

CHAPTER 4

THE ROLE OF POLITICAL PARTIES IN TRADE UNION MOVEMENT:-PRE-INDEPENDENCE AND POST-INDEPENDENCE PERIOD-THE NATURE OF EVOLUTION.4.1. GROWTH AND DEVELOPMENT OF TEA INDUSTRY IN INDIA: A CASE STUDY OF PRE-INDEPENDENCE PERIOD

Tea had its genesis in China and almost throughout the 19th century she had virtual monopoly of tea production. China was the only supplier of tea to Europe up to the end of 18th century.

The East India Company or John Company as it was often called had been granted a monopoly of oriental trade in 1600 and it was the greatest trading monopoly there. During the period of monopoly though tea developed into a very popular drink in the U.K. and the American colonies, yet the East India Company discounted all possible ideas of developing tea plantation in India in apprehension of losing its monopoly in trading.

The beginning of tea cultivation in India under Government auspices arose when the monopoly trade of East India Company became a closed chapter in 1833. This sudden situation made it indispensable to the Governments of the U.K. and British India to establish tea plantation industry in India. In 1834 Lord William Bentick, the then Governor General of British India, appointed a Tea committee to consider the question of introducing supply of plants from China, and to decide the most suitable place in India in which to grow them. The establishment of Tea Committee fully and more formally explored the possibility of cultivating tea in India. In the beginning, tea production in

India had been carried out under Government auspices and mostly on an experimental basis. In 1840 the Assam Tea Company was formed with the object of purchasing East India Company's plantations in Assam for the purpose of developing tea plantation in India. This was a landmark of the beginning of private entrepreneurship in the field of tea industry.

'The development of tea industry in India had been advanced from the experimental to a more extensive and commercial stage by 1840. From 1840 to 1865, the industry was expanding at a very fast rate. But the success of the industry did not last for a long. Barely twenty five year old tea industry suffered a setback following the slump that overtook during 1865-67 through over-production and speculation of dishonest planters. However, this situation did not continue for long and took a better turn when gardens were purchased for lesser amounts. New companies were formed for taking over these gardens for growing tea as a commercial article. The industry was then placed on a firmer foundation.

After the tea disaster of 1865-67 both the Government and the planters were more awakened about the progress of Indian tea industry. Subsequently both took positive steps to provide a solid foundation of Indian tea in the global market. In 1868 the Government appointed a commission to enquire into all aspects of tea industry. The Commission reported that the industry was basically sound and those gardens which had escaped the effect of wild speculation of previous years were on sound flourishing condition. By 1870 the industry embarked on an era of sound and scientific development.

Due to rapid growth and development of tea industry, the tea planters felt necessary to form an association for promoting their common interest and objectives. In early part of 1876, an attempt was made to organize North Indian tea estate owners into

an association. It was only after five years that a meeting was convened on 18th May, 1881. The Indian Tea Association was formed with its head office at Calcutta. The other associations were set-up in the beginning of the century in Assam, North Bengal and South India. The momentous establishment, giving a solid foundation to the informal expression of co-operation between tea estates, played a pivotal role towards making the Indian tea industry a force to contend with the world.

By 1880 production of North India touched 44 million pounds and around this time Indian tea began to upstage in exports to U.K. The fear of competition with China was also virtually removed. In 1880-81 the share of Indian tea was 30 percent of the total imports of tea into United Kingdom and share of China was 70 per cent. In 1885-86 the share of India increased to 40 per cent and that of China decline to 50 per cent. By 1903 the share of India increased to 69 per cent.

Thus China once supposed to be an insurmountable obstacle to Indian planter had been gradually vanquished. The drinking of tea was firmly established in the U.K. and by producing better quality with a relatively low price India displaced Chinese black tea and became a leading producer and exporter in the world.

The growth of Indian tea industry during the last fifteen year of the 19th century has been shown as:

Table IV. 01: Growth of Indian Tea Industry 1885 to 1899

Year	Area Under Tea (in hectare)	Production (in tones)	Yield per hectare (in kg.)	Export (in tones)	Index of area base 1885=100	Index of production base 1885=100	Index of yield per hectare base 1885=100	Index of export base 1885=100
1885	114,900	32,444	282	30,897	100,00	100,00	100,00	100,00
1886	120,685	37,388	310	35,558	105,00	115,24	109,23	115,09
1887	126,587	41,485	331	39,348	110,17	128,97	117,38	127,35
1888	131,250	45,265	345	44,008	114,23	139,52	122,34	142,43
1889	135,044	48,554	360	47,010	117,53	149,67	127,66	152,15
1890	139,546	50,819	364	47,316	121,45	156,66	129,08	153,14
1891	146,673	56,186	383	53,977	127,65	173,20	135,82	174,70
1892	151,704	55,336	365	50,670	132,03	170,58	129,43	164,00
1893	160,190	59,987	374	56,022	139,42	184,92	132,62	181,32
1894	162,087	61,105	377	56,975	141,07	188,36	133,69	184,40
1895	168,234	65,049	387	61,016	146,42	200,52	137,23	197,48
1896	175,342	70,954	406	68,230	152,50	218,72	143,62	220,83
1897	190,250	69,754	367	69,102	165,58	215,02	130,14	223,65
1898	203,022	71,430	352	71,912	176,69	220,19	124,82	232,75
1899	208,679	82,462	395	80,360	181,62	254,20	140,07	260,09

Table 01. Shows that during the last 15 years of the 18th century the industry expanded very rapidly. The area under tea cultivation increased from 114.900 hectares in 1885 to 208.679 hectares in 1899. Along with the increase in area the rate of production and exports was also well maintained. Where the planted area increase in production and

exports was the order of 154.20 per cent and 160.09 per cent respectively during the period 1885 to 1899. But the yield per hectare did not improve significantly. Only 40.07 per cent increase was recorded in the yield per hectare through the period.

The average price of tea showed declining tendency during the last 15 years of the 18th century. This was due to over production in North East India and to increase in production in China and Ceylon.

Thus by the end of the 19th century through the cultivation of tea increased rapidly but the rate of productivity was very low. So the industry felt the need for conducting scientific research. In 1900, the Indian Tea Acc. appointed a Scientific Officer to work in the laboratory of the Indian Museum in Calcutta. Later on a Research Station was setup in Upper Assam and subsequently it was shifted to Tocklai (Jorhat) in 1991. Tocklai has adopted a multi-disciplinary approach covering all aspects of agronomy, ranging from fertilizer use and soil chemistry to bush management and plant genetics. The Tocklai Research Station is said to be the best equipped and the biggest Research Station of tea in the world.

In the 20th century till the independence of the country the tea industry of India had to pass through the worldwide anxieties of the First World War, tea disaster of 1921, world trade depression of 1929 and the Second World War.

The First World War brought in its wake the alarms and anxieties of nations in conflict but the period in general turned to be one of the prosperity for Indian tea. The boom in wartime demand led to an increase of the planted area and production to 274,592 hectares and 172,575 tonnes respectively at the end of 1918. It registering an increase of 8.65 percent and 21.44 percent respectively compared to the figure of 1914.

Apparently the industry was in flourishing condition during the First World War period, but the quality of tea fell. The situation took a worse turn when the British Government released the stock it held after the decontrol of tea in 1919. A serious depression occurred due to decrease in demand from the U.K. the principal importer of India tea.

However before the slump could gather momentum Indian Tea Association directed its members to stop plucking on 15th November 1920. Consequently at the end of 1921 production declined to 124,405 tonnes recorded a decrease of 20.58 per cent over the figure in 1920. The decline in production in 1921 helped a speedy recovery. And after the close of 1921 prices were again at a remunerative level and the depression was at its end. In the latter part of 1924 prices rose sharply and up to 1927 prices were high.

The rapid rise in prices induced planting in new areas which began to increase yield from 1928-29. At the end of 1929 area and production increased to 318,892 hectares and 196,336 tonnes respectively. Area recorded an increase of 11.4 percent while production increased by 57.82 per cent compared to the figure of 1921. So after the tea disaster of 1921 the industry was again placed on firmer foundation within a span of eight years.

But prices again started falling due to excess supply over demand. Moreover the world trade depression of 1929 further aggravated the situation and excess production continued to pile up till 1932.

Following the slumps in the international tea trade during the years 1929-1932. India, Ceylon and Indonesia, by an agreement restricted their exports and area under tea. The negotiating countries were responsible for exporting about 97 per cent of black tea and 85 per cent of all teas. The objective of the agreement was to bring a balance between

the supply and demand of tea in the international market. This was the first International Tea Agreement and it was for a period of five years beginning from 1st April 1933. Subsequently two more agreements were signed. The second one was signed on 18th November 1936 and came into force for a further period of five years from 1st April 1938 to 31st March 1943. During the Second World War the agreement was extended until 31st March 1948. The representatives of the industry from India signed an interim producers' agreement. Pakistan (Bangladesh), Ceylon and Indonesia, which came into force from 1st April 1948 to 31st March 1950.

The representatives of the above-mentioned countries had signed the last agreement for a period of five years ending on 31st March 1955.

Following the first International Tea Agreement, production and exports of Indian tea decreased to 174,033 tonnes and 149,301 tonnes respectively in 1933. It registered a fall of 11.52 per cent and 14.59 per cent respectively over the figure in the previous year.

However after 1933-34 the trend was towards a recovery. For the operation and administration of tea regulation scheme, the International Tea Committee was formed. On its recommendation 'International Tea Expansion Board' was established on 1st July 1935. The Board's main objectives were to supplement the works of the member countries by carrying out propaganda for expansion of tea market in the world. Ultimately Indian tea regrouped to forge a strong position by the eve of the Second World War.

The interventions of the Second World War again worsened the situation. During the wartime the Government of the United Kingdom started the bulk purchase scheme. The main aim of the scheme was to replace the method of selling the Indian and Ceylon tea through auctions. In 1939, the U.K. Government under tea control took over all stock of Indian tea on which duty was not paid and requisitioned in advance all teas to arrive

after that date. The U.K. Government entered into a long-term contract to purchase tea. The payment was to be made on the London auctions held during the week commencing from 21st August 1939. The guaranteed market for an agreed quantity irrespective of quality gave a fillip to producers to increase production of inferior quality of tea. The Bulk Purchase Scheme continued until the end of 1946. In 1945 the production touched 246068 tonnes. Thus due to bulk purchase scheme production increased by 19.86 percent over the figure in 1939.

After the withdrawal of the bulk purchase scheme the British Government again started demanding quality teas. As a result, Indian teas faced the adverse situation, because the bulk purchase scheme increased production through generation of excess capacity for medium and cheap varieties of tea.

Table IV. 02: Growth of Indian Tea Industry 1900 to 1950

Year	Area Under Tea (in hectare)	Production (in tones)	Yield per hectare (in kg.)	Export (in tones)	Index of area base 1900=100	Index of production base 1900=100	Index of yield per hectare base 1900=100	Index of export base 1900=100
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1900	211,433	89,567	424	87,226	100,00	100,00	100,00	100,00
1905	213,657	100,567	471	98,325	101,05	112,28	111,08	112,72
1910	218,062	119,569	524	116,319	107,86	133,49	123,58	133,35
1915	256,951	168,828	657	154,418	121,52	188,49	154,95	177,03
1920	284,922	156,645	550	130,419	134,75	174,89	129,72	149,52
1925	294,474	164,886	560	153,003	139,27	184,09	132,08	175,41

1930	325,057	177,391	546	164,243	153,73	198,05	128,77	188,30
1935	336,572	178,912	532	146,926	159,18	199,75	125,47	168,44
1940	337,296	210,415	624	160,664	159,52	234,92	147,17	184,19
1945	308,922	229,038	741	167,638	146,10	255,72	174,76	192,19
1950	314,640	275,475	876	200,780	148,08	307,56	206,60	230,18
Source: Tea Statistics, 1990. Published by J. Thomas & Company Private Limited.								

Table IV.03: Average annual growth area, production, yield and exports 1901 to 1950

Year	Area Under Tea	Production	Yield Per Hectare	Exports
(1)	(2)	(3)	(4)	(5)
1901-1910	0.24	1.66	0.01	1.60
1911-1920	0.97	1.44	0.48	1.01
1921-1930	0.65	1.27	0.94	0.92
1931-1940	0.74	0.74	0.58	0.05
1941-1950	-0.15	0.98	0.01	0.82

Note (I) The above growth rates have been found out by fitting an exponential equation of the form, $Y_x = AB^x$

When converted in logarithmic form the above equation can be represented as $\log Y_x = a + b^x$

Where, $a = \log A$ and $b = \log s$.

b represents the rate of growth, which has been shown in percentage by multiplying 100.

(II) (-) indicates negative rate of growth

Source Data compiled from Tea Statistics, 1990, Published by J. Thomas & Co. Private Limited.

The growth pattern of the Indian tea industry during the period 1900 to 1950 has been shown in Table 02. and Table 03.

Table 02. shows that during the fifty years area under tea cultivation increased by nearly 49 per cent while production rose by more than 200 per cent. Yield per hectare increased by nearly 107 percent and 130 per cent raise took place in exports.

Table 03. shows the during the first 10 years (1901 to 1910) area increased at a very slow rate. It registering an annual growth rate of 0.24 per cent only. However, in spite of low yield rate production and exports increased at comparatively faster rate. They registered an annual growth rate of 1.66 percent and 1.60 percent respectively.

Between 1910 to 1920 the annual growth rate of area improved. Throughout the period it increased by 0.97 per cent annually. This fillip in the expansion of area under tea cultivation was due to the increase in demand for India tea during the First World War. But data in Table 01 reveals that production and exports increased speedily only up to 1915 and then sharply declined in 1920. This was because the British Government released the stock it held after the decontrol of tea in 1919. Thus a falling annual growth rate of production and exports was registered during the decade. However the growth rate of yield per hectare improved. (Table 03)

The period 1920 to 1930 was not very prosperous for the tea industry. During this period, the industry was seriously setback by the tea slump of 1921 and the world trade depression of 1929. The annual growth rate of area under tea cultivation, production and exports all declined during this decade. Only the growth pattern of yield per hectare showed improvement.

Table 02. Shows that the declining trend of production and exports was continued up to 1935 and thereafter towards a recovery. Between 1931 to 1940 the annual growth rate of area improved but that of production and exports further deteriorated as revealed by Table 03. This was due to the recommendations of the first International Tea Agreement.

