

**INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES**
[ISSN 2581-5369]

Volume 4 | Issue 1

2021

© 2021 *International Journal of Law Management & Humanities*

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com>)

This Article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in International Journal of Law Management & Humanities after due review.

In case of **any suggestion or complaint**, please contact Gyan@vidhiaagaz.com.

To submit your Manuscript for Publication at **International Journal of Law Management & Humanities**, kindly email your Manuscript at submission@ijlmh.com.

Exploitation of Labour in the Darjeeling Tea Plantations

RAJESHWI PRADHAN¹

ABSTRACT

Plantations are not just economic institutions but also social spheres as it is home to a large number of permanent residential workers. It is an agricultural unit but also comes under industry. Plantations are essentially agro-industries where cultivation and manufacturing process takes place for commercial purposes. But just like an agricultural undertaking it functions with a number of hired workers. So even though it is similar to agriculture, plantation has peculiarities of its own. . The tea plantations are owned and controlled by large Corporations, Government or Cooperative Societies that invest huge capital and employ permanent and temporary workers on a large scale. In tea plantations of Darjeeling in the state of West Bengal are leased by the State Government to private corporations who absolutely control the life in these tea plantations. The plantations are enclaves suited for the profit of the management and the workers are subjugated and disciplined for generating profit. The institution of plantation has been structured in such a way that it produces maximum profit for the owners at the expense of the workers. The structure of the tea plantation system in Darjeeling is such that it is skewed in the favour of the owners leaving the tea garden workers vulnerable and at the mercy of the owners.

I. INTRODUCTION

“Images of women plucking tea leaves that adorns the covers of the tea packages and their commercials is familiar to most of us and we are fascinated by the images of women plucking green tea leaves while surrounded by lush green tea bushes, but not many of us are aware about the power hierarchy and structure of tea plantations to which the workers are subjected everyday of their lives.”² Darjeeling Tea known as the “Champagne of teas” is considered to be the finest tea in the world. The tea industry in the Darjeeling Hills is a remnant of British colonial regime which started in 1850s. It is one of the oldest industries that is 150 years old. Darjeeling tea is India’s most prized tea and the most celebrated product in the world which fetches a very high price in the global market. The geo-environmental and climatic factors

¹ Author has pursued LLM (2019-2020) from Rajiv Gandhi National University of Law, Patiala, India.

² Suparna Banerjee, *Activism and Agency in India Nurturing Resistance in Tea Plantations 2*, (Routledge, 2017).

contribute to the production of a distinct quality tea. Darjeeling Tea is India's treasured Geographical Indication that is granted to 87 tea estates of Darjeeling. The tea gardens not only adorn the hills with green carpets of pruned tea bushes but also form major economy of the hills and is the largest employment providing sector. Even though the cost of production of tea is comparatively high in India, yet the price realized for tea such as the world famous Darjeeling tea is also very high. The unbeatable flavor of Darjeeling tea is revered by the world and the demand for Darjeeling tea is very high. The tea industries of Darjeeling hold incredible potential for the socio-economic development of the workers but the condition of the tea garden workers is appalling. "Plantations share with feudal peasant systems a unique form of labour organization and remittance."³ The peculiarity of the workforce in the tea plantations is that they are not hired from an open labour market even in the contemporary times. These workers are permanent and life-long members of the tea plantations and not only work but also live there in villages of the tea plantations. The plantation work are therefore not acquired through market but passed down generation after generation.⁴ Therefore, tea plantations are large estates that produce cash crops for global consumption. This study will therefore focus on the spaces that make production and circulation of Darjeeling tea possible and it would not be possible without the laborers in the tea gardens who commit their lives in the tea gardens. Plantation economies being enclaves have enslaved the tea garden workers since generations. The system is a perfect enterprise to maximize profit and therefore the workers are subjugated, disciplined and coerced to work in favour of the management's interest. The entire system is tilted towards the favour of the management since the colonial era and it still persists in the contemporary times. Considering the position of the workers in the system, the state should interfere for the welfare for the workers but the state has also remained a silent spectator as the workers remain oppressed and marginalized in the tea plantations.

