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Living Conditions of Tea Plantation Workers

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Abstract: India is the second largest producer of tea plantation and biggest consumer of the tea. The biggest production of tea in India is at Assam, west Bengal Kerala and Tamil Nadu. Most of the tea workers in northeastern India are descendants of tribal communities from other Indian states who were brought to the tea estates as bonded or forced labor during India's colonial period. They have retained a distinct sociocultural identity, including languages and customs which are different from those of the local populations in Assam and West Bengal. Jobs on the tea plantations are traditionally passed from one generation to the next. Having limited access to education or economic opportunity outside the tea plantations, tea workers are highly dependent on their employers. The irony is the condition of tea plantation workers are not less than pathetic they have been keeping away from all the basic needs like drinking water, toilet facility, proper sanitation, clean environment, they also not provided basic health and medical facility.

This paper will offer a clear analysis of the condition of tea plantation workers and tried to find proper remedies to improve their conditions. This paper will argue government take stringent action against owners of the plantation fields and helping workers to get necessary basic living condition

INTRODUCTION

As one of the world's most popular beverages (reportedly second only to water), the production of tea is immensely important. But the living conditions of many tea-plantation workers in India the world's second largest producer of the drink are not given nearly as much importance, an investigation by the BBC has revealed.

Every tea garden you would visit in free India echoes the cries of labourers who have been bonded and forced to work for paltry wages. Among many such are the tea gardens of Darjeeling and Dooars whose scenic beauty and unparalleled flavour of tea have gained world reputation, whereas the state of the livelihoods of workers (especially tea-garden labourers) suffering perennial misery and insecurity remain unheard and ignored. The region has remained in grip of the predatory claws of imperialism and colonization which has obscenely exploited its resources, both natural and human in the worst forms. It would be erroneous to estimate the scale of this open loot by factoring in only monetary losses in the form of wages and incomes. In fact, the ramifications of the denial of the same has spilled out to cause starvation (in many cases amounting to death), malnourishment of children, denial of proper education, health care, sanitation and housing, erosion of self-confidence, forced migration for work, sex slavery and human trafficking in the most hazardous industries.

India's northeastern state of Assam, revealed leaking, decrepit living quarters sorely lacking in basic hygiene and sanitation. Drains are left open and cesspits flood into living areas.

The workers, who help supply to massive international brands like Tetleys, Lipton, Twinings and PG Tips, are paid about \$1.50 a day far lower than India's already low minimum wage — with many malnourished and prone to diseases as a result of their squalid existence. The BBC also found workers spraying hazardous chemicals without using protective gear, and said that child labor was being used on some estates.

India is the second largest producer of tea in the world. The tea sector is India's largest private employer with production concentrated primarily in the northeastern states of Assam and West Bengal and to a lesser extent in the southern states of Tamil Nadu and Kerala. Most of the tea workers in northeastern India are descendants of tribal communities from other Indian states who were brought to the tea estates as bonded or forced labor during India's colonial period. They have retained a distinct sociocultural identity, including languages and customs which are different from those of the local populations in Assam and West Bengal. Jobs on the tea plantations are traditionally passed from one generation to the next. Having limited access to education or economic opportunity outside the tea plantations, tea workers are highly dependent on their employers. IFC's client employs over 30,000 permanent workers across its 21 tea estates in Assam and 4 tea estates in West Bengal. Under Indian law, the client is required to

provide permanent workers and their dependents with accommodation, potable water, sanitation facilities, medical care and basic education. Counting employees and their dependents, the client is responsible for providing these services to over 155,000 people.

BACKGROUND

Background on the Tea Sector in Northeast India India is the second largest producer of tea in the world.¹ Assam and West Bengal in northeast India and Tamil Nadu and Kerala in southern India are the four major producing states. Assam produces about half of India's tea. ² The tea industry in Assam was established in 1839 with the founding of the Assam Tea Company.³ British and other European firms initially controlled a significant proportion of tea production. Following India's independence in 1949, these companies reduced their ownership in the tea production sector, leading to increased ownership by Indian companies. India's tea sector is a labor intensive industry. As the industry expanded in Assam in the 19th and early 20th century and sufficient local labor were not available, workers and their families were brought as bonded or forced labor to Assam's tea plantations from other Indian states primarily Jharkhand, Orissa, and Chhattisgarh. At present in Assam, nearly 1 million workers and their families are directly dependent on the tea industry for their livelihood. Most of the workers in the tea industry in Assam are descendants of tribal communities from other Indian states and have retained a distinct tribal socio-cultural identity.