From 1941 to 1950 area under tea cultivation registered a negative annual growth rate of 0.15 per cent. However the annual growth rate of production and exports showed improvement. They increased to 0.98 per cent and 0.82 per cent respectively from 0.74 percent and 0.05 percent respectively during the period 1931 to 1940. This is accounted for the Bulk Purchase Scheme of the British Government during the Second World War Period.

Thus the tea industry of India had been commercially started by 1840 after the formation of the Assam Tea Company. Thereafter unto 1865 the industry made uninterrupted progress. But the tea disaster of 1865-67 had a serious set back to its growth and development. But the positive step taken by the British Government and planters recovered the situation and the industry again established its solid foundation in the global market. Thereafter throughout the 19th century the industry continued its growth.

In the 20th century the industry passed through the historic events of the First World War. World Trade Depression of 1929 and the Second World War. After the First and Second World War the growth and development of the industry had been seriously setback due to over production during the war. But whatever setback had been suffered by the tea industry. It had neither lost its inherent strength of growth and development nor its lead position in the tea world during the pre-independence period'. (1)

4.2. BEGINNING OF TEA GARDENS IN DARJEELING HILLS- THE EARLY HISTORY

The Darjeeling tea area is a hill district and occupies a unique place in Northeast India. The early history of tea in Darjeeling is bound up with the history of British connection with the province of Assam. O'Malley has rightly remarked that the "establishment of tea industry in Darjeeling is due to the enterprise of Dr. Campbell". (2) 'In 1823 Robert Bruce, an adventurer and trader visited Garhgaon, near Sibsagar for trading purposes. He came to know about the existence of tea plants from a Singpho Chief, and made arrangements to obtain some specimens. In the year 1824, he received the specimen and handed them over to his brother C. A. Bruce. Mr. C. A. Bruce sent some of these samples to Captain David Scott, the first commissioner of the newly acquired province of Assam. In 1833, the East India Company was anxious to obtain a rival source of supply under its own control. This was mainly because the East India had lost its monopoly of tea trade with China. The question of tea production in India was not new, as because in 1788, Sir Joseph Banks, at the request of the Company had studied the problems and suggested Bihar and Cooch Behar as suitable areas for tea culture. Lord William Bentick, the Governor-General appointed a committee in 1834 with a view to formulating a plan for the introduction of tea culture into India. At the same time the Secretary of the Committee, Mr. G. J. Gordon of the Calcutta firm of Mackintosh & Company was sent to China to bring back plants and seed and also cultivations who knew how to grow and prepare tea. The conclusions reached by the committee convinced them that the proper places for tea cultivation were in order of suitability –1) the lower hills and valley of Himalayas indicating Mussoree, Dehradun 2) The eastern frontier (Area not denoted) and the 3) Nilgiris and the mountains of Central and South India.

Realising the future prospects of tea industry in India, experimental plantations were started in Upper Assam and the districts of Kumaon and Garwal. It had now been shown that tea could be made in Assam, a number of capitalists approached the Governments, both in London and Calcutta for the transfer of plantations from the Government to their hands. In 1839, a company was formed under the name Bengal Tea Company and in the same year a joint stock company was formed in London. The two companies immediately amalgamated as the Assam Tea Company. In 1840 two thirds of experimental tea were handed over to Assam Tea Company and C. A. Bruce was made Superintendent of the Northern Division with headquarters at Jaipur.

About the same time tea planting began in Darjeeling. Dr. Campbell was "transferred" to Darjeeling in 1840, and he started experimental growth of tea. Dr. Campbell and Major Crommelin in Darjeeling and Lebong opened experimental nurseries respectively. By the end of 1856, tea had been cultivated at Tukvar, at the Canning and Hopetown plantations on the Kurseong flats and between Kurseong and Pankhabari. It was in 1856, Alubari Tea garden was opened by the Kurseong and Darjeeling Tea Company, and in 1859, Dr. Brougham started the Dhotre garden. Between 1860 and 1864 Ging, Ambotia. The Darjeeling Tea Company established Takdah and Lebong Tea Company established Phubtsering and the gardens at Tukvar and Badamtam. Makaibari, Pandam and Steinthal tea estates were also opened during the same period.

It was witnessed that the number of tea gardens rose from 39 in 1866 to 56 by the end of 1870 employing about 8000 labourers and in 1874 the number of gardens increased to 113. The industry made rapid progress and the number of tea gardens increased to 148 by 1905. Of these about 117 tea gardens are located in the Darjeeling and Kurseong area. With the passage of time tea industry became the backbone of the

economy in the hills providing employment opportunities to about 64000 people. (3) There are at present 72 functioning tea gardens covering about 18,000 hectares under tea plantation, employing about 50,000 permanent workers and producing between 10 and 12 million Kilograms of Black Orthodox tea annually. Also most of the approximately 1,50,000 dependents of the workers get casual employment during nine months of the harvesting season.

Apart from the above, the following sections of the people of Darjeeling are indirectly dependent on the tea industry: -

- a) Transport owners for carrying tea, fuels, oils, coal, tea chests, food-grains, miscellaneous stores etc.
- b) Schools, colleges, Hardware suppliers, buses, taxis, restaurants, hospitals, chemists, cinemas etc.

Although area-wise Darjeeling comprises 4.9 % of all India hectareage under tea and the crop is only 0.16% of the national production, the estimated export earning are 12to 15% of India's tea export relation. The estimated revenue earning from Darjeeling tea is around 120 crores annually. Therefore, Darjeeling tea is not only vital for Darjeeling district's economy but is also an asset of the country.

However, the tea production from Darjeeling has been gradually declining. This is mainly due to a number of factors such as age-old bushes, soil erosion etc. No systematic uprooting and replanting programme was undertaken even after independence of our country. Therefore, despite modern and scientific agricultural practices no significant increases in the production has been achieved. Apart from the evils of merchant capitalism drying up the very life of the tea industry, nature also has played foul with it. The 1968 flood damaged about 1,700 hectares of tea are valued about one crore. At the

same time, an extension of tea cultivation was virtually impossible due to the ecological constraints in Darjeeling. Furthermore, the cutting down of the garden trees not only exposed the tea bushes to sun but also helped to accelerate the soil erosion rendering the region less productive.

4.3. LABOURERS IN THE PRE-INDEPENDENCE ERA

Many Gorkhas under the leadership of Dal Bahadur Giri, Jangbir Sapkota, Bhagat Bir Tamang took active part in the national movement. They walked from village to village and garden to garden in and around Darjeeling with the objective of creating awareness amongst the tea garden labourers of their rights and raise their voice against the atrocities of the British planters. But their efforts were short lived for want of organised labour front. The planters were organised and had the full support of the administration were as the labourers were scattered and illiterate and under the clutches of the planters.

The history of trade unionism in the hills is certainly not the replica of trade unionism in the plains where workers could muster at one spot. Development of trade consciousness and organization among the tea plantation worker was a comparatively delayed phenomenon in the hills. The factors which were responsible for this delayed process were, horrid isolation far from their homes, their ignorance, illiteracy, and difficulty of contact with the outside of the political and trade union workers, added with revengeful attitude of the employers against any attempt for combination. The different tribes were kept in their respective tribal Dhuras (labour lines) and hence their inter – Dhura movement was highly restricted by the management. The system of recruitment of labour through sardars persisted till the enactment of plantation labour Act, 1951 in the

region. This was further accelerated by the emergence of West Bengal Plantation labour rules, 1956. Plantation labourers were legally forbidden to strike and move out to neighbouring plantations, villages and urban towns. Even at social issues such as marriage, the workers had to seek prior permission from the management. The terms and conditions of work of the workers were as bonded as could be found in any other colonial enclave of British Raj. The workers were completely unorganised as there was no trade union of any sort. The situation started changing after 1947 in the region.

The planters extorted a fabulous fortune through brutal exploitation of the labourers. The British planters maintained their own army the North Bengal Mounted Rifles that was very active in the hill areas and was instrumental in stopping any union activity in and around the gardens of the Darjeeling Hills. This Regiment was disbanded in August 14, 1947. The illiteracy was unbound and the conditions under which they worked remained unfit for human living throughout the pre-independence period. The labourers were employed at wages below normal and with rampant indiscriminatio.

The entire pre-independence period can be called the 'Unregulated' period, where the relation between the planters and the workers were not formalised. The post-independence period formalized the relationship between the two with the passing of various laws. Serious discontent had already been brewing among the workers on the long-standing and unsettled problems, insufficiency of wages, rejection of the demand for minimum wages and above all humiliation of the workers by the British planters and their managers. This unbearable condition of the workers aggravated by the colonial policy of the imperialist government caused among the workers a smoldering discontent which in no time blazed out in massive strikes and struggles.

The planters had the full support of the colonial government and they were effectively able to keep their workers unorganised by stalling any attempts of outside trade union organisers in influencing plantation workers. In case any person entered the garden, it would amount to 'Criminal Trespass' and would be arrested. The trespasser was granted bail on the condition that is he would not further enter into the garden until the case was settled. Hence it was very difficult to organise the workers. On the one hand, the workers were separated from the organisers by filling cases against them, and on the other there was a financial burden on the organisers to run the cases. 'However, the Sub-Divisional Judicial Magistrate, Kurseong Shri, relived the organisers of this with the passing of judgment. Ashok Mitra, I.C.S. In the judgment he pointed out that any person entering the garden for forming a union, was not considered an act of 'Criminal Trespass'. Secondly, the owners could not oppose any meeting held on the Public Works Department roads which went through the gardens as there roads were beyond the purview of the owners'. (4)

'The most decisive weapon for counter attack by the white planters was a system called 'Hatabahar: (Expulsion from the garden). They used this weapon against any worker in case of violation of rules and this order led the worker to dispense with his service and expulsion from his hereditary land. There was no question of reemployment in any other garden. The planters resorted to all sorts of heinous methods in securing, torturing and exploiting the labourers – whether male, female, or tender-aged child. No public opinion could be formed against this inhuman 'Hatabahar' system, as its application was rare till the organised movement among the labourers. The use of this weapon was frequently against the leaders of the 'Darjeeling Zila Chia Kaman Union.' The owner gave six labourers of Ambotia Tea garden the order of Hatabahar sometimes

in the latter part of 1946. One Kalooram Brahmin, Munshi of Kurbia division of Singell Tea Estate was also given the order of Hatabahar, on the pretext that he was a member of Swadeshi movement. 'One Purna Bahadur Rai' was given the order of Hatabahar on the whimsical ground that he put on shoes and a wristwatch'. (5) Apart from Hatabahar, Police atrocities, arrests continued and more ever, the hired goondas with the help of police exerted brutal torture to break the organised resistance of the tea workers. The labourers were virtually kept imprisoned in the tea gardens and they had to undergo untold miseries. The extent of exploitation was excessive in spheres of wages, working hours, education, and employment of child labour, housing, maternity benefits and other social security measures.

'Since wages are directly related to the economic condition of workers, an insight into the wage structure of the labourers in tea gardens of Darjeeling hills would highlight the poor living condition during the British Raj. Wage fixation was left to the dictates of the Planters Association in Darjeeling. The table below shows the wages of labourers from 1939 to 1944'. (6)

Table IV. 04: The wages of labourers from 1939 to 1944

Year	Male			Female			Child		
	Rs.	Anna	Pies	Rs.	Anna	Pies	Rs.	Anna	Pies
1939	0	5	0	0	4	0	0	2	0
1941	0	5	6	0	4	6	0	2	9
1944	0	6	0	0	5	0	0	3	0

(Source: West Bengal Fortnightly & Sat 1.5.54 – Calcutta.)

The abnormally low wage rates and the consequential economic miseries ultimately encumbered the workers with recurring debts, and appallingly degraded living

conditions of the workers. The burden was further aggravated out of all proportions by the high rate of interest, which had to be paid by the labourers on loans taken to make both ends meet.

Many folk poems, folk songs, and other literary works tell about the high interest rates on which businessmen gave loans to labourers and forcibly made them repay the same with the help of the administrators. The feeling of economic insecurity coincided with the ethnic insecurity and further strengthened the process of the integration of various groups into one. 'The problem was so chronic that in the year 1902, 808 cases of loan repayment were registered in Darjeeling Kutchery. The Businessmen who were also called 'Mahajans' were also identified as the cunning 'loan givers' or the Kaiyas. These Kaiyas used to charge 75% interest, which was compounded annually. Thus labour relations in the early days of tea industry were conditioned by circumstances of recruitment. The bulk of the labour force constituted emigrants from Nepal. In 1939, Dr. Campbell of the Indian Medical Services was transferred from Kathmandu to Darjeeling as Superintendent of the new territory acquired under negotiation with government of Sikkim in 1835. His first problem was to attract settlers and in this he was successful. By 1849 ten thousand immigrants had come from Nepal, Sikkim and Bhutan'. (7) The practice of forced labour for the state and state officials and absence of such practice in India favoured the settlement of Nepalese in Darjeeling. These emigrants never raised their voice in protest against the atrocities perpetrated by the planters. Rather they were content with the situation around in comparison to what they had suffered in Nepal as a result of slavery. As a matter of fact, slavery was abolished only in 1924. These abnormalities stood out as grave problems on the way of plantation labours rising as a definite and independent class. The migration from one country to another and permanent

settlement in an altogether different environment further aggravated the problems in the formation of the workers' union and its movement. The labourers were tied down to the estates by various crude forms of subjugation. Thus the endurance of the labourers was coming to an end. In 1921 when the entire country was being flushed by the wave of non-co-operation movement against the imperialist government, the plantation labourers also decided to get out of this slavery. Consequently the trade union movement in the Darjeeling hills became intertwined with the political movement for national liberation. The dynamics of this intertwining continued till the achievement of independence, and since then a new phase with a higher perspective began in the course of working class struggles in Darjeeling Hills. 'The Non-Cooperation movement of 1921-22 was the first occasion in which hill men showed an interest in politics. It aroused excitement for short time amongst tea garden labourers and there was some boycott of foreign goods.'