II. DEFINING PLANTATIONS

The definition of plantations has been provided by many national and international instruments that shall be dealt with in this section. The International Labour Organisation (ILO) had adopted comprehensive resolutions defining the term "plantation" and the conditions of Labour for the plantation workers on its Forty-Second session in June, 1958 in Convention No. 110 and Recommendation No. 110.⁵ The definition of plantation as provided by the ILO

³SARAH BESKY, *THE DARJEELING DISTICNTION- LABOUR AND JUSTICE ON FAIR TRADE TEA PLANTATIONS IN INDIA* 7, (University of California Press, 2014).

⁴*Id.* at 83.

⁵R. N CHAKRAVORTY, *SOCIO-ECONOMIC DEVELOPMENT OF THE PLANTATION WORKERS IN NORTH EAST INDIA* 7, (N.L Publishers, 1997).

Convention No.110 is that it includes any agricultural undertaking in the tropical and sub-tropical regions that employs hired workers and mainly deals with the cultivation and production of commercial crops such as tea, coffee, sugarcane, rubber, banana, cocoa, coconut, groundnuts, cotton, tobacco, fibres (sisal, jute and hemp), cinchona, pineapple. “The term plantation could be extended to crops like rice, chicory, cardamom, germanium and pyrethrum or any other crop by the member country of ILO, after consultation with the representative organizations of employers and workers.”⁶ For the purposes of the ILO Convention “plantation” does not include family or small scale holdings producing for local consumption and not regularly employing hired workers. It includes services that are carried out for the primary processing of the products of plantation.

The definition of Plantation has also been provided under section 2 (f) of the Plantation Labour Act, 1951 as, “Plantation means any land used or intended to be used for growing tea, coffee, rubber or cinchona which admeasures twenty-five acres or more and whereon thirty or more persons are employed, or were employed on any day of the preceding twelve months, and in any State where the provisions of this Act have been applied by notification under sub-section (4) of section 1 to any other class of plantations, means also any land used or intended to be used for growing the plant mentioned in such notification and whereon thirty or more persons are employed, or were employed on any day of the preceding twelve months.”

III. SETTING THE CONTEXT OF PLANTATION SYSTEM

Initially plantation referred to human settlements. It was language that was commonly used to the European settlements in different colonies like in America and other British colonies. Production of a specific crop like tea, coffee, rubber was done on a large scale on large areas of land for overseas trade. On the other hand, in the developing countries, subsistence farming was practiced and the concept of plantation was totally alien. In plantation system, the crops were produced on a large scale and shipped to metropolitan countries.

Plantation in India was a novel concept that was introduced by the British as it “began as a colonial enterprise of the European powers in the subtropical and tropical regions, growing world market staples and accruing profit from the same.”⁷ It is a system that is characterized by commercial agriculture characterized by monoculture and capitalist system that require large investments for labour, land and equipment. The British could develop and flourish the tea plantations in Darjeeling due to labour that was imported from the surrounding areas. The

⁶*Id.* at 7-8.

⁷CHAKROVORTY, *supra* note, at 2.

tea plantation contains elements of bonded or sharecropping labour, where there is large scale production of a single crop grown extensively. The tea workers do not grow food for themselves or for their family's consumption. The labourers are also not hired from open labour markets as in the case of industrial sectors but are permanent, life-long members of the plantation.⁸ These tea plantation workers not only work but also live in these plantations and are bonded to it. Therefore, in Darjeeling tea plantations, the work is not acquired through market but passed down from generation to generation through kinship. Therefore, the history of Darjeeling Tea Plantations must be explored in order to understand the present status of the tea garden workers.