In general, they identify themselves as Adivasi and speak Sadri as their mother tongue. In areas of Assam where Adivasi are in the majority, few Adivasi speaks Assamese, the official language of Assam.

Typically, tea workers live on tea plantations in "labor lines." The labor lines are separated both by geographical distance and the existence of fences from urban settlements and surrounding rural society. As a result, tea workers are isolated from neighboring communities. They have been described as "outsiders" by local Assamese.

Labor conditions for the tea industry are governed by India's Plantations Labour Act (PLA 1951). Under the PLA, tea plantation employers are responsible for providing permanent workers with certain welfare measures. Depending on the number of employees, employers are required to provide health facilities, adequate potable water and latrines, educational facilities, and a canteen and recreational facilities. The PLA also requires employers to provide and maintain a house for every worker and their family residing on the plantation.

In 2005 and 2006, Hindustan Unilever, then the largest tea producer in India, sold its tea estates. Tata Global Beverages (TGB), another major producer, divested the majority of its equity in its tea estates in Kerala in 2005 through an employee-owned plantation model. In late 2005, TGB approached IFC to seek IFC's support to implement a similar employee-owned plantation model in its 24 tea estates in Assam and West Bengal.

The project consisted of the establishment of a new company, Amalgamated Plantations Private Limited (APPL) ("the client"). The management and tea workers (collectively, "employees") would be offered the opportunity to purchase shares in the new company. Unlike the TGB divestment strategy in Kerala in 2005, employees of the tea estates in Assam and West Bengal were not expected to have the financial resources to acquire a majority of the new company. As a result, TGB developed the Employee Share Purchase Plan (ESPP, or "share program") and invited other investors, including IFC, to participate in the plan. The client has over 30,000 employees, the total population living on its tea estates is over 155,000. These individuals are accented the last decade more than 1400 tea workers have died due to acute malnutrition and starvation. As recent as January 2013, 95 workers of the locked out Dheklapara Tea Estate in Dooars sent a letter to the Chief Minister of West-Bengal seeking her "order" to kill themselves because they were suffering from acute starvation. The tea workers, therefore, are forced to languish till they die of hunger and malnutrition. Studies show that 70% of the people of the closed tea gardens suffer from chronic energy deficiency III stage. In the gardens affected by starvation death, it was found that workers and their families have Body Mass Index (BMI) identical to those populations affected by severe famine.



As the tentacles of exploitative markets are always spreading in search of cheap labour; men, women, and children in these regions are facing increasing vulnerability to Human Traffickers. A report of a joint study by UNICEF, Save the Children and Burdwan University (in 2010) estimates 3,500 minors were trafficked from 12 gardens of Dooars only. It's certain that the total number of people forced into sex trade will be much higher when we add up those from Darjeeling Hills and the Terai region.

Mass casualization of workers is another problem because of which even the base minimum services (health, rations, and lodging) that the tea estates have to provide under the Plantation Labour Act, 1951 can't be accessed by a majority of its laborers. Whereas, the price of first flush (the costliest batch in the tea production cycle) is deliberately kept a secret by the owners to ensure that workers don't raise their demand for higher wages.

The International Labour Organisation (ILO) too in its 2005 report clearly bemoans the sad plight of tea workers. It states that the Tea Board which is the regulating authority of the Tea Industry has failed to fulfill its stipulated function. They have continuously ignored wage and provident fund defaults of tea estates while portraying this crisis only as a marketing mismanagement. The ILO report also suspects that there is collusion between the planters and the State which is highlighted by the non-implementation of the Tea Act, 1953.

RESPONSE OF POLITICAL ESTABLISHMENT

Workers Have Voluntarily Starved Themselves to Death

The Supreme Court's order dated 06.08.10 categorically directs the Government of India to carry out its statutory duty under Tea Act 1953. The Act mandates the Central Government to take over the management/control of the tea undertakings/units (under section 16 B/D/E) and take steps thereafter to ensure that the interests of the workers are well protected and dues are all paid in time. Sadly the constitutional duty to uphold the ruling of the highest court of the country has been carried out neither by the Central Government nor by the State Government. Contrary to this the government has even started to privatise a handful of tea gardens which was operated under its supervision.