'The minimum wages fixed for the Tea plantation labour for the Hill areas of the district of Darjeeling was far too low in comparison to the wages fixed for the Dooars and Terai areas and also in living in the hills. In December 1952 when there was a crisis in Tea market and some of the tea gardens were actually closed during the winter slack season, the labourers showed sympathy towards the garden proprietors by having agreed to sacrifice a cut in their daily wages by accepting to purchase foodstuffs at Rs. 17/8 per maund in place of Rs. 8/- per maund. The Government in their Notification No. 6539Lab/G/2W – 35(A)/52 dated 30-12-52 effected this cut in the wages which was already minimum for two month only and it was expected that the wages cut would be restored after the expiry of two months. The position being reviewed in February 1953 an increase in cash wage of annas -/1/6 was made as a partial restoration of the wage cut. Since then the position of Tea market had improved as a result of which the Dooars and

Tarai gardens had restored the wage cut to the extent of annas $-\frac{3}{6}$ per day. But in the case of Darjeeling Hills the Plantations owners represented by the I.T.A and the I.T.P.A. showed a very staff attitude and went so far to remark that their labourers were quite happy with the meagre income they were getting and it were the labour leader who wants more and more. Thus in the Minimum Wages Committee meeting for Tea Plantations, Hill areas the I.T.A. representatives remained adamant not to restore the wage cut even by a farthing although it was admitted by all the members including the Chairman that the cost of living in the Darjeeling Hill Plantation area was much higher than of the Dooars and Tarai areas and that the Tea market had very much improved. It may be quite interesting to give below the rates of wages in Dooars, Tarai area and the Darjeeling Hill areas.

Dooars - Tarai Area: Adult male Rs. $\frac{1}{6}/6$, Adult female Rs. $\frac{1}{4}/6$, Employable child Rs. $-\frac{1}{12}/3$.

Darjeeling Hill Area: Adult male Rs. $\frac{1}{0}/6$, Adult female Rs. $-\frac{1}{5}/6$, Employable child Rs. $-\frac{1}{8}/9$.

Besides the difference in cash wages the labourers in Dooars and Tarai are getting foodstuffs at Rs. 15/- md. whereas in Darjeeling the rate is Rs. $\frac{17}{8}$ per md.

The above figures indicate what amount of injustice had been done to the labourers of the Hill tea gardens. The attitude of the I.T.A. representatives in the meeting of the Minimum Wages Committee held on 27th and 28th August 1953 was most uncompromising and unsympathetic towards the garden labourers, on account of which the meeting broke without any decision leaving it to the Government to decide the issue under the Minimum Wages Act. The differential treatment meted to the labourers of the

Hill gardens had already created discontentment amongst the garden labourers and a feeling of mistrust arising in the mind of the labourers'. (8)

Though little change occurred in the demographic structure of the nation except in some states like West Bengal, Assam and Punjab, the changes in the class relations within the plantation system were significant. The class relations within the tea gardens were quite different during the British days from what is seen today. Socially, the managerial class belonged to the British with the exception of a few Indian owners as managers. The manager-labour class relationship at times benevolent and in others very exploitative. There were no trade unions till a few years before independence to convey the grievances of the labourers to the owners or managers in a collective way. Even if they had any grievances there was the North Bengal Mounted Rifles till independence to keep their mouths shut or hands tied. The garden people feared this army like anything. As a result, the labourers were quiet and voiceless, obeying the orders of the managers like animals.

It has also been reported in the field interview that the labourers had to work for nine hours a day. Multi-occupation was not allowed because it was thought that it would hamper the work. The wage for labour per day in Darjeeling in 1924 were—marad or male 5 annas, aurat or female 4 annas and 1paise and chokra or children 3 annas. The wages in the agriculture sector were reported to be higher than the wages in tea gardens.

Ram Singh Rai, who started his career as a clerk in Maharani Tea Estate in 1939 and retired in March 1972, as Superintendent of Ringtong Tea Estate and was an advisor to Sipaindhura and Selimhill tea estates during 1974-75, makes the following observations on the tea gardens during the British period. There was proper discipline among the workers. The managerial class being well trained before being recruited had

proper knowledge of tea cultivation as well as management. The Darjeeling Planters' Association was also very strong. There were separate funds like "Reserved Fund" and "Development Fund" to meet any unforeseen crisis in the management of the gardens. The labourers also feared managers. Any unwanted labour during the 1940s were given the 'Hattabahar' order meaning expulsion from garden. The labourers could not afford it because they would not be employed in any other gardens. Bonus, sickness relief and other facilities were not given nor any crest was given to female labourer, she had to carry her baby on her back and go the garden for work. These continued till 1925 after which, under the provisions of the Workmen's Compensation Act 1923 these facilities were granted.

Education could not be provided to the labourers initially due to labour shortage. Since the agricultural sector was opened up at Kalimpong subdivision simultaneously with the tea plantation in other hill subdivisions quite a percentage of immigrant people were absorbed there. At the time of First World War labour shortage was so much acute that the British planters forcefully brought many who had already joined the military services back. An understanding was also arrived at not to recruit any person from the tea gardens in the defence forces during this period. This provision was lifted up at the time of the Second World War.

4.4. EVOLUTION OF UNIONISM IN TEA PLANTATIONS

There was no organized labour movement or trade unions in West Bengal tea gardens till the eve of independence, i.e.1946. The All – India Trade Union Congress (AITUC) was formed in 1920 under the Presidentship of Lala Lajpath Rai to co-ordinate the activities of various trade Unions in the country with a definite anti colonial aim. The

nationalists could not grow any labour movement in West Bengal tea gardens like Assam tea Gardens were started since 1921 under the leadership of nationalists and it became more pronounced after 1935. By 1939 tea gardens in Assam started witnessing wide spread strikes.

By the middle of 1946, the Communist Party of India had started movements all over Bengal as a protest against the general shortage of foodgrains the State. During this period Communist trade unionists awakened garden workers to stand against planters who did not supply them quota of food rations. Labour unrest increased in the gardens during this period. The Dooars Planters' Association (DPA), the Indian Tea Planters' Association (ITPA) and Mr. K. A. Hill the then Divisional Commissioner of Rajshahi Division; all blamed the communists to create labour unrest among garden workers. But they fully suppressed the oppression of management in the form of non-payment of proper wages, short supply of food grains, excess workload etc.

4.5. THE ROLE OF POLITICAL PARTIES IN THE EARLY PHASE OF TRADE UNION MOVEMENT

As the freedom movement gathered momentum and the independence of the country was becoming almost a certainty in the forties, the apprehension of the hill men about their fate in free India was growing. This period saw the formation of the two important political parties, 1) the All India Gorkha League and 2) the Darjeeling District Committee of the Communist Party of India. The policies and activities of these two political parties shaped the politics of the hill areas. Even the Darjeeling Branch of Indian National Congress, which was formed after independence, followed the path taken by these political parties so far as the hill question was concerned.

'Despite their difference in ideology and policies, both the All India Gorkha League and Communist Party of India, Darjeeling Unit, shared the common feeling of apprehension regarding the fate of the Indian Gorkhas. The primary concern of the two political parties was to protect the socio-economic and political interests and the survival of the Nepali community as a distinct Indian community. The issue of Indian Nepalese asking for some special attention and treatment had become a sensitive issue in the hill areas by that time that no political parties could ignore it. The survival as viable political parties, and to extend their mass bases, these political parties had to present themselves as representatives of the Gorkha interests.

Despite their ideological differences, the All India Gorkha League and the Communist Party of India had taken many common stands on the Gorkha question. The All India Gorkha League in May 1947 submitted a memorandum to Congress High Command and also to Lord Mountbatten, the then Governor General of India for providing either special arrangement for the hill people or to exclude the hill areas from Bengal and include them in Assam. During the Prime Minister Jawaharlal Lal Nehru's visit to Kalimpong in 1952, the All India Gorkha League submitted three alternative proposals regarding the hill areas of Darjeeling and adjacent plain in Siliguri and Dooars in Jalpaiguri. These alternatives proposals were 1) separating Darjeeling from Bengal and making it a Union Territory, 2) creating a separate state consisting of the Nepali speaking areas of the Darjeeling District and the Dooars region of the Jalpaiguri District 3) separating Nepali speaking areas of Darjeeling and Jalpaiguri Districts from Bengal and including them in Assam'. (9)

'The Darjeeling District Committee of the then undivided Communist Party of India demanded a 'Sovereign State' in memorandum submitted to the Constituent

Assembly on 6th April 1947, in the form of single union out of the feudal states of Nepal and Sikkim and British Administered District of Darjeeling known as 'Gorkhasthan' to safeguard the interest of the Gorkhas. The motive behind this may be to create a popular base in hill areas, especially in the formation of trade unions. Mr. Ratan Lal Brahmin was vocal in this separatist demand. Leaders like Charu Mazumdar, Sourin Basu, and Ganeshlal Subba supported him. Some quotations are given from the memorandum: - " In the opinion of the Communist Party of India, the district of Darjeeling belongs to the Gorkhas and its is their homeland."

In the opinion of the Communist Party of India, The only to further the national development of the Gorkha people is by granting them their right of self-determination.

The Communist Party of India therefore demands that after making necessary revisions of the exiting boundaries, the three contiguous areas of Darjeeling District, Souther Sikkim and Nepal be formed into one single zone to be called "Gorkhasthan." From the files of Communist Party of India – Darjeeling District Committee.

The Communists in Darjeeling supported the demand for Gorkha homeland amongst other in line with their idea of national identity. The Communist Party of India used the demand for Gorkhasthan in the 1940's to create a popular base in the hill areas, especially in the formation of trade unions in tea plantions.

The Communists in their eagerness to nurture their support base in the hill went further ahead than the Gorkha League in their demand for Gorkhasthan up to 1951. The split of the Communists in the sixties did not affect the policy of the Communists in the hill areas as because Ratan Lal Brahmin and Ananda Mohan Pathak remained with the Communist Party of India (M). But the Communist Party of India (M) from the late sixties stressed the concept of autonomy rather than separate Gorkhasthan'. (10)

‘Ratan Lal Brahmin, popularly known as Maila Bajey knew how to deal with the tea garden workers or bully the managers while Ganeshlall Subba fulfilled the intellectual needs of the Communist Party of India at the district level. They established a permanent presence of communism in Darjeeling’. (11) Thus under the timely leadership of the Communist Party of India, workers of many garden became conscious of their legitimate rights, which is also duly recognized by leaders of other trade unions.

4.6. FORMATION AND GROWTH OF TRADE UNIONS IN DARJEELING:

The origin of hill areas’ trade unions – the Darjeeling Tea Garden Workers’ Union, the Darjeeling Chia Kaman Shramik Sangh and National Union of Plantation Workers’ has been initiated and their growth and development influenced by three political parties, the Communist Party of India, Gorkha League and the Indian National Congress. All trade unions mentioned are mainly concerned with the Darjeeling Tea Industry.

Communist Party of India mainly dominates the All India Trade Union Congress. This political party was the first to come into the picture of tea estate. The Gorkha League is a regional political party and the Darjeeling Chia Kaman Shramik Sangh is affiliated to it. The National Union of Plantation Workers’ affiliated to the Indian National Trade Union Congress was established by Indian National Congress. Political Unionism has been a factor of paramount importance in the historical growth of Trade Unionism in tea estate. They have played a decisive role in the origin, growth and development of trade unions for tea plantation workers’. The division of the trade union movement in hill areas is along ideological lines. Operational strategies of each of trade union a group is determined by the political party it represents.

'In the 1946 legislative Assembly election Darjeeling too was to join the fray so a climate of political tension was very much on the anvil. The limited electoral seats provided under the then system only two representatives – one labour and the general electorates. For the labour representative only twelve tea gardens were to take part. The twelve tea gardens were Pandam, Harsing, Banneckburn, Phubtsering, Puttabong, Som, Singtam, Rangeet, Happy Valley, Stenthal, Sidrabong and Dali.

The Communist leader Maila Baje was proposed for the Labour constituency. The other rival candidates were the Congress leader Gaga Tshering and Sri S.K. Tshering giving representation to the employers.

The Communists, had, in this election, prepared two important memoranda, one political and the other economical. On the political front, to realise the right of self-determination of the Gorkhas, the demand for Gorkhasthan was raised for the first time. The memorandum, among other, included universal adult suffrage and the security, language, education, culture, and also of employment of the serving Gorkha soldiers.

The tea garden workers and employees had eleven-point charter of demands, they were as follows: -

- 1) The practice of suspension to be stopped
- 2) Increase of wage to be introduced
- 3) Provision of maternity benefit
- 4) Employment of children below 10 years of age to be made illegal
- 5) Make provision for games and sports for the workers
- 6) Provision for education of the children
- 7) Wrestring ownership of tea garden ownership from national foreign companies and make it a national property.

- 8) Establishment of hospitals and provision for free medical benefits.
- 9) Provision for pension of old disabled people
- 10) During festivals monetary benefits (baksis as it is called today) should be provided
- 11) Taxes on family land holdings and cattle should be lifted.

The practice of suspension was prevalent then and Maila Baje stood against this. The tea workers rose in support of the Communist Party. The election fought against labour exploitation turned into a political movement. The same song reverberated across the villages.

‘Vote for Maila Baje to do away with suspension and suppression of the management’.

For some time before there was no organisation. But the workers soon reposed their faith on red banner. The workers fought against the management in one garden after another and gave their all to make Maila Baje’s victory sure once for all. The elections were still due three or four months. It was felt, the workers though united, without any organisation needed to be brought under strong organisation. With this objective, the Darjeeling Tea Gardens’ Workers Union was formed in September 1945’. (12) Maila Baje and Bhadra Bahadur Hamal led it. Its registration number was 707. With the elections drawing near and a strong organisation coming into being, the management were in complete disarray. Ratan Lal Brahmin (Maila Baje) was then accused of dacoity and on 11th, January 1946, he was served a notice. The notice disallowed him from entering any of the twelve tea gardens for electioneering. No restriction was imposed on other candidates. They were, instead, receiving all the help from the management.

Brushing aside all these difficulties Ratan Lal Brahmin went from tea garden to tea garden with his honest party stalwarts. His audacity and daredevil attitude stood firm

in good stead to ward off any attempted physical assault. During the campaign, he along with his friends from Phubtsering was arrested. He was involved in three cases. The electorates were threatened and attacked persistently. Police goons and money employed to woo the voters proved unavailing. The Legislative Assembly elections held in March 1946 returned Ratan Lal Brahmin from the Labour constituency. He polled 85% of the total votes. The total votes received were 1118 while his contenders Gaga Tshering and S.K.Tshering got 126 and 176 respectively. The victory of the Communist candidates from areas known for exploitation and repression proved the extreme undercurrent of dissatisfaction and rebellion among the workers.