IV. DARJEELING TEA PLANTATIONS

The cultivation and manufacturing of tea in Darjeeling started due to the successful experimentation with tea saplings by Dr. Archibald Campbell. When Dr. Campbell took over Darjeeling as the Superintendent, he lived in Kurseong (now a sub-division of Darjeeling district in the state of West Bengal) and experimented with planting tea saplings which was successful and proved that tea could be grown in the Darjeeling hills. It was in 1840 that Dr. Campbell started experimental growth of tea leaves in Darjeeling. The experiment turned out to be a success. The favorable geo-climatic conditions in Darjeeling hills led to the success of tea plantations as it could readily thrive at such altitude and loamy soil. As tea culture was very much prevalent in England, the British swam to Darjeeling hills to start tea plantation when Darjeeling hills was proved to be ideal for commercial tea plantation.

By 1856 the tea industry developed extensively at an altitude of 7000 ft above sea level as it was established as a commercial enterprise. Private incorporations such as Kurseong and Darjeeling Tea Company had started establishment of different tea gardens like Alubari tea garden, Ging, Ambootia, Takdah and Phubsering. Makaibari, Pandam and Steinthal tea estates were also established around this time and can be counted amongst the oldest tea gardens in the Darjeeling hills. Soon the planters turned their attention towards the Terai region i.e the plain areas and started their experimental cultivations there which further led to proliferation of tea gardens in the area.⁹

The early planters knew very little about tea manufacturing and processing and there were no factories to process the plucked green leaf until 1859. The planters had very little knowledge and experience regarding green tea leaf processing which was done manually and incorrectly.

⁸BESKY, *supra* note 2, at 7.

⁹L S S O'MALLEY, *BENGAL DISTRICT GAZETTEERS, DARJEELING 72-74*, (Logos Press, 1999).

It was Robert Fortune, a British botanist who went to China and brought twelve Chinese tea makers to learn how to pluck the leaves selectively i.e two leaves and a bud and then correctly process it. The manual method of processing tea continued but with the correct process. The demand for tea subsequently increased and the need for mechanizing tea processing was inevitable and so the first tea processing factory was established in Makaibari Tea Estate in 1859.

i) Extensive Cultivation

The development of tea industry was boosted by the suitability of geo-climatic factors and which attracted many investors to whom the Government offered land on favorable terms. The industry started developing rapidly and between the period of 1866 and 1874 the number of tea gardens trebled from “39 to 113 covering 7,400 hectares under tea and by 1905 there were 148 tea estates comprising approximately 19,928 hectares. By 1914 there were 156 tea gardens with 53,778 acres under tea employing 20,167 permanent and 12,141 temporary workers. The tea industry’s rapid expansion owes to the construction of Darjeeling Himalayan Railways that sharply reduced the cost of transportation of packaged tea from the plantations to the nearest railheads in the plains.”¹⁰

ii) Tea Estates in Darjeeling in Contemporary Times.

At present there are “87 tea gardens and only 72 operational factories covering 19,000 hectares and production of ten million kilos of tea annually. These tea gardens employ 52,000 workers that include both factory and garden workers and mostly are women and all Nepali speaking population and dependent on the wages of these workers are 200,000 family members.”¹¹ “At present the tea industry employs more than 1.2 million and the states of Assam and West Bengal produce more than 70% of India’s tea. But it is home for the worst working conditions for plantation workers in the country.”¹²

iii) The Exploitative Plantation Systems

Sidney W. Mintz has defined plantation as “a politic-economic invention, a colonial frontier institution, combining non-European slaves and European capital, technology, managerial skill with territory control of free and cheap tropical lands in the mass, mono crop production of agricultural commodities for European markets.”¹³ Though the concept of plantation in India

¹⁰ BASANT LAMA, THE STORY OF DARJEELING 88, (Mani Printing House, 2009).

¹¹ *Tea and Tourism in Darjeeling*, Darjeeling Tourism, (Apr .21, 2020, 11:18PM) https://www.darjeeling-tourism.com/darj_0000bf.htm.