Beyond some symbolic gestures and tokenism, the larger political establishment has shown apathy and indifference of the highest order on this issue. Also, the survey of the condition of tea gardens workers done by West Bengal labour department is not made public yet. For the truth is too gory to reveal to the public. Adding insult to injury, Labour minister Malay Ghatak denied allegations that there had been deaths from malnutrition and lack of treatment in closed tea gardens and asserted that the government was trying its best to provide relief. If narratives of the political establishment are to be believed then it seems that the workers have voluntarily starved themselves to death.

WAY FORWARD: UNCOMPROMISING COLLECTIVE STRUGGLE

The historic victory (forcing management to increase wages and bonus) by tea estate workers mostly led by women in Munnar, Kerala has shown that only the uncompromising collective struggle can break the status quo and force the tea management/owner to bow to their demands.

The students from Jawaharlal Nehru University (JNU), Delhi University (DU), Hyderabad Central University (HCU), Vishva Bharati University (VBU) have expressed their solidarity with the movement of workers and expressed outrage over the horrendous exploitation of workers by big corporate houses. As the workers and trade unions are collectively protesting (since 27th November 2015), we believe this solidarity statement will strengthen their resolve to fight for their right and also help us bridge the gap between students and workers movements. When oppressors are always united and consolidated, it is a historic responsibility on our shoulders to unite and fight for a just and egalitarian society!

EXPECTATIONS

1. Closed and abandoned tea estates are reopened immediately.
2. Stop privatisation of government operated tea gardens.
3. Declare and implement Minimum Wage for tea plantation workers.
4. Grant legal ownership of housing space to workers
5. Casual labour should also be brought under the purview of Plantation Labour Act, 1951.
6. The backlog of the unpaid Provident fund and gratuity should be cleared without delay.

INCIDENT

Borhat Estate (December 2011) On December 28, 2011, a 55-year-old tea worker was brought dead to the tea estate medical facility, having been discharged earlier from a referral hospital. This event led to protests the same evening and a clash between a group of tea workers, management, and the police. As reported by the client to IFC, management left the tea estate under police escort after their homes and facilities were attacked. Management initiated a lockout of the tea estate on December 29, 2011. In reporting the incident to IFC, the client noted that the incident occurred due to a lack of leadership among workers on the tea estate. Further, the client noted that the ACMS trade union had no presence on the tea estate and that another organization had a strong presence. Client management lifted the lockout on February 3, 2012, after meetings with worker representatives.

IFC's internal supervision documentation noted the Borhat incident, indicating that IFC discussed the issue with the client. IFC further notes that these types of incidents are possible in a labor intensive industry, particularly in a politically restive region. In order to prevent recurrence, IFC staff noted the client's approach, which included (a) initiating legal and disciplinary action against the instigators of violence, and (b) increasing interaction and communication with labor unions. IFC summary report on recent supervision activity (June 2012) In June 2012, IFC prepared a Supervision Report summarizing the labor issues and outcomes of the OHS audit. The report noted that IFC E&S management proposed to raise concerns related to this project with IFC regional management. IFC assigned the investment an ESRR of 3 (Partly Unsatisfactory) and noted IFC's E&S engagement with the client on ongoing labor issues. It further noted that external stakeholders' attention raised significant E&S and reputational risk.

LIVING CONDITIONS FOR WORKERS ON THE CLIENT'S TEA ESTATES

The complainants raise concerns regarding living conditions and access to adequate medical and educational facilities on plantations. They allege that current conditions violate India's Plantations Labour Act and IFC Performance Standards. In particular, the complainants allege the following:

- Housing and sanitation facilities are in disrepair.
- Water pumps are inoperable, requiring workers to dig their own wells.
- Electricity supplied to workers is charged at the higher industrial rate instead of the domestic rate.
- The standard of education provided to children is inadequate. In some instances, the complainants allege that the teacher-student ratio ranges from 1:200 to 1:300, with instruction provided for one hour to each grade per day. Further, they allege, where a crèche is available, it closes early, requiring older children to forgo education to care for younger children.
- The standard of medical facilities and ratio of medical personnel is not in compliance with national regulations. Further, the complainants allege that workers unduly bear the cost of medical treatment for themselves and their dependents.