4.7. NEW WAVE OF ORGANISED REVOLUTION

DARJEELING TEA GARDEN WORKERS' UNION – (AFFILIATED TO AITUC)

The first public meeting was organized at Chowrashta in Darjeeling in rallying the workers to greater awareness and a sense of social justice, were about ten thousands people assembled. At the sight of this unprecedented event, the farmers and the tea labourers were greatly moved and it heralded the rise of a new dimension. Indomitable courage shown by the labourers against atrocities and suppressions influenced the other segment of the Nepali-speaking people. 'The leaders of the Darjeeling District Communist Party of India received necessary counseling from a leader, Pachu Gopal Bhaduri who was sent by the state leadership. At his suggestion the newly formed union adopted two fold plan. In one hand, a prior notice to be served by the union for general strikes, and on the other, political campaigning, contact with the Nepali intelligentsia to get their support through dialogue'. (13)

The trade union movement of the Communist Party of India flourished under the active involvement of tea garden workers. 'The names of Maste Rai of Bloomfield Tea Estate, along with Santalachi Raini, Gokul Singh Rai, Bishna Raini, Jethi Limbuni of Som Tea Estate, 'Baje' of Pandam Tea Garden are well recorded in the pages of workers' movement in the Darjeeling hills'. (14) 'Madhumaya is such another brave female labourers who stood against the brokers of owners with 'Khukri' in her hand. Wangdi Lama, a peasant was one of the front ranking leaders in this area. As a member of District Organising Committee, he got involved in the trade union movement. After the Communist Party was declared illegal in 1948, he had to labour very hard to keep contact among different branch organisation of the party. For this, he had to walk almost all day long. He fell seriously ill, and could not be given proper treatment. As a result he died, prematurely'. (15)

The 15th of September 1945 is of historical importance as this day witnessed the formation of what was known as the first in the hill areas – Darjeeling Tea Garden Workers' Union. Late Sushil Chatterjee, a veteran trade union leader of Communist Party of India was chiefly responsible for this historical organization of tea plantation workers. Shri. Ratan Lal Brahmin was elected the president and Shri Sushil Chatterjee its Vice-President and Shri. Bhadra Bahadur Hamal its secretary.

After 8 months of the formation of Trade Union and two months following the electoral victory of Ratan Lal Brahmin, the then Secretary Bhadra Bahadur Hamal published a leaflet on 25th. June 1946. The leaflet underscored the following:-

'The union has up till now three thousand members (one home: one member) and altogether 20 branch committees were formed. This included the 12-tea gardens- Munda, Niz Kaman (Cedar), Sonada, Ambotia, Pubong Dabaipani (Darjeeling) even had

branches despite their sizes. This was, of course, not an easy task. It is known to everyone that foreign proprietors had an unbridled freedom and they treated the workers like commodities both could be sold and purchased like cattle and treated them akin to the animals. They were had till deprived of the simple right of holding public meeting. Twenty workers were arrested till then and seven were imposed Rs. 30/- fine for trespassing or one month's rigorous imprisonment was in store. Altogether 20-25 workers were rusticated by the managers in Phubtsering, Pandam, Som, Niz and Munda Tea Estate for doing the union's chores.' (16)

The problems among others confronted by the workers was mainly of high price. It seems unbecoming today but then Re 1 per seer of rice was something difficult to fend off. To this effect, the workers' main demand was 5 seers of rice for Rs. 1 for a week and for dependents 3 1/2 seers per week. Some tea gardens got this demand fulfilled. Som Tea estate had, in the course, an event of great magnitude worth recounting. The police were deployed from 3rd June 1946, in view of the seemingly unmanageable attitude of the workers. The workers cast a spanner when the union leader, P.D. Mukhia along with 16 others were sought to be apprehended. The police readied their rifles. The workers were unruffled, a tug-of-war for rifles started. When a police officer was about to fire his pistol, one caught hold of it and the attempt came to nought. Thus 500 workers rushed to the jail and gheared it. Mothers with cradles at the back and all men and women dauntlessly took part. A three day strike was observed in Som. The cook, sweeper, all working at the Managers' bungalow abstained from their duty. The factory and the bungalow, which carried an air of glamour and majesty, turned into a virtual crematory.

This must be the first ever-organised labour movement in Darjeeling. After some time the Ambotia tea garden rusticated six workers and to counter-act that six or seven

thousand workers condemned the act in utter detestation. Niz tea garden (Rangmuk Cedar) happened to distribute low-quality ration, this caused widespread movement. The proprietor declared a lockout of the garden.

‘Even in the absence of a union, the movement launched by the workers of Bara Gail (Teesta Valley) in August in opposition of the rustication of the workers was yet another glorious even in which the proprietors and management were brought down to submission. Phipraj Subba, Ransur Thakuri, Patli Thakuri, Khargay Mangar, Raiman Mangar, Antaray Limbu, Khati Bajey, Ramlal Tamang, Gomba Tamang, Asharay Rai, Harkaman Rai, Karnaman Rai, Krishan Dhoj Rai, Kalman Rai, Sipaini Limbuni, Rumdali Rai, were among those who were part of this historic movement. In due course, on 15th. June 1946, the Union submitted a list of 12 demands giving them 14 days’ for fulfillment of their demands. (The list had 4 and even 7 demands, thus being irregular). The demands were as follows: -

- 1) Adult workers should get Re. 1/- @ 1 anna for every pound of tea. Females, adolescents, and children should get 12 annas, 9 annas, and 6 annas. This should be implemented throughout the district.
- 2) They should get 25% of Dearness allowance from the wage. For Re 1/-, they should get 4 annas and 3 annas for 12 annas.
- 3) The clerks and Chaprasis should also get an enhancement. The clerks and writers should get Rs. 50/- per month as salary and the guards should get Rs. 30/- per month.
- 4) The workers should get 4 days’ leave per month with full wage. The clerks should get a month’s leave with full salary per annum and an additional leave

of 12 days. The pregnant women should get wage and leave as prescribed by Government rules.

- 5) All the workers and their disabled children and old age people should get 5 seers of ration per week and 31/2 seers of ration for the whole family. Besides, they should get salt, oil according to ration.
- 6) The workers' quarters should be covered by corrugated iron sheets, in their absence a new method has to be applied. Provisions should be made for water connection, latrines, and electricity in every village. The workers should have at least two room quarters.
- 7) Hattabahar should be stopped.
- 8) Every tea garden should have a hospital provided with doctor and for moderately sick people, there should be a dispensary.
- 9) They should have the freedom of holding public meetings.
- 10) Every garden should have a primary school where free education should be imparted to the children.
- 11) Every year all the workers should get a month's bonus and every clerk, worker should get a month's bonus treating it as 'victory bonus'
- 12) The Darjeeling District Tea Garden Workers 'Union (registration number 707) should be taken as a bonafide union of the workers by the company.

On the basis of the memorandum, it could be said that a formal demand for bonus was made for the first time. It was only after the historic movement of 1955 the demand was acknowledged as a matter of principle. Hattabahar was the main issue. It was understood that even registered union got a scant respect from the authority. This was occasion enough for calling a movement. The memorandum clarifies this'. (17)

The other notable feature was that even though the two parties (the Communist Party of India and the Gorkha League), were not united, both the parties sometimes used to oppose the anti-workers policies of the management. This time around, the same thing happened. 'Sri Shiva Kumar Rai, the All India Gorkha League Secretary had clearly said, "The tea garden managers still look the tea garden workers as slaves. The Communist Party by forming union is trying to alleviate the sufferings of the workers. This was cause enough for the managers to further create the sufferings. The Gorkha League is ready to fight along with the Communist Party to fight the injustice'. (18) The Secretary of the District Congress Party gave similar statement. He said, "in spite of several differences among us, we are united to fight the injustice of the managers.

The workers were happy to have this feeling of brotherhood. Preparation for the movement was pervasive .The Government too was shaken. Coupled with this, the national freedom was at its height. Hence, in spite of the vehement opposition of the management, the Assistant Labour Commissioner started dialogue with the Union's representatives. Even though by word of mouth the management consented to agreeing the Trade Union's right. The burden of the police and the management lessened a bit. In the history of tea garden, this was formally the first conference between the British Management and the Trade Union representatives.

It was with the understanding of the great role played by the foremost organisation, the Darjeeling District Tea Garden Workers' Union in rejuvenating the workers from the state of slavery and make them fight for rightful demands a formidable Trade Union leader and a popular Congressman, Sri Punya Prakash Rai termed the Union's birthday as a "historic event"

Being brought up under the aegis of the exploiters, and still wanting to serve them,

Sir Parceival Griffith had given vent to his ire, this way: -

‘Trouble started in Darjeeling when a Communist candidate returned to the Bengal Legislative Assembly in 1946, after which the Communist party organised a tea garden labour union in the Darjeeling district and then proceeded to serve notices in 17 estates. Lack of uniformity in wage and other forms of remuneration between one garden and the other played into the hands of mischief-makers. The Darjeeling planter has always been a sturdy individualist and the independent tradition of the old proprietary gardens still lingered. It was easy, therefore, for the communists to pick up gardens where condition either were or seemed, less favourable to labour and they exploited this technique with considerable skills. It was at one time hoped that the non-communist body known, as Gorkha League would have steadying effect on labour in Darjeeling but the League at this time was badly led. It showed no sense of responsibility and it was often concerned to outfit the Communists in its demands. The Darjeeling Planters’ Association took steps to secure greater uniformity of conditions, but the situation remained uneasy’.

(19)

The domain of India wherein the management alone ruled for 90 to 100 years enjoyed heavenly bliss, the Communist Party led by the awakened workers came to them as devils. But the devil was out of the net webbed to exploit and suppress the workers.

‘Mr. Griffith too agreed the opening up of 17 branches of the Union. The branches opened up till June 1946 were the following: -1) Pandam, 2) Harsingh 3) Baneckburn 4) Phubtshering 5) Patabong 6) Som 7) Singtam 8) Rangneet 9) Happyvalley 10) Steinthal 11) Sidrabong 12) Dali 13) Munda-Dhajay 14) Neez(Rangmuk

– Cedar 15) Singell 16) Ambootia 17) Pubong. Besides Norbong of Kurseong region and Lingay Tea Estate of Darjeeling were understandably active in the union's activities.

It was not known that time that were the leaders of different areas and of the different branches. Facts are not discovered as yet. Yet a brief account can be given from some available resources.

The Annual Conference of the Union was held on 28th. June 1946, its elected Executive Committee members were like the following:-

- 1) Convener (it might refer to the President)- Shri Sushil Chatterjee
- 2) Vice-President- Shri Ratan Lal Brahmnin, M.L.A.
- 3) Secretary – Shri Bhadra Bahadur Hamal
- 4) Assistant Secretaries – 1) Shri P.D. Mukhia, 2) Shri Madan Kumar Thapa
- 5) Treasurer – Shri Chandra Bahadur Mukhia

Members: - 1. Kalu Tamang 2. Mustay Rai 3. Karna Singh Sardar, 4. Hari Sharma, Kurseong, 5. Dhanpati Subba 6. Narman Mangar, Kafebari 7. Darap Singh Lama, Singell 8. Janalal Rai, Munda 9. Shamsar – (Cedar) 10. Bhim Bahadur 11. Tek Bahadur, 12. Bhimdai Tamang, 13. Chandra Bir Rai, 14. Man Bahadur Rai, 15. Dal Bahadur Rai,- Som.

The addresses, castes of many others were not known. The following names are found as representatives who attended the said conference. They are, Ranbir Rai, Harka Dhoj Chettri, Jetha Limbu, Kaila Kami, and Kumba Jit Rai from Dhajay, Indrajit Sardar and Chandra Kumar from Phubtsering, Chandraman Rai from Pusumbyang, Man Bahadur Gurung, from Singtam and Chandrabir Rai from Baneckburn.

The branches, which opened till 1946, were Harsing, Puttabong, Rangneet, Steinthal, and Dabaipani. Besides the aforesaid names, Ambersingh Caprenter, and

Baijanath Sharma, Chandralall Sharma, and later on Radha Rai, Saili Mangarni, Tilak Bahadur, and Gaje ko Ama of Ambotia, Buddhasingh, Ranbir Sarki, Padam Bahadur Thapa(Mangar) of Narboong, and Raijite Rai, Achha Rai of Lingay are worth mentioning in their contribution towards forming the trade union.

Owing to countrywide national movement the British had to quit the country. An Interim Government was formed. Babu Jagjiwan Ram was elected Labour Minister. The movement going on in Darjeeling under the leadership of the Darjeeling District Tea Garden Workers' Union was under Government scrutiny. A Tripartite meeting was held in Delhi on 8th and 9th January 1947 to discuss the problems of the workers. The Government of India, Bengal Provincial Government proprietors of the tea gardens and the representatives of the Trade union were present. The most important fact was that Shri Sushil Chatterjee was also present as a representative of the Darjeeling Tea Garden Workers' Union. The conference concurred on the enhancement of the wage of the workers. Darjeeling held big conferences all over. The cognizance of the Darjeeling Tea Garden Workers' Union was the only one so far. But the management were not silent. Though they had accepted a few proposals, they were utterly dissatisfied with the presence of the trade union and resembled a wounded tiger. They were; therefore, ready to adopt recalcitrant measures against the union. On the eve of the dawn of independence, according to a Government Order on the 24th.June 1947, the General Secretary Bhadra Bahadur Hamal was banned holding of public meeting as also entry in various tea gardens like Dhajay, Moondakothi, Balasan, Dhotray, Ringtang and Phokriabong. Vide orders of 18th. and 29th. September 1947, Bhadra Bahadur Hamal was prohibited entrance from Moondakhoti, Dhajay Khasmahal, Ringtang, Balasan, Happyvalley, Rangayrung, Dhotray, Pubong, Phubtshering, Pokhray Bong, Khasmahal, Takdah Cantonment,

Mineral Spring(Dabaipani), Coldbell Hatta(old Sonada Bazar within Rangayrung area) and Bloomfield (Dali). He was prohibited going around Rangli-Rangliot.

The trade union was active in Takdah, Phokraybong, Ringtang, Dhotrang-Rangay Rung- this was known from Government activities. In 1947 themselves, a union with red banner was formed in Chungthong under the leadership of Sabut Lama. In 1936, there had been a great rebellion in opposition of the British repression. The manager was brutally manhandled and the kothi(bungalow) and godown were destroyed, the workers went to jail, 15 families were rusticated. The union opened after 11 years. Nandu Rai, Cigarette wala, Baidar Jetha, Impi Rai and his friends were there. Lingay and Mareybong already had its branches, but could not last long owing to managerial opposition. It was after 1946, Ringtang and Phulbari in the Sonada region formed trade union. Jit Bahadur Subba, Sane Thapa, Mangalsingh Subba, Aitarani Limbuni, Harilal Sharma, Prasad Bahun, Indre Rai, Jasraj Poudyal, D.B. Khaling, Bhuwan Singh Rai, Maniraj Subba joined, in addition, Ringtang was under lock-out for two months.