¹² India Fact Finding Mission Report (Apr 26, 11:50 PM, 2020) https://www.righttofoodandnutrition.org/files/IndiaFFMReport_June_2016.pdf.

¹³ 10 (2) AMY CLUKEY & JEREMY WELLS, INTRODUCTION: PLANTATION MODERNITY, THE

emerged during the British era, the mode of economic production and system still exists in the modern world as “paradoxically, it has maintained associations with novelty”¹⁴ and interestingly, the pattern which was introduced at the initial stages relating to cultivation, production and most importantly administration and exploitation of labourers, are still followed even after independence. This is because the economic policy designed plantations institution in such a way that the production could be at a very low cost. They were designed in such a manner so as to exploit land and labour for the purpose of having cheap agricultural produce. Plantations are therefore the by-products of colonial economy and although the plantation sector has contributed much to the economic growth of the country yet the condition of these workers is subjected to abject poverty. The socio-economic conditions of the tea garden workers are horrible as they are subjected to the apathetic reign of both the State Government and the planters.

V. SURVEILLANCE, DISCIPLINE AND CONTROL OF LABOUR IN THE PLANTATIONS

Plantation is an institutional matrix where market, class relations, labour and social relations of productions are integrated. It is intrinsically linked to the market which develops a commercial orientation. So accordingly the institution has been shaped to meet the plantation purposes. The structure of the plantation system is such that it offers maximum benefit to the management by controlling life in the plantations. Tea plantations have employed innovative technology and structure of power and discipline and employed bio-political and geo-political dimensions that have led to the ultimate exploitation of the workers and reduced them to the point of slavery. It is an economic institution that necessitated the planters to usually turn to forced labour of one kind or another through absolute domination and authority, making plantation a unit of authority and surveillance.

The lives of the workers are absolutely controlled by the owners of the estates right from the modes of recruitment to the form of organization and absolute labour control. This was true in the case of the British colonial capitalists and now that has very well found its way even in the post-colonial era in the plantation industry. Therefore, for the purposes of understanding the mechanism of surveillance, isolation and control over the lives of the workers the work of the Bentham’s panopticon model has been revisited. The panopticon structure is an institution of confinement and one for extraction of labour. The architecture of the panopticon is a rotunda with an inspection tower in the center that allows the prisoners to be observed from the central

GLOBAL SOUTH 2-3, (Indiana University Press, 2016).

¹⁴*Id.* at 6.

tower without the prisoners being able to tell if they are being watched.

The structure of the panopticon is such that it ensures constant visibility and recognition of transgression made by any inmate and an ultimate trap for the prisoners. It is ubiquitous in helping sustain discipline and a perfect tool for internalizing discipline. Therefore, the panopticon model is such that it allows for internalizing certain behavior that would be in the favour of the capitalists. The workers are under constant surveillance as they live in the plantations and their lives are totally controlled by the management. Even if they try to place their grievances, instead of their problems being redressed they are victimized and in this way, discipline is internalized in the workers. The workers know that they are under constant surveillance and therefore they do not go against the management. The workers earn wages that does not leave them any possibility of savings or allow them mobility. The workers are forced to work even in the worst situation. The daily wage system has ensured in total dependence in the plantations for the tea workers. They are totally dependent in the management for their social security. Therefore it represents a system in which the marginalized subjects work for the benefit of others. Therefore, it would mean exploitation of enslaved labours within the experimental regime of plantation which is an environment of constant surveillance and punishment.¹⁵

Plantation labour is coerced labour to secure production in the market. This mode of production was required in order to carry out profitable production in large scale. Continued coercion is also required so that the production goals could be achieved. This means that for plantation economy disciplining unskilled workers in large numbers is required so as to maximize profit. Therefore plantations are authoritarian political institutions where power is vested in the planter for their economic benefit. Plantation requires cheap and abundant labour subject to strict discipline to carry out the productive activities of the plantation and cheap and abundant labour has been ensured by the peculiar characteristics of the plantation that has been dealt in the next section.