However according to Plantations Labour Act, Assam Rules (1956) Depending on the size of a tea estate, the PLA requires employers to provide workers with housing accommodation, medical facilities, and educational facilities. Under rules enacted in Assam in 1956 ("Assam Rules"), employers are required to provide workers with facilities at a prescribed standard, for example:

- Housing accommodation rent-free for workers and their families residing on an estate. Accommodation is to conform to standards prescribed in the Assam Rules. The ongoing maintenance expense is to be borne by employers.
- An adequate supply of clean drinking water, supplied from a public system or from suitable storage facilities, which is renewed daily. Where water is provided from a well, it is to be sterilized and documented.
- One latrine for every 50 acres under cultivation. Latrines are required to comply with public health authorities requirements.
- Drainage that is constructed in masonry or other impermeable material, with waste flushed regularly
- A plantation hospital with at least one full-time qualified medical practitioner for plantations employing more than 500 workers on an estate. Treatment shall include the free provision of all drugs considered necessary.
- A canteen and worker recreational facilities.
- A crèche in every state where at least 50 women are employed, for use by children up to the age of 6.
- A primary school for children between the ages of 6 and 12, where there are at least 25 children living on the estate.

HEALTH INDICATORS

2004 World Bank report on the health sector in Assam notes that "even though the data on tea garden hospitals and dispensaries are difficult to come by, the limited information available shows that the condition of these facilities is far below the minimum requirement." This report notes inadequate supply of medication and staff at tea estate medical facilities.¹⁰⁸ A review of the available literature identified a number of studies that have examined health indicators of tea workers in Assam. Of note, a 2006 study of 880 households across eight estates records a 72 percent incidence of anemia¹⁰⁹ and 65 percent incidence of participants carrying at least one intestinal parasite. Infectious diseases like tuberculosis (12 percent) and respiratory illness (7 percent) were also registered among participants.

Further, the study notes that 60 percent of preschool children were underweight. The study concludes that: Most of these diseases among them appeared to be emanated from poor personal and household hygiene, unsatisfactory sanitation and housing coupled with ignorance due to lack of education. Poor nutrition among them also probably makes them vulnerable to infectious diseases and vice versa. The presence of household toilet was found to reduce transmitted diseases. However, high prevalence even among toilet

holders may be because of contaminations of surroundings due to open field defecation by large numbers of other community members and poor maintenance of toilets facilities. Unfavorable housing may be attributable to higher rate of tuberculosis and respiratory conditions.

2014 study supported by the Assam Medical Centre and UNICEF analyzes the prevalence of anemia among adolescent girls on tea estates. Sampling 802 girls in 16 tea estates, the study finds an incidence rate of 96 percent. The study noted that “[t]he high prevalence of anemia may be because of the frequent occurrence of diarrhea and high worm infestation related to poor housing condition and environmental sanitation.”

COMPENSATION PRACTICES

This section considers how IFC responded to allegations that its client is paying workers’ wages that are below the minimum wage and engaging in unfair compensation practices. In their complaint and in additional information provided to CAO, the complainants allege the following:

- a. Tea workers at the client’s estates receive compensation below the minimum wages.
- b. The client implements improper work practices, including not providing pay slips in the workers’ local language, failure to pay overtime and excessive demands for the volume of tea for each worker to pluck. Further, the workers raise concerns that the cost of electricity has been deducted from their wages.
- c. The client has increased its use of temporary workers to avoid providing full benefits under the PLA.
- d. Workers are impoverished and suffer from malnutrition due to inadequate compensation.

CONCLUSION

India is the second producer and biggest consumer of tea beverage. But the irony is the condition of plantation workers are not really good, they have to suffer very much to fetch daily bread since independence condition of plantation workers including rubber plantation has not been improved so much. They haven’t given proper safety equipment like gloves, hats shoes so to work in a scorching sun. They haven’t provided proper sanitation in which women are the biggest victims, water facilities are way far away from the working place, they are not giving permanent status so to escape from union fights. The government should look after this matter, the government should provide proper laws and regulation so to protect this skill labors, and tea plantation is not only feeding the Indian people but also it is the biggest source of Indian export market, Indian tea is very popular in the foreign market as well. The government should make a separate body to look after this and make some stringent laws to protect this worker to get exploited. Government should make labor unions who will look upon the rights of the plantation workers, government should connect plantation workers to the labor law departments directly so that workers can directly go there and fight for their right, owners of the plantation field should strictly tell to have proper working hours and should give proper wages also wages of women and men should be same. Safety of women and children should be prioritized and have proper facilities for them.

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