The restriction imposed on the union leaders halted the progress of the union. The workers had suffered under the repression for years so they wanted to fight against the management. The movement was going on in the tea gardens. During the period Ambotia, Som, Okaiti, Baragail, Ringtang, Dhajay, Dali, Norbong, Singtam and Pandam had witnessed strong trade union movement.

The most important movement of the time was of Dhajay. The workers involved in movement to demand their rightful demand since 1946, to give the workers a fitting reply a lock-out was declared on 25th. April 1947. The leader of the Union, dauntless Communist leader (1903-1985), Ranbir Rai was a sore in the eyes of the management. The management deployed all the police forces to suppress the movement. Ranbir was

arrested. His house was pulverised the thriving maize plantation was destroyed. The workers reeling under 15 months lockout suffered untold sufferings. Help came from all quarters. 11 were rusticated. But the workers did not submit. Surya Rai, Chandra Rai, Balay Chettri and many other brave workers got on the movement under Ranbir Rai's leadership. K.Singh Thapa, Pupung Rai, Setu Kami, Aisaful Raini, Ambersingh Rai were other active trade union leaders.

Even the British left with the Congress at the helm of affairs, it did not change its attitude over the workers, this was evident from the sufferings the workers of Dhajay was undergoing.

Badamtam, which did not have a union in 1947, had a great tumultuous event. The wages of the workers used to be drastically cut for not finishing the works. The workers being forced to the limit were forced to sell their utensils and even urns used at the alter. The workers lost patience. The manager and the Munshi got the worst beating. The management retaliated by rusticating more than 100 workers. In Lingay also the workers demanded an increase in firewood, but the manager tore away their memorandum. The workers attacked him. Kothi and Factory were attacked, turned the manager's car upside down. The management put 9 workers in jail and 15 to 16 workers were rusticated'. (20)

Ever since the birth of the Communist Party in 1943, till the attainment of independence, the movement of the workers under the Union banner was given a conscious and organised shape. The important Communist leaders then were Sushil Chatterji, Ratan Lal Brahmin, Ganeshlal Subba, Bhadra Bahadur Hamal, Wangdi Lama, Madan Thapa, Satyen Majumdar, Kalusingh Gahatraj, Bhawesh, Nripen Bose and Biren Bose.

4.8. A FIRST OVERVIEW OF THE ORGANISED MOVEMENT - HISTORICAL MOVEMENT OF 1955

'Below Gorabari between Darjeeling and Kurseong there are slopes over which tiny mountains covered with tea bushes, the slopes together are called Margaret's Hope. Below it, there are Nehur tea gardens and the Balasan river, that side and over it, there are Ringtang, Phulbari, Munda, Murma, Singell, Maharani, Dilaram, Beltar and Tung. A writer on epic on tea gardens and a renowned Nepali poet, storywriter, dramatist Sri Nanda Hangkhim was born here. The British also knew this place for its suppression. Time and again, this was where protests and movement started. With the forming of the Communist Party and the union under the red banner, the workers received protection as also courage. A Bengali doctor, Talapatra was already there with communist ideals. On the auspicious day of 'shaving off' the hair of Talapatra's son, the organisation had its first meeting. Hiralal Sardar (Rai) and Mohansingh Rai (Assistant Babu) provided leadership. But before it was ready to take on the management, it confronted onslaught. In 1949, Dr. Talapatra, Tikaram Baidar, Kancha Kami, Saila Bhujel and Mohansingh Rai were rusticated. The workers, however, got more irritated. Birbahadur Rai, Jit Bahadur Rai, Dorjay Dong, Ramjit Rai and Krishna Bahadur Tamang joined the fray.

The tea garden workers in the Darjeeling hills realised that the resolution and redressal of their problems rested on the unified movement. On the one side, there was the organised Tea Garden Workers' Union and on the other the Gorkha League. It made stronger consequent to taking all the four Assembly seats, and had under it the Darjeeling Chia Kaman Shramik Sangha carrying on the movement on its own. In 1951, the Plantation Labour Act was passed for the first time for the tea garden workers. But it was only since 1954, the Act was implemented piecemeal. The tea planters never on their own

implemented any labour welfare scheme. In these circumstances, the price of ration soared by double, this fuelled the fire.

The first instance of joint action by the workers for their own demands took place on 1955 on bonus issue. This was resulted out of continuous struggle of trade unionists since 1951 to 1954'. (21) The year 1955 is very important in the history of labour movement in Darjeeling hill. United action of the workers in the case of bonus agitation in 1955 the workers raised the demand for compulsory minimum bonus. It was argued that the rise in prices of tea in 1954 had secured huge profits for the planters. The workers demanded a rightful share in these profits in the form of bonus jointly organised by Darjeeling Chia Kaman Shramik Sangha led by Deo Prakash Rai, and Darjeeling District Chia Kaman Mazdoor Union under the leadership of Ratan Lal Brahmin. 'A joint statement was issued by them in protest against the philosophical unconcern and indifference on the part of the employers and the Government to the demands repeatedly placed by the Unions for one and half year. They had requested the Government and the employers in May 1955 requesting them to explore avenues for conceding to the vital demands out of their 14 minimum demands by 25 May 1955, failing which it was stated that the workers would be compelled to go on strike. Consequently the two unions held a joint representative meeting on 5th. June 1955, under the President ship of Sri N. B. Gurung, M. L. A. one of the members of the Minimum Wages Advisory Committee, to discuss what further steps should be taken. It unanimously decided to go on strike from 22nd. June 1955, in the event of failure on the part of the employers to accept the five vital demands namely: -

1. Wages of workers in tea plantation in Darjeeling Hill Section to be increased to Rs. 1/11/6.

2. 3 months' Bonus for workers and staff for 1954, on the basis of profit made in 1954.
3. Amendment of the present Standing Orders.
4. Compensation for the period of closure of tea gardens in 1951 and 1952.
5. Scale of pay for the staff in all tea gardens to be increased.

The Assistant Labour Commissioner, Darjeeling, called the representatives of the two unions on 15 June 1955, for amicable settlement. Workers issued strike notices once the conciliatory proceedings failed to bring settlement. A second meeting was held on 17th June 1955 in the office of the Assistant Labour Commissioner, wherein the representatives of the two unions were asked to call the strike off. The union representatives replied that the strike could be deferred if any assurance for settlement was given by the Government. The Assistant Labour Commissioner assured the representatives that he would intimate the higher authorities with their stand. Consequently, a letter was received from the Labour Commissioner on 19th June 1955 asking the union representatives to submit their suggestions for modification and amendments of the standing orders, which was one of the five vital demands of the workers. The Union representatives submitted specific suggestions for amendments of the Standing Orders on 18th March 1954, but the Government observed reticence till the strike notice was served upon the authorities concerned. In the morning of 20 June 1955, the Assistant Labour Commissioner was informed that the Joint Strike Committee would meet in the evening of the same day, where the letter of the Labour Commissioner would be placed for consideration and final decision as to whether the proposed strike should be launched or deferred would be taken. Instead of intervening by way of negotiation or conciliation the Government let loose repressive measures all over the tea gardens and

the towns before the final decision was taken by the Strike Action Committee. The members of the Strike Action Committee as well as other leaders were clapped behind prison bars on 20th.June 1955. The Authority in its turn did everything possible to terrorise the people. During the strike period, it is gathered, in many places personnel of the Government Special Department went round the workers' quarters intimidating them various consequences. The police indulged in indiscriminate arrests of the workers, male and female, including many persons having no connection at all with the proposed strike. Arrest warrants were issued in the name of Ratan Lal Brahmin, Bhadra Bahadur Hamal, and Deo Prakash Rai. The leaders of All India Trade Union Congress, Manoranjan Roy, and Anand Mohan Pathak and Vice – President of Chia Kaman Shramik Sangha L. B. Lama were arrested. The strike which had started on 22nd June reached its climax on 25th.June. The police opened indiscriminate firing on peaceful and unarmed workers in a public road in Margaret's Hope Tea Estate in which the following people were killed: -

- 1) Amrita Kamini – 18 years old
- 2) Mauli Shova Raini- 23 years old
- 3) Kanchha Sunwar – 22 years old
- 4) Padam Bahadur Kami – 25 years old
- 5) Kale Limbu -14 years old
- 6) Jitman Tamang – 45 years old

These people became martyrs in the historical trade union movement in the hills. The struggle for existence of the tea garden workers was no more an isolated factor for the people of Darjeeling. The entire populace supported the cause of the workers without reservation. The fact that about 25 to 30 thousand men, women, children of the town came out of their dwelling in the open street in the teeth of promulgation of section 144

Cr. P. C. to pay their last homage to the martyrs who were shot dead by the police, showed the unstinted support of the people of Darjeeling to the inseparable fight for existence under the leadership of the working class.

The Government morally submitting to the people withdrew warrants of arrest against the leaders in the night of 26 June 1955 and also released Sri N.B. Gurung, M.L.A. on 27 June 1955. Just at this juncture, the Deputy Commissioner of Darjeeling under the pressure of the people and the seriousness of the situation was compelled to meet members of the Peace Committee. The Honourable Deputy Labour Minister and the Deputy Commissioner, Darjeeling, who were given full power to negotiate and settle the issue by the Government, in presence of nine members of Peace Committee and Sri S.N. Mazumdar, M.P., Sri N. B. Gurung, M.L.A. and the Assistant Labour Commissioner and Labour Officer of Darjeeling, assured that all persons arrested in connection with the strike would be unconditionally released. The five vital demands having been accepted in principle as provided in the terms elaborately discussed in the presence of all those gentlemen including the Deputy Labour Minister and the Deputy Commissioner, the Government also accepted the principle of no victimisation of workers for participating in the strike'. (22)

'Members of Bonus Sub-Committee of the Industrial Committee on Plantations were summoned to New Delhi in the first week of January 1956 to come to a final settlement. Finally the labour Minister and the Minister for Commerce and Industry intervened and laid down a formula for the quantum of bonus for the four years from 1953-56. The agreement created a record in the plantation industry for India became the first country to accept the principal of payment of bonus to workers out of profits'. (23)

The historical movement of 1955 had exploded the years of ire of the tea garden workers. The majority of the tea gardens were directly or indirectly involved in the movement. This had never before happened before.

It was a joint movement of the two frontline parties, the Communist Party of India and the Gorkha League fought for the first time jointly the allegation that the Nepalese were mercenaries and middle class victims of illusion had disapproved by the movement. Forgetting all the small differences and even though with class-consciousness embedded in them, the Nepalese fought against the capitalists, this was proved by the historic movement.

The Gorkhas had shed blood all over the world to conquer. That blood was theirs, but the conquered territory was of others. This time, the Nepalese had promised that the blood shed by them would be theirs alone. This heralded the dawn of a new tradition.

The defeat of the Communist Party in the General Elections of 1952 demoralised the party cadres. But Ratanlal Brahmin was committed towards the objective of the party and tried continuously to boost the sagging morale of the rank and file. When their leaders were being freed from jail, the Darjeeling Tea Garden Workers' Union was reorganised and Ratanlal Brahmin and B.M. Rai were elected the President and the Secretary respectively. The Union got its new registration number 2256'. (24)

4.9. FORMATION OF GORKHA LEAGUE AND BIRTH OF DARJEELING DISTRICT CHIA KAMAN SHRAMIK SANGHA

The frustration and mistrust of the hill people were at their height and out of these was born the realization that they must have something, some organisation or the other of

a political nature to fight the injustice perpetrated on them for years on end. They had groped in the dark for long and had been hoodwinked all along by the imaginary flicker of lights. Now apparently disillusioned and gotten off their years of slumber, they were out for something real and not just imaginary. It is also of importance to go by that so far the hill people had nothing in the name of organisation or the other politically organised, the association of reckoning and that too a social one thus far was the Hillmen's Association which had ever since its formation been voicing the grievances of the hill people. But with the future of 30 lakhs Gorkhas spread all over India still uncertain, there was a firm resolve to form a political organisation beneath that veneer of frustration and disillusion. The possibility if not certainty of a change in the political pattern were as clear as the day. What would be the fate of the Gorkhas under the changed pattern? This complex question haunted the Gorkhas who were rather inclined to stay away from politics. And in fact the disinclination to ether with the sad pecuniary plight had been a stumbling block all along in the formation of a political party. But with pressing problems at hand particularly of the uncertainty of the future, they had obviously overcome their disinclination or apprehension and also had chosen to go along with their pecuniary hardship. "The desire to form a political organization of the 30 lakhs Gorkhas spread all over India was felt right from the break out of the war in 1939."

The actual decision for the formation was taken on 1st Feb 1943 when three young men, Sri Shiv Kumar Rai, Sri D. B. Lama and Sri D.B. Chettri arrived Kalimpong with a resolve to open up a branch of the Kurseong Gorkha Association with which they were associated. A meeting with them came out with resolve to start an ALL INDIA ASSOCIATION OF THE GORKHAS. The meeting also resolved to have a conference for the propose in Darjeeling and the responsibility of convening such a conference was

entrusted to the aforesaid youths from Kurseong. Sri D.S.Gurung, M.L.A., in the meanwhile, had to go to Calcutta to attend the Assembly session. But the proposed conference was not called for even to the 24th Feb. 1945. So the notice was issued from Calcutta by Mr. Gurung informing that the proposed conference would be convened at Siliguri at the premises of Sri. G. Manabert Subba. The conference was well attended and representatives of Nepalese, Bhutias and Lepchas numbering 60 had come from all the three Kalimpong, Kurseong and Darjeeling sub-divisions. After a prolong discussion over the fate of the hillmen following the cassation of war, the proposal to form an All India Association was unanimously adopted. For the time being the Association was named the All India Nepalese, Bhutias and Lepchas Association. The necessity of calling a big conference to establish an association of the type and give a worthwhile appellation was felt by one and all in the meeting and so to that effect and Ad-Hoc Committee was constituted. Sri. R.N. Sinha was chosen as the Secretary of Committee. But even with its formation, no conference was summoned for the ensuing three weeks. So Sri. Gurung had to come to Darjeeling once again and arrange the meeting eventually on the 4th April 1943. This was followed by two or three repeated sittings of the committee. Everything was going on quite smoothly and on lines expected but on unexpectedly something transpired casting a sort of gloom over the members. The Bhutias revoked their association, as they did not want to have any truck with so big an association. The meeting, however, came with the name "ALL INDIA GORKHA LEAGUE" and to mark the formal launching of the party, 15th May 1943 was deemed as the auspicious day. The venue selected was the Rink Cinema Hall, Darjeeling and the time agreed upon was 2:30 P.M. Notices for the meetings were then distributed all over. Everyone was looking forward to the 15th anxiously. Thus on the 15th, the people started pouring in right from

12 noon and within short while, the hall was packed to its capacity. Those coming around 1 P.M. could not get a space to stand on even. So there were people more outside than inside the hall. The Deputy Commissioner had given permission for mike but not without a lot of coaxing and the like. The mike helped people to hear proceedings of the conference even in the bazaar. Even the government employees lent their ears with, of course, doors closed but windows opened again not taking any chance by pulling down the curtains.