VI. DARJEELING TEA PLANTATIONS: SUBJUGATION OF TEA WORKERS

The tea plantations appear as lush green carpets of tea bushes with serene and surreal environment but it is home to the most brutal and harsh environment for the workers. The biological, ecological and political lives are mixed in the plantation space out of which the Capitalists draw maximum benefit. As James Duncan, while working for coffee plantations in

¹⁵CLUKEY, *supra* note 12, at 4.

Ceylon had rightly pointed out that the plantations are “laboratories of governmentality.”¹⁶ The state-sponsored violence and Capital control in the plantations show an exceptional control over labour. This daily disciplining was considered necessary for radicalizing bodies of the workers to engage them into surplus production.

i) *Darjeeling Tea Garden Workers: Pre-Independence Era*

The tea industry is highly labour intensive considering the tea agriculture and manufacturing require manual labour. However, Darjeeling was sparsely populated when the British first came to the hills and after the successful growth of tea plants, there was a dearth of tea workers that were required for the growth of the plantation industry. There were only few tribal people, the Lepchas and few inhabitants of the area. Initially the British faced problems with regards to labour as the people in the adjoining area in Sikkim were strictly forbidden to work in the British plantations, the indigenous inhabitants of Darjeeling, the Lepchas were shifting cultivators and self-sufficient who refused to work in the tea plantations. This left the British frustrated and they had to depend on labour from other regions for their plantation industry. They turned their heads to the natives of the Chota Nagpur hill area considering similar geo-climatic factors and the docile and hardworking workforce. After they were brought to the hills they could not acclimatize to the cold and damp environment and ran away mostly during night time. Most settled down in the plains in forested areas while the rest revolted against bonded slavery and were shot by the British.¹⁷ After this massive failure, the British had to devise other plans to entice labourers for the tea industry. They turned to Nepal hills for recruitment of labour which turned out to be a success.

The Sardari System

The history of labour recruitment in Darjeeling is the history of Sardari System. In this system the Sardars were appointed i.e. leaders who were given incentives for the workers brought to the industry from Nepal. The sardars first tried to entice the local tribe of the region called Lepchas, but since they were shifting cultivators of the region they refused to work in the plantations. Therefore, the sardars played a very significant role in the recruitment of labour as they enticed people from Nepal and Sikkim. The plantation workers ran away from the plantations because of the harsh conditions prevailing in the plantations like ill sanitation, improper water supply and inadequate medical facilities. This was a usual phenomenon in the

¹⁶ David Nally, *Transactions of the Institute of British Geographers*, 36 TRANSACTIONS OF THE INSTITUTE OF BRITISH GEOGRAPHERS NEW SERIES 37, 39-42 (2011).

¹⁷ *Story of Darjeeling Tea*, DARJEELING TOURISM (Apr. 21, 2020, 12:14 PM) https://www.darjeeling-tourism.com/darj_0000bc.htm.

garden. The Sardars usually recruited labour from Sikkim and Nepal, the adjoining areas and they were paid Rs. 10 each as recruiting bonus. There were various push and pull factors that led to the successful labour immigration from Nepal. Nepalese immigrants poured in thousands to Darjeeling as they were given water, free medical treatment, medicines and place to stay. Wages were also paid on month end or week end. Darjeeling was turned into an economic centre with the birth of British tea industries and within a span of few years thousands of people from Nepal immigrated to Darjeeling for employment opportunities in the plantations.

In Darjeeling, the workers were completely at the mercy of the Sardars. It was easy to attract workers through their caste background and as such the sardars having same caste background attracted fellow kins. This gave rise to a sort of competition amongst the recruiting sardars in respect of the commission they earned from the management. The British planters preferred married couples to be employed as workers and therefore, the Sardars often forced the immigrants to marry either by force or intoxication on their way before they reached the gardens and sometimes even asked the kins to marry each other.

