star, Philips, Hindustan Lever, Siemens, Telco, Tomco, Voltas and the like are not affiliated with any political party²⁵.

That depolarization of unions is beneficial for employees are evident from the Kamani Industries experience where the internal union is running it successfully through workers' co-operative.

4.6.3: Multiplicity of Unions

Formation of trade unions on fragmented basis has, of late, led to multiplicity of unions. The multiplicity of unions in some organizations has assumed to mind boggling stage. For example, the number of unions in Bokaro Steel Plant is 68, in Delhi Transport Corporation is 50, in Singareni Collieries is 36, in Calcutta Corporation is 100 and in Steel Authority of India Limited (SAIL) is 240.

To sum up, the attitude of trade unions is changing, the membership is declining, the political affiliation is wanning, the number is multiplying and, in turn, the people sympathy is receding.

Conclusion

The remedial measures for the revival of tea industry are to be originated from various corners. The TU movement has a greater role in the revival and sustainability of the industry. The depth and width of TU should be increased to satisfy the needs of changing times. Certainly, TU has got two roles. On the one hand it has to play its own part in the process of revival of the industry. On the other hand it has to consider livelihood and grievances of workers, especially those in closed or abandoned estates ²⁶.

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