'The conference started as scheduled at 2:30 P.M. Explaining the purpose of convening such a conference, the motion for establishing "ALL INDIA GORKHA LEAGUE" was moved and right at 4 P.M., it was adopted unanimously. 4:30 P.M., 15th May 1943. This date, month, year and day ought to be remembered by all the Gorkhas'.

(25)

After the first General election (1951-52) the elected M.L.A. of Gorkha League, namely Shiva Kumar Rai, D.B.S. Gahatraj and George Mahbert addressed the Darjeeling District Labour Conference at Gorkha Dukha Niwarak Sammelan Hall on 18th May 1952. The leaders emphasised on organising the labourers of tea gardens to ameliorate the social and economic condition of the labourers. This event was historic in the history of Gorkha League because of the formation of its trade union. The union was named Darjeeling District Chia Kaman Shramik Sangha. Shri Shiva Kumar Rai was elected as Secretary. After him Deo Prakash Rai became its Secretary. He played an instrumental role during Bonus movement of 1955. His leadership added a new dimension to the trade union movement in the hill areas. Regardless of their differences, and inter party rivalry, the Darjeeling District Chia Kaman Shramik Sangha of the Gorkha League and the

National Union of Plantation Workers mainly a congress outfit co-operated in the common struggle concerning the betterment of working and living conditions as well as social securities of the tea plantation workers. Shri J.D. S. Rai and P.T.Lama became the active members of the Darjeeling District Chia Kaman Shramik Sangha after Deo Prakash Rai. (26)

4.10. NATIONAL UNION OF PLANTATION WORKERS (NUPW)

The Congress Party lagged far behind the Communist Party of India and Gorkha League in the hill areas in regard to organisation of workers. As the tea garden workers constitute nearly 60% of the total labour force in the hill areas, this weakness was reflected largely in the General elections of 1951-52. In the early 60's Mrs. Maitrayee Bose, a veteran leader of the Indian National Trade Union Congress took the initiative to organise a labour cell on the Darjeeling hills. Ultimately, a branch unit of the INTUC (NUPW) was established with Mrs. Maitrayee Bose and Laxuman Pradhan as the President and General Secretary respectively. The NUPW in its formative stage was helped by Punya Prakash Rai, some local Congress M.Ps. and the then Municipal Commissioners. The union built up its image slowly and gained popularity. The NUPW challenged the competency of management of Rungneet Tea Estate against its lockout. The union threatened to open garden forcibly. The Government had to interfere. Owing to the intervention of the Labour Minister the lockout was lifted. (27)

'All the three major trade unions, namely, the NUPW, the DDCKMU and the DDCKSS involving tea plantation workers have been close adjunct to political parties. These political dimensions of trade unionism in hill areas and the consequent multiple unionism and inter-union rivalries at the micro-level of each tea estate can be understood

from various inter union clashes. Political unionism in tea gardens has some positive impact. The inter-locking of leadership between various unions has helped the working class in tea gardens, in historical perspectives as well as in the contemporary setting in securing a more favourable labour policy from the Government. Political leadership constitutes a valuable input in the organisational and the developmental aspects of the trade union movement in hill areas'. (28)

4.11. MILESTONES IN THE TRADE UNION MOVEMENT (1969-80)

The trade union movement in the tea gardens of Darjeeling Hills passed through many ups and downs. The evolutionary process was a long – drawn one. 'From 1969 a trend is discernible as because in all important wage negotiations the trade unions jointly met the employers' associations like Indian Tea Association, Indian Tea Planters' Association, and Tea Association of India. The movement achieved its objective in making workers better aware of their intrinsic rights and succeeded in generating an all pervasive class consciousness. The labourers were represented by different associations like Indian National Trade Union Congress, All India Trade Union Congress, United Trade Union Congress, Zilla Cha Bagan Workers' Union, National Union of Plantation Workers, Dooars Cha Bagan Workers' Union, and the West Bengal Cha Sramik Union etc.

The trend which started in 1969, regarding important issues were the holding of Tripartite Conference in Calcutta wherein the important problems of shrinkage of employment, contract labour, extra leaf rate, fixation of Thika and closed gardens were discussed. It was decided in the conference that the contractors' labour shall not be employed for work of a perennial nature, such as plucking, pruning, sickling, hoeing

and plantation of new tea. It was decided that temporary labourers might be employed if permanent labourers are not available for these works. It was also agreed upon not to employ temporary workers for more than six months in a year. Further, these temporary workers would be employed on the same wages and paid variable dearness allowance and given the same task as applicable to the permanent workers. They should be entitled to any national and festival holidays, which might fall during the period of their employment. They were entitled to get the same medical facilities as the permanent workers.

A similar Tripartite Agreement was reached in a conference held in 1970, and rules regarding casual leave, annual leave with pay etc. were discussed. Further quota regarding firewood and fuels was increased.

In 1971, it was decided by the government of India that a uniform scheme of retirement benefit for employees and workers should be enacted. The tea garden employers were not keen to accept the compulsory gratuity Act of 1971. The result was serious disturbances in many gardens. The issue was settled in a Tripartite settlement in the year 1971. The trade unions raised issues like building houses in the gardens. With regard to Kutcha houses the employers assured proper and adequate repairs. After a protracted discussion the strike notice served by the coordination committee was withdrawn.

The representatives of the coordination committee of Tea Plantation Workers, West Bengal raised the demand that all technicians be granted servant allowance like members of the staff in the year 1973. The basic pay and the benefits of the technicians of grade B were raised.

The tea gardens passed through a critical phase from 1975. The Coordination Committee of the Tea Plantation workers, West Bengal adopted a charter of demand in its meeting held on 25th. April 1975. For understanding the nature of movement an insight into the memorandum is important. The demands included 1) all closed gardens should be taken over immediately by the government. 2) The wages of tea garden workers should be raised. The female workers should be given the same wages as male workers for the same type of work. 3) The disparity between the wages of the workers of Dooars, Terai and Darjeeling should be removed. 4) The rise in the All India Consumer's Price Index since 1971 should be neutralised at the rate of 1% of the existing wages per point of All India Consumer's Price Index year by year. 5) There have been no recruitment since 1969, though production and acreage of the gardens have increased. Therefore, new recruitment should be made proportionate to the production and size of the garden. 6) The houses should be constructed for the labourers with standard materials. 7) Group Hospitals should be provided as per law. 8) Unemployed dependents over the age of 16 years should be given ration till they get jobs in the garden or outside. 9) In garden primary school teachers should be provided on the basis of the number of linguistic groups of students. 10) The rice component of the ration of the tea garden workers should be restored and it should be atleast 2/3rds of the total quantum.

'The trade union activities became very important during the whole of the sixties and the seventies. Consequently the planters have been forced to give bonus and fulfil some of the statutory obligations. Bonus issues led to strikes and lock-outs in various gardens.' However, in respect to construction of houses, the trade unions in the Darjeeling hills have not shown the aggressiveness that was found in some of the industries in West Bengal.

A meeting was held on 22nd September, 1976 to discuss the question relating to payment of bonus. The settlement became the 'model' of settlement for subsequent years. The model was as follows: a) Bonus for the accounting year should be paid in accordance with the provisions of the payment of Bonus Act 1965, as amended upto date, b) where bonus for the said accounting year had already been finally determined on the basis of published data and audited balance sheet and profit and loss account and had been paid and there was no dispute, such cases should be treated as closed, c) in cases where Balance-sheet had been published but dispute had been raised over computation, such cases should be referred to the Labour Directorate for processing and scrutiny. d) In cases where balance sheets had not been published or where disputes had been raised about the computation of balance sheet published, an interim payment should be made subject to adjustment after the balance sheets had been published. e) Copies of balance sheets should be made available to the unions functioning at the garden level.

The problems of wages, bonus and employment had always been the bone of contention between the trade unions and the planters. The trade unions insisted on increasing the number of employment in the gardens. The trade union leaders pointed out that there had been regular shrinkage of employment since 1956 by way of casualisation of the permanent labourers.

Equalisation of wages of males and females in the tea gardens is one of the important achievements of the trade union movement. The wages were equalised in 1983 after years of struggle. The upto -date wages of Daily-rated workers enforced since 2.9.69 is highlighted below.

Table IV. 05: Up-to-date wages of daily-rated workers since 2.9.69

Category	Basic		V.D.A		
	Wage Board	Interim	Wage Board	Interim	Total
Male	Rs. 2.07	Nil	Rs. 0.12	Nil	Rs. 2.19
Female	Rs. 1.90	Nil	Rs. 0.12	Nil	Rs. 2.02
Children	Rs. 1.13	Nil	Rs. 0.06	Nil	Rs. 1.19

As embodied in the Tripartite Agreement dated 2. 9. 1969, an interim increase of Rs. 0.06 per day in Variable Dearness Allowance (VDA) and Rs. 0.14 per day in Basic were allowed to the adult workers from 2. 9. 69. The children were given half the said increase. Thus, the total daily wages of the tea plantation workers became as follows from 2.9.69.

Table IV. 06: The total daily wages of workers from 2.9.69

Male	Rs. 2.07	0.14	Rs. 0.12	0.06	Rs. 2.39
Female	Rs. 1.90	0.14	Rs. 0.12	0.06	Rs. 2.02
Children	Rs. 1.13	0.07	Rs. 0.06	0.03	Rs. 1.29

Another Tripartite Agreement dated 31.7.70 was signed before the Deputy Labour Commissioner, North Bengal Region, Siliguri when an interim increase of 0.09 paise per day in basic wages was given to all adult workers with effect from 1.4.70 and the children were allowed half the benefit. Thus the following were the total wages of the plantation workers with effect from 1.4.70.

Table IV. 07: The plantation workers with effect from 1.4.70

Male	Rs. 2.48
Female	Rs. 2.31
Children	Rs. 1.33

The Government of West Bengal constituted the First Wage Fixing Committee of Tea Plantation workers under the chairmanship of Late P.C. Mullick in 1971. In the 16th meeting of the Second Committee held on 19.7.71, an increase of 23 paise per day in wages of the workers was given with effect from 1.7.1971 to 31.5.1972 and thereafter further rise of 23 paise per day in wages was given with effect from 1.6.1972 to 30.6.1973. Thus, upto the end of June 1973 the following were the total daily wages of the tea plantation workers.

Table IV. 08: Daily wages upto the end of June 1973

Male	Rs. 2.94	(Rs. 2.24 + 0.46)
Female	Rs. 2.77	(Rs. 2.31 + 0.46)
Children	Rs. 1.56	(Rs. 1.33 + 2.23)

A Tripartite Agreement was signed on 24.7.1973 under the chairmanship of Mr. Quader Nowaz as Conciliation Officer when an interim increase of 15 paise in wages was given to the plantation workers with effect from 1.7.1973 and as a result the total daily wages of the tea plantation workers stood as follows with effect from 1.7.1973.

Table IV. 09: Daily wages of workers w.e.f.1.7.73

Male	Rs. 3.09	(Rs. 2.29 + 0.15)
Female	Rs. 2.92	(Rs. 2.77 + 0.15)
Children	Rs. 1.64	(Rs. 1.56 + 0.07)

At the 11th. Meeting of the Second Wage Fixing Committee held on 25.7.1974 and 26.7.1974 respectively an ad-hoc wage increase of 25 paise per day was given with effect from 1.7.1974 and as a result the total daily wages of the tea plantation workers stood as follows with effect from 1.7.1974.

Table IV. 10: Daily wages w.e.f.1.7.74

Male	Rs. 3.34	(Rs. 3.09 + 0.25)
Female	Rs. 3.04	(Rs. 2.31 + 0.12)
Children	Rs. 1.76	(Rs. 1.64+ 0.12)

Further, at the 26th meeting of the Second Wage Fixing Committee held on 22.5.1975, further increase in wages of daily- rated workers was given as follows.

Table IV. 11: Increase in wages

From 7.7.75 to 31.3.76	45 paise per day.
From 1.4.76 to 30.6.77	45 paise per day.

Child workers were allowed half of the above increase. Thus, the daily-rated wages of the workers till 30.6.1977 were as follows:

Table IV. 12: Wages of the workers till 30.6.1977

Male	Rs. 4.24	(Rs. 3.34 + 0.45 + 0.45)
Female	Rs. 5.07	(Rs. 3.17 + 0.45 + 0.45)
Children	Rs. 2.21	(Rs. 1.76 + 0.22 + 0.22)

Further, a Tripartite Agreement was signed on 3.8.1977 and the following increase of wages had been given:

Table IV. 13: Increase in wages

From 1.7.77 to 30.6.78	Re. 1.00 per day.
From 1.7.78 to 30.6.79	Re. 1.00 per day.

and the children had been given the following increase:

Table IV. 14: Increase in the wages of child-workers

From 1.7.77 to 30.6.78	Rs. 0.50 per day.
From 1.7.78 to 30.6.79	Rs. 0.50 per day.