The reason for labour influx in Darjeeling tea plantations was the payment of advance taken by the sardars from the managers. This money was given as loans to the people and was assured good wages and housing in exchange for plantation work. The recruiting sardars were responsible to the workers in terms of providing food, shelter and wages but also expenses for ceremonies such as marriage and death. The workers who settled in the plantations made employment as family based. This brought them cheap labour where the entire family members, even the children could be recruited in the tea plantations.

The labour recruiting policy in Darjeeling was different since it was considered to be a less advanced and backward area, it was converted again into a “scheduled district.” In such districts, the laws that were generally applicable to the other parts of the country could not be applied without the consent of the Governor-general in council in recommendation or consultation of the local authority. Under the sardari system, a worker came to be known to another worker by the name of the Sardar under whose name he or she was employed in the plantation. This system was the only agency through which labour recruitment took place in the tea plantations of Darjeeling hills. However, after the surplus population of labour was available in the tea plantations, and after Darjeeling was kept under the administration of Bengal from 1912, the British implemented ‘Contract Clause’ of Bengal Act III of 1915 that provided not only for recruitment but also retrenchment of labour. Therefore, from 1930 onwards, many workers were retrenched from the plantations.

Sadarship was the only means of recruiting labour in the plantations until the enactment of Plantation Labour Act, 1951 and with this the local people of Darjeeling were recruited in the tea plantations. The workers in Darjeeling tea plantations are now recruited on the basis of 'Badli' system i.e on the basis of substitute system. In this system, the dependent members of the workers of the garden are given jobs in the plantation based on an annual survey done for the workers household.

VII. DARJEELING TEA GARDEN WORKERS: CONTEMPORARY TIMES

The tea plantations in Darjeeling are the remnant of British colonial regime and therefore, the colonial tendencies are still prevalent in contemporary times. Still employment in the tea industry is family based. The workers are not employed from an open labour market and the descendants of the labourers that had immigrated to Darjeeling at the inception of the tea industry are employed as workers at present. Therefore, the work is passed through kinship and there is absence of free labour market for recruitment of labour in the tea plantations of Darjeeling.

In Darjeeling, the tea estate land is owned by the government but it is leased to the companies for a fixed period of time after the expiry of which it can be extended. Initially land in the district of Darjeeling was only made available to the British on "straight purchase basis"¹⁸ as it was in the interest of the British East India Company to encourage investment in the tea industry by the Europeans. So land was owned by the estate owners. After the Indian Independence, the enactment of Land Reforms Act, 1955 modified the status from freehold to leasehold for a fixed tenure which could be renewed upon expiry. "The tea estates are not owned but rented from the government of West Bengal on freehold lease for renewable thirty to ninety year periods. A lease can be transferred or sold, but the new owner inherits the workers living on the gardens and must employ them."¹⁹ The tea estate owners are therefore not only owners of the estate but also control the lives of the workers therefore an institution having hierarchical system of its own.

Tea Plantations are not just merely economic systems but also cultural and social spheres where sharp distinction between the workers and the planters can be observed. The most characteristic feature of the plantations is a "rigid social hierarchy"²⁰ that is maintained. The planter was regarded as the benevolent father figure in a culture of patronage but this was only a veil for a

¹⁸LAMA, *supra* note 13, at 93.

¹⁹ JEFF KOEHLER, *DARJEELING: A HISTORY OF THE WORLD'S GREATEST TEA* 9, (Bloomsbury Publishing Place, 2016).

²⁰BANERJEE, *supra* note 1.

system of exploitation. The planter always remained at the top of the hierarchy and social distance maintained by them. Even today, there exists a contrast between the lives of the management and that of the tea workers. The owners of the tea estates are absentee landlords. The manager resides in the gardens but the workers do not relate well with the managers and a wide gap exists between them. The workers find it difficult to place their grievances with the management and the trade unions are not able to place their grievances successfully before the management. The management exercises absolute control over the tea estate and therefore the workers in the tea gardens are reduced to a slave-like condition because of the peculiar circumstances that exists in plantation systems.