Thus, the daily wages of the workers of tea plantation became as follows with effect from 1.7.1977 to 30.6.1978

Table IV. 15. Daily wages of workers w.e.f.1.7.77 to 30.6.78

Male	Rs. 5.24	(Rs. 4.24 + Re. 1.00)
Female	Rs. 5.07	(Rs. 4.07 + Re. 1.00)
Children	Rs. 2.27	(Rs. 2.21 + Re. 0.50)

Again, the daily wages of the workers of tea plantation as per above agreement-dated 3.8.1977 became as follows with effect from 1.7.1978 to 30.6.1979

Table IV. 16: Wages of workers w.e.f.1.7.78 to 30.6.79

Male	Rs. 6.24	(Rs. 5.24 + Re. 1.00)
Female	Rs. 6.07	(Rs. 5.07 + Re. 1.00)
Children	Rs. 2.72	(Rs. 2.72+ Re. 0.50)

Further, as per Tripartite Draft Agreement dated 11.4.80 the following increase of wages had been effected to the daily-rated workers:

Table IV. 17: Increase in wages from 1.7.79 to 30.6.80

Male	Rs. 7.14	(Rs. 6.24 + Re. 0.90)
Female	Rs. 6.07	(Rs. 6.07 + Re. 0.90)
Children	Rs. 3.67	(Rs. 3.22 + Re. 0.45)

Table IV.18: Increase in wages from 1.7.80 to 30.6.1981

Male	Rs. 8.94	(Rs. 8.04 + Re. 0.90)
Female	Rs. 7.87	(Rs. 6.97 + Re. 0.90)
Children	Rs. 4.12	(Rs. 3.67 + Re. 0.45)

Table IV.19: Increase in wages from 1.7.81 to 30.6.82

Male	Rs. 8.94	(Rs. 8.04 + Re. 0.90)
Female	Rs. 8.77	(Rs. 7.87 + Re. 0.90)
Children	Rs. 4.57	(Rs. 4.12+ Re. 0.45)

Table IV. 20: Increase in wages

	Adult	Child
With effect from 1.7.83	75 p	38 p
With effect from 1.7.84	75 p	38 p
With effect from 1.7.85	75 p	38 p

Since the introduction of wage Board, 1966 the Wage of daily-rated workers of Darjeeling Hill areas was 32 paise less than that of Terai, but the daily-rated wages of Dooars were 6 paise more than that of Terai'. (29)

'In 1951, High Court declared that the ban on the Communist Party was illegal . After the General Election of 1952, the Communist leaders were freed from jail and warrant on all underground communist leaders were withdrawn. But the depression continued in 1952-53. Industrialists retrenched large number of workers in different industries. Tea Plantation was also no exception. During that period near about on lakh workers were retrenched from tea gardens of Assam, Bengal and Tripura. In 1952 tea prices in North India decreased abnormally. In fact it was artificially created by British planters. On the argument of depression of tea prices, Planters made five days a week instead of seven. However, the Banerjee Committee (Second minimum wage committee) curtailed all the benefits received by the workers. Food grains, which were being supplied to the workers at a concessional rate of Rs. 5.00 per maund, was increased to Rs.15/- per maund. Under such circumstances the trade unionist particularly the communists struggled to ensure unity among tea garden workers of Dooars, Terai and Darjeeling. On the contrary, planters tried in every way to keep away the workers from the communists. They put restrictions on holding meeting by Communists in tea gardens. In spite of all efforts planters could not alienate communists from workers rather more the workers expressed their support in favour of communists. Ultimately in 1954 they had to give recognition to the communists to form unions in tea gardens.

In 1962 the Co-ordinated Committee of Tea Plantation Workers was set up which consisted at that time the Union affiliated to AITUC and INTUC, HMS, UTUC Gorkha League and the clerical Unions. Its present composition is almost the same except that it

also has the CITU (which was formed after its split with AITUC) and the IFTU (PCCPI (ML) group). The CCTPW is a unique body and was formed with a view to prevent inter-union rivalry and to initiate a joint movement on the issue of wages, bonus and benefits under the Plantation Labours. Act.

The second indefinite general strike took place on August 18, 1969 at the initiative of co-ordination committee. The major demands of the committee included, increased employment in the tea gardens, revision of wages (since the cost of living index had abnormally increased in 1968) and implementation of Plantation Labour Act, 1951. The strike completely paralyzed work on the tea estates in West Bengal. Since 1969 CCTPW has given occasional calls for one-day token strike.

The CITU has emerged as the most powerful trade union among plantation workers since 1977. It tends to dominate over the others and plays the big brother role in CCTPW. The INTUC comes next. The other constituent Unions in the CCTPW has small pockets of influence.

4.12. INDUSTRIAL DISPUTES IN TEA PLANTATIONS

Industrial disputes mean both strikes and lockouts, though the two are diametrically opposite things. Whereas strikes mean offensive of the workers against the employers, lockouts mean offensive of employers against workers.

Table IV. 21: Trends in industrial disputes in West Bengal tea plantations, 1977 – 1989

Year	NO. of disputes (D)	No. of Workers involved (W)	No. of Man days lost (L)	Index of disputes (Base 1983=100)	Index of workers involved (Base 1885=100)	Index of man days lost (Base 1885=100)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1977	10	9102	72603	100.0	142.1	33.6

1978	20	16884	64290	200.0	263.7	29.8
1979	7	6996	36346	70.00	109.2	16.8
1980	17	47113	124613	170.00	735.9	57.8
1981	6	8270	287909	60.00	129.1	133.5
1982	11	6995	331245	110.00	109.2	153.7
1983	10	6402	215501	100.00	100.00	100.00
1984	6	4772	96778	60.00	74.5	44.9
1985	20	15890	198723	200.00	248.2	92.2
1986	15	10618	313441	150.00	165.8	145.4
1987	8	5469	162599	80.00	85.4	75.4
1988	3	1975	41318	30.00	29.9	19.1
1989	2	1163	25477	20.00	18.1	11.8
Period average 1977 to 1989	10.4	10896.0	151603.3	103.8	170.1	70.3

Note: (1) Figures for 1989 are provisional, Source: Labour in West Bengal.

Table IV. 22: Trends in industrial disputes in West Bengal tea plantations, 1977 – 1989

Year	NO. of disputes (D)	No. of Workers involved (W)	No. of Man days lost (L)	Index of disputes (Base 1983 =100)	Index of workers involved (Base 1885 =100)	Index of man days lost (Base 1885 =100)	Index of man days lost (Base 1885 =100)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1977	10	15.0	-	-	100.0	8.0	7260.3

1978	20	28.6	26.0	10866.7	85.0	2.0	1864.1
1979	7	41.2	25.2	14500.0	71.4	1.3	1469.2
1980	17	100.0	14.1	10270.4	58.8	1.3	5272.0
1981	6	100.0	34.8	47984.8	-	-	-
1982	11	90.0	47.6	30113.2	-	-	-
1983	10	16.7	35.0	23711.2	10.0	7.0	2100.0
1984	6	60.0	99.0	89100.0	83.3	2.0	1535.6
1985	20	100.0	19.7	15769.5	40.0	1.5	1186.1
1986	15	62.5	29.5	20896.1	-	-	-
1987	8	100.0	42.0	24499.8	37.5	15.7	13366.1
1988	3	100.0	20.9	13772.7	-	-	-
1989	2	-	21.9	12738.5	-	-	-
Period average 1977 to 1989	10.4	62.6	31.98	24171.0	37.4	2.98	26195

Note: (1) Figures for 1989 are provisional,

During the last 13 years (1977 to 1989) on an average, about ten industrial disputes involving around 10.896 workers and 1, 51603 man days lost per year were reported in West Bengal tea industry (Table-21). The data in Table – 21 shows an erratic nature of all indicators of intensity of industrial disputes, no uniform and regular upward or downward trend is noticed up to 1985. Since 1986 disputes showed a decreasing tendency. Another important feature of the industrial disputes in tea Industry of West Bengal, as shown by the data, is that no correlation exists between the figures relating to the number of disputes, workers involved and man-days lost.

The highest number of disputes (14.81%) has been reported twice during the study period, in 1978 and 1985. Tea industry has lower disputes as compared to the other major industries like jute, cotton and engineering. This low conflict prone situation is attributed to two main factors. Firstly, tea gardens are located in backward regions and the workers are isolated from urban industrial situation. In the tea gardens they live amongst their own community with their traditions. They get less opportunity to know their outside world. Secondly, the leading constituent unions of CCTPW are of the view that it necessary to avoid industrial turmoil and prefer to settle any dispute through negotiation.

Table 22. shows increasing tendency of lockouts and decreasing tendency of strikes since the assumption of office by the Left Front in West Bengal.

It is seen that between 1977 and 1989 that the percentage of strike declined, the percentage of lockout increased. In 1977 the percentage of strike to total number of work stoppage was 100% and in 1989 it was nil. But the percentage of lockout had gone up to 100% from 15% during the same period. Moreover in the years 1981, 82, 88 and 1989 there was no incidence of strike in West Bengal Tea Industry. But during 1977 to 1989 lockouts occurred in all the years except in 1977 in which all the 10 disputes were on account of strike. On an average 62.6% of work stoppage was accounted for lockouts during the last 13 years (1977 to 1989).

Man days lost per lockout was also more than the man-days lost per strike during 1977 to 1989. During this period on an average, 24171 man-days were lost in per lockout against 2619.5 days in the case of strike.

During the last 13 years (1977 to 1989) duration of Lockout recorded 32 days, on an average, against only 3 days in case of strike.

Altogether Table 22 shows prominence of lockout over strike in the tea industry of West Bengal. The total Industry relation picture of West Bengal also shows the same phenomenon during the regime of Left Front Government. For example in 1980, the number of strike was 78 and in 1989 it was only 16. But the Lockouts which in 1980 was 130 increased to 211 in 1989. Similarly the mandays lost due to strike decreased to 255421 days in 1989 from 1485399 days in 1980. But during this period mandays lost due to Lockouts increased from 46,95,657 days to 2,81,59,705 days showed an increased of 6 times over a decade.

The main cause of such an overall industrial relation in West Bengal lies in the Left Front Since its assumption of office. From the very beginning it discouraged strikes because any unrest among the workers will give the Left Front a bad name and would vitiate the atmosphere for investment by the employers. But this policy of appeasement towards the employers to erect their offensive against working class in different directions like reduction in working complements, wage freeze, increase in work load, reduction and freeze of dearness allowance and curtailment of various benefits previously enjoyed by the Left Front Government has been weakening the collective bargaining power of working class. The policy has failed to prevent the employers from the commitment pf lockouts. Rather they are continuing with the lockouts in the grounds like alleged labour trouble, indiscipline, rowdyism, go slow, violence demonstration etc. Unless the whole problem is seriously considered by the government and its policy is revised, more instances of lockouts would occur in future and the interest of the workers would further deteriorate.

Trade unions have taken root in tea gardens of West Bengal, against tremendous opposition from the planters and there is no denying that over the years they have played

an important role in improving the conditions of the workers. But today's picture of the unions in the tea plantations emerges different from that of the past. The Plantation Labour Act makes its mandatory for the employers, to provide workers facilities like housing, health, sanitation, drinking water, creches etc. They are either poor or non-existent in most of the tea gardens. But trade union leaders have taken very little interest in these needs of workers. They have not organised any movement against the violation of the Plantation Labour Act. They invariably emphasised the wage aspect alone. The leading trade union of CCTPW has brought industrial peace in Tea plantations through concessions to avoid strikes at all cost. It has hindered the development of a mature industrial relation. The concessional attitude of both the Government and unions in the board of industrial harmony strengthened the planters more to deny the workers their legitimate rights. Unless the policy is revised there is little hope for the workers to get all the benefits of the Plantation Labour Act'. (30)

'However, with the growth of trade unions, strikes as weapons for satisfying the workers' demand have increased. 'Tea Statistics' do not give us any figure of strikes, lock-outs or closures of any tea gardens either as a whole or for Darjeeling tea gardens in particular. 'Labour' in West Bengal gives us an aggregate picture of strikes and lockouts or closure of all tea gardens without any break-up of the region. In the issue for the year 1981 it records of closure of 4 units with 1,387 persons involved therein for the year 1978. It further gives the following information for the Tea industry as a whole.

Table: IV. 23: Strike and lockouts

	Strike		Lockouts	
Year	No. of cases	No. of mandays losts	No. of cases	No. of manday losts.

1978	16	475168	26	1,766,680
1979	13	964018	17	1,476,496
1980	4	195029	10	763,639

Source: Labour, different volumes.

The above figures do not reveal a picture of the state of affairs of Darjeeling gardens but highlight the depth of the unrest over the industry as a whole. In Tea India, Vol. 1 No. 8 we get complete picture for Darjeeling gardens.

Table IV. 24: Strikes in Darjeeling Tea gardens

Year	Workers involved	Mandays lost	Wages lost	Loss of production (Rs.)
1982	15,006	15,006	1,463875	10,200
1981	21,221	21,221	203,480	37,297
1980	64,967	64,614	484,412	59,489

Source: Tea India.

Table IV. 25: The same issue also records the causes of strikes

Year	Wages & rates	Personal	Sympathetic & political agitation	Leave & Hrs. of works	Ration and concessional supplies	Other	Total
1982	1	1	26	-	-	-	28
1981	-	1	39	-	-	1	41
1980	-	-	77	-	-	34	111

Source: Tea India.

The above figures give rise to interesting explanation of the impact of labour unrest. When we compare the West Bengal figure of 1980 we find that out of 7,63,839 man-days lost for all gardens, the figure for Darjeeling is at 64,614. The position is not alarming even with the nature of financial standard of Darjeeling gardens and the particular socio-political environment in which the hill gardens had to work. Moreover, in terms of value of loss of production, the figures of Rs. 59,429, Rs. 37,297 and Rs. 10,200 are not significant enough to contribute in any appreciable extent to financial maladies of Darjeeling tea gardens. The nature and causes of strikes further reveal that for the three calendar years 1980, 1981, and 1982 out of total incidents of 180 strikes, 142 strikes have been occasioned on sympathetic and political grounds. The index of strikes does not indicate any system of labour-management problem. Labour front does not directly contribute to the loss of production in any appreciable extent.

‘This does not, however, mean that labour –management relationship is ideal and the industry does not confront any problem on this account. From conversations with trade union leaders and workers it is found out that they are convinced that the tea gardens are not run properly. They cite various leakages on excise front, provident fund, arrears, and under-the-table arrangement of the ex-garden sales’. (31)

4.13. LEGISLATION OF TRADE UNIONS IN EARLY FIFTIES- GROWTH OF LABOUR LEGISLATION IN INDIA

Legislative measures enacted at a given time reflect the socio-economic needs of a society. Labour legislation represents the community’s attitudes to working class in relation to employers. The basic philosophy of labour legislation is to ensure regulation of employer-employee relations to prevent exploitations of employers. Different labour laws have been

laws have been enacted to mitigate the effects of inequality of opportunity and economic power between employer and employees. Labour legislation has been undertaken as a consequence of the acceptance of the International Labour Organization's conventions and recommendations.

(1) 1837-1918- Labour legislation in India can be traced back to 1837 when recruitment of labour by planters under indenture system was regulated. The plantation industry in Assam was the first, which attracted legislative control. As the recruitment of labour from distant places to Assam by 'arkattis' led to disastrous results, the Central Government and the Bengal Government passed several acts from 1863 onwards to regulate the recruitment. These Acts provided for licencing of recruitment, registration of emigrants and fixation of period of contract. The Assam Emigration Act prevented recruitment by false representation and enticement, and on the other hand, ensures proper arrangements for medical attendance, feeding and rest during their journey to Assam. In 1915, the indenture system was abolished in Assam Tea Plantations.

(2) 1919-1937: -The Government of India Act 1919 empowered the Central legislature to enact labour laws in respect of practically all the labour subjects. The period witnessed the application of the principle of direct State intervention to regulate conditions of industrial labour. The Provincial legislatures were, on the other hand, empowered to legislate in respect of those labour subjects, which were classified as provincial and that too only with the sanction of Governor-General. The Trade Union Act 1926 was one of the enactments, which gave a great fillip to labour legislations in India. The Report of Whitley (Royal) Commission in 1931 recommended valuable suggestions as a result of which Tea District Emigrant Labour Act was enacted in 1932, the Factories Act was

thoroughly revised in 1934 and Payment of Wages Act was enacted in 1936. The Government of India Act 1935 also influenced the course of labour legislation during the period and after.

Industrial employment (standing orders) act 1946

This legislation is an important step in the direction of stabilising industrial relations. Prior to the enactment of the Act, the usual practice of the management was to enter into an individual contract (express or implied) of employment with the worker. In many cases, these conditions were not well defined and suffered from ambiguity. The workers were confused in their understanding of what was expected of them and what procedures were to be followed. This led to a great deal of unrests, work stoppage, and unhealthy labour management relationship. The matters covered under the standing orders include holidays, pay days, conditions for granting leave, work stoppages, suspension, dismissal, grievance redressal, classification of workers and definition of misconduct.

Provisions of standing orders act as enforced in tea gardens

‘The joint movement of unions in the year 1955 had raised the issue of revision of standing orders for tea gardens in West Bengal. The matter of revision was agreed upon and agreed that the State government should take steps to deal with the issue. This agreement yielded fruitful results, tripartite discussion took place, and revised Standing Orders were drawn up and certified’. (32)

‘Major provisions

Definition and classification of workmen-

- (i) Workman means any person employed in the Estate to do any skilled or unskilled manual or clerical labour for hire or reward.
- (ii) Workmen shall be classified as follows-
 - (a) Permanent
 - (b) Probationers
 - (c) Temporary
 - (d) Casual
 - (e) Apprentices
- (a) A 'Permanent' workman is a workman who has been engaged on a permanent basis and who has completed a probationary period of six months in the same or other occupation in the Estate
- (b) A 'Probationer' is a workman who is provisionally employed to fill a permanent vacancy and has not completed six months' service.
- (c) A 'Temporary' workman is engaged in a work which is essentially temporary in character.
- (d) A 'Casual' workman is a workman whose employment is of casual nature.
- (e) An 'Apprentice' is a learner who may be paid an allowance during the period of his training.

Publication of working time

The periods and hours of work for all classes of workers to be exhibited in English and in the principal languages of workmen employed in the estate on Notice Boards at the office and factory. The commencement and termination of period of work to be intimated by authorised persons preferably by signal.

Publication of holidays and paydays

Notice specifying the days observed by the Estate as holidays and pay days to be posted in the notice boards.

Publication of wage rates

The rates of wages payable to all classes of workmen are to be displayed on the notice boards.

Shift working

Shift working is to be regulated in accordance with Factories Act. Workmen are liable to be transferred from the factory to fieldwork and vice-versa as per the requirement of manufacture or cultivation.

Attendance and late coming

(i). If any worker is late by more than half –an hour after the prescribed time without sufficient reasons, he shall be liable to be refused work for that day. In the case of daily wage labourers, a deduction may be made from wages proportionate to the time absent.

(ii). If any worker is found to be absent without leave, wages were liable to be deducted in accordance with the provisions of Payment of Wages Act.

Leave and holidays

The Factories Act 1948 and the Plantation Labour Act 1951 allows leave with pay. Independence Day and Republic Day are paid holidays. In addition in Darjeeling

Hills there are other four paid festival holidays. These holidays are allowed in accordance with the customs of the plantation community. A labourer has to obtain prior permission from the Manager or his authorized representative. If the leave refused or postponed, the fact of such refusal or postponement is entered in a register, and a copy of the entry is given to the worker. Extension of leave also has to be granted by the manager. If any worker remains absent beyond the period of leave originally granted or subsequently extended. 1) he has to give satisfactory reply to the Manager, or 2) return within 8 days of the expiry of the leave. If he fails to do so, he will lose his lien on his appointment.

A worker is allowed casual leave of 10 days in a calendar year, however, such leave shall not be for more than three days at a time. Prior permission is to be obtained from the Manager for such leave.

Requirements for entering premises by certain gates and liability to search

All the workers are to enter the factory premises by the specified gates. The Gates may be closed during working hours. No worker is allowed to leave the premises during working hours. While entering and leaving the factory premises, all workers are liable to be searched. Female workers are to be searched by females only in the presence of witnesses.

Stoppage of work

In the case of any unforeseen emergencies like fire, natural calamity, breakdown of machinery. civil riots, the employer may stop work in any section of the Estate, and the workmen shall be duly notified by displaying of notices. Reasonable notice shall be given for resumption of work.

Termination of employment

When a worker is terminated, all wages earned and unpaid shall be paid to him/her at the time of discharge. In case of a permanent workman, probationers and apprentices, a months' notice shall be necessary. However, no notices are required for temporary or a casual workman.

Suspension or dismissal for misconduct and acts or omissions which constitute misconduct

A fine may be imposed on any workman in accordance with section 8 of the Payment of Wages Act, in respect of misconduct or omissions.

Legislation regarding Factories

The Factories Act 1948 came into force on 1st April 1949. The object of this Act is to secure health, safety, welfare, proper working hours, leave and other benefits for workers employing 10 or more workers where power is used, and where manufacturing process is carried on without the aid of power, the minimum number of workers is limited to 20. The Act prescribes for adults a 48 hours work in a week. Further the daily hours of work have been restricted to nine hour. Every worker is to have an interval for rest of at least half an hour. Under the Act, all factory workers are entitled to a weekly holiday on Sunday. Where the worker is required to work on weekly holiday consequent upon an order made under the provisions of the Act, he must be allowed compensatory holiday of the equal number of the holidays so worked within the month in which the holidays were due to him. When a worker works in factory for more than nine hours in a day or for

more than 48 hours a week, he is entitled to extra wages, which shall be paid as the rate of twice his normal rate of wage.

Employment of women and children in large numbers is a striking feature of plantations. All the members of the family, men, women and children are provided with work. This is especially the case in tea and coffee estates. Thus, plantation industries employ more women than any other organised industry in proportion to men. The more important reasons for this proportionately larger number on plantations can be summed up as follows. In the first place, being akin to agriculture, plantations are more congenial to women than other organised industries, such as mines and factories. In second place, the very fact that the labourers not only work but also generally live in plantations or in the vicinity a chance to work. In the third place the system of labour contracts based on the principle of utilizing every able bodied person in the family for labour and of fixing wage rates compelled the women labourers to seek employment in order to balance family budget.

The Factories Act has placed certain restrictions on the employment of women . No woman is allowed to work for more than nine hours a day. In every factory, where more than thirty women workers are employed a suitable room is to be maintained as creches for the use of children under the age of six years.

Plantations are covered by the definition of the term 'Industry' in the Industrial Disputes Act 1947 which makes provisions for the investigation and settlement of disputes. The Act, as amended upto 1956, provides for conciliation machinery and for a three tier system of original tribunals, viz.-Labour Courts, Industrial Tribunals and National Tribunals for adjudication of disputes'. (33)

‘Accordingly Labour Offices were opened up in Darjeeling and Jalpaiguri districts in 1947. A total of 465 appeals were registered in these two offices between October 1947 and 31st.March 1951. Out of these cases registered 431 cases were resolved in the Offices of the Labour Commissioners and 11 were referred to Industrial Tribunals’. (34)

Till the enactment of the Plantation Labour Act 1951, all persons who had not completed 18 years of age were entered in the pay rolls of tea estates as children. The Act prohibited the employment of children below the age of 12, while those between the ages of 15 and 18 were declared to be adolescents. This was done, inter-alia to put an end to such anomalies, as even mothers of less than 18 years being classed as children.

The Plantation Labour Act has made statutory provisions for labour such as housing, sanitation, educational facilities for the children of workers, medical facilities, drinking water, creches. The Royal Commission on Labour in its report in 1931 stressed the need for maximisation of facilities to the workers such as wages, housing, medical facilities. The Plantation Labour Act, which came into effect in 1951, was implemented only from 1955.

‘There is not a single garden which has fulfilled all the Provisions of the Plantation Labour Act’. (35)

Housing facility

‘Section 15 of the Act states that it shall be the duty of every employer to provide and maintain for every worker and his family residing in the plantation necessary housing accommodation. The West Bengal Plantation Labour Rules were framed in 1956. All

gardens should have ensured 100 % housing by 1969. Certain problems cropped up and the annual rate of construction was 'officially projected at 8 %'. (36)

'The Central Government allotted funds in the First and Second Five Year Plan, under Labour Housing Scheme to give long term loans to the estates. The planters were hesitant to take the loans and demanded 'subsidy' instead of loans. The Central Government under Plantation Housing Scheme provided a maximum 80% of the total cost and 20% of the cost were supposed to be given by the planters. But even this was not fulfilled by gardens on the plea of unprofitability of gardens. The union leaders insisted on the fulfillment of the demand approached the West Bengal government. The State government came forward in granting loans to companies carrying 4.5% interest repayable in 25 instalments. Even the Central Government directed the banks to stand guarantee against the loan taken by planters for housing construction. The non-fulfilment of the demand led to frequent tensions between the labour and management'. (37)

4.14. SUMMARY

Civilisation dawned over this region with the establishment of Company administration.. The colonial administration with its attendant backwardness and slavery held its sway over the region. The British influence did away with the age-old traditions from their very foundations giving vent to exploitation, repression and subjugation; in the meanwhile, a beginning was made in reconstruction. These aimed at their own benefits to enhance their capitalistic imperial design- with this the door for civilisation opened. Darjeeling was deemed not only as a place for health and sanatorium with resorts but was also deemed as a commercial centre for making large-scale profits. Darjeeling was gifted

over to them and, in no time, they started experimentation on tea. The latter thus became the mainstay of the region.

With the coming of Dr. Campbell in Darjeeling from Nepal in 1839, development in spheres other than tea industry started in right earnest. But tea plantation was started by Major Crommelin as early as 1835, but plantation. it was generally believed, with proper experimentation was started in 1840 by Dr. Campbell.

Hunter in his report in 1876 spoke of two or three gardens in 1835, without naming them, among them, one might be Martin's garden in Pankhabari. With some years of experimentation tea industry was commercially started in a comprehensive way in 1856. In 1856-57, tea industry was started in Makaibari, Alubari, Pandam, Steinthal, Tukvar and Mundakothi. They were followed by Dhoteria and Hopetown started by Dr. Brown and Mrs. H.C. Taylor and Dr. Robertson started their own garden in Rangmuk-Cedar in 1860 and till 1864, Nehur Balasan, Ging, Ambotia, Singell, Margaret's Hope, Tukdah, and others were opened. Soil and climatic condition contributed to the speedy growth of the industry. From 1866 to 1874, the number of the industry trebled. The Government distributed the surplus land @Rs.10/- per acre in a public auction. The previous single ownership gardens now turned into a joint stock company. Till 1867, the number of such companies was 24. One joint stock company was owned by an Indian. Of the 5 gardens owned by individual owners one was owned by Bhuwajit Rai (Dakman) son of Mota Rai, a Nepali. His garden's name was Soureni. With the beginning of the industry, its number multiplied to 186 within 40 years in 1895. It was spread over 48,692 acres with the total production amounting to 1, 17, 14,055 pounds. The 1901 census registered 64,000 workers.

The profit from Tea gardens had invited widespread looting. The workers were not united in the industry. It was from the 4th. decade in the 20th. Century, the workers got themselves organised but other areas remained unfocussed. The plight of the tea workers in Darjeeling was unknown but the exploitation and repression of the Assam Tea garden workers were inviting attention of others. Trade Union movement in Tea garden started with Assam with initial problems of settlement of the outside labourers. However, in Darjeeling emigration of such labourers from neighbouring Nepal did not create that problem because of ethnic linguistic and cultural homogeneity of the labourers. The planters could not exploit them as much as they possibly could elsewhere where the labour class was heterogeneous ethnically and otherwise. The class relations within the tea gardens were quite different during the British days from what is seen today. Socially, the managerial class belonged to the British with the exception of a few Indian owners or managers.

The trade union movement is a movement born of the lamentable economic condition of the workers. The early history of the exploitation of the workers under the so called Sardari system, an effective agency for suppression and exploitation. It was a history primarily of the two classes, the workers and the management, the latter unabashedly luxuriating at the cost of the former. The early Bonus movement born of the deprivation of the workers of their justified share of the profit also receives equal attention.

With the emergence of political unionism in the hill areas, the trade union movement received further fillip. The earlier political parties, the Communist, Gorkha League, and the Congress as of now, discovered in the tea workers their vote bank. Their viewing with one another in the game of political - upmanship through their respective

Trade unions and movement - the welfare of the workers being the sole objective, notwithstanding has formed an interesting part of the study. Legislation of Trade Union in the early fifties and the emergence of militant trade unionism from 1955-69 has received due attention forming as they are the inevitable series of the on-going movement. The trade union movement was a movement, which encompassed the entire hills necessitating if not enforcing changes, big or small, in the erstwhile organisations. The leaders of the unions were not of working class origin. These leaders normally came from the political parties as because the workers were not capable of handling trade union activities on their own. The unions negotiated their ways into field of wage fixation, social welfare, bringing innovations and vitality. Leadership will continue to play a dominant role in the future of the labour movement of the tea gardens. Strikes and lockouts in Darjeeling tea gardens have not been alarming in terms of production loss. Such strikes are principally sympathetic response to their political parties. For a healthy environment in Darjeeling hills, management should come forward in motivating the working class and explore participative management to do away with the simmering mistrust of the workers towards the management. Participative management is especially suitable at the sick unit level when existing managerial systems have either disintegrated or collapsed. Trade unions have important role in preparing the ground for workers' participation in management, as this can lead to development of human potential and the greatest impetus to improvement of quality of life. Trade unions should work for elimination of inter-union rivalry and set up an ideal and act as a model in hill areas.

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