Plantation is a space of violence, repression and economic exploitation. Therefore plantation could be equated with that of slave labour camp. Plantations have only become euphemisms for all forms of exploitation that exist in the plantation system and that all the related aspects of it must be deromanticised in order to understand the problem of low wages in the tea industry and how the management has been able to maintain such low wages even in a welfare state. Even though the workers of the tea plantations have a very unsatisfactory life, yet they do not have a choice because of certain factors that the plantation system developed in order to bind the workers.

a) Isolated Estates

The tea gardens are located in remote areas that aid to backwardness. There is lack of any other industrial activity in the vicinity of the tea gardens and thus it becomes the major source of livelihood and employment in regional economies when there are hardly any alternative economic enterprises especially in Darjeeling. There is problem regarding accessibility, lack of basic infrastructure like roads and also the lack of intervention of state in most cases. Having no other alternative source of work as there are no other service sector or industry, the workers are left with no option but to work in the tea estates and thus hardly get any opportunity to opt for better job opportunities. Therefore, it becomes easier for the management to exploit them. The only thriving industry since the past 150 years is the tea industry which provides employment to a large number of people but since most of the tea estates are located in isolated areas the workers are subjected to exploitation.

b) Absence of Urban Informal Sectors

The tea estates are located in remote areas with no other urban informal sectors in the vicinity. The workers of jute and cotton industries work in urban informal sectors during crisis situation as these industries are located in urban centers. On the other hand, the tea garden workers do

not have any alternative when the tea garden closes down or is abandoned as there are no informal urban sectors.

c) Monoculture

Plantations are “specialized production zones for distant markets” and consists of vast stretches of land that support monoculture. Intensive monoculture of tea plantations in the hills of Darjeeling has led to confining the labour to tea plantation economy only. The workers live in villages of the tea estates and hence they do not have any alternative source of employment other than working in the tea plantations.

d) Lack of Educational Opportunities

Section 14 of the Plantation Labour Act, 1951 provides for educational opportunities to children between the ages of six and twelve wherein the workers employed in the tea plantations exceed twenty-five. However, it is only elementary education and not beyond. Therefore, children of tea workers cover long distances for secondary education and so the dropout rate is very high amongst the population of the tea garden and without much scope they hardly get any job opportunities outside of plantation.

e) Total Dependence in Plantations

The tea plantations are situated in isolated areas and therefore the workers are not only dependent on the management for wages but also for social welfare. The old colonial relationship between management and workers was that of master and slave. This developed a mind-set over time in the psyche of the workers that made the tea garden workers totally dependent on the management for everything. The low wages in the tea plantation does not fulfill the basic requirements of life but the management is also bound by the Plantation Labour Act, 1951 to provide certain facilities to the workers and also some non-statutory benefits. This structure has led the workers to be totally dependent on the plantations for their livelihood. Even after 70 years of Independence, the tea workers are still dependent on the plantation for their sustenance and are still bound by the clutches of the plantation system.

f) Bonded Labour

Monopoly of land and labour facilitated cheap labour by not allowing labour market to develop in plantations. There is absence of labour market and the workers being devoid of any land entitlement has not only ensured cheap labour but bonded labour. The permanent resident workers live in the plantations owned by the management and work is passed through kinship. Despite living in the estate since generations, tea workers have not been given any right of

homestead and bonded to the estate land. Lack of employment opportunities near the estates and fear of losing homestead makes their situation of bondage even worse. The plantations still thrive on the colonial system of continued bondage of labour to the land where they work and live.

g) Family- Based Employment

Tea plantations are not just economic but social ecosystems where employment is family-based. The plantation system is unique as it encourages the family members to work in the tea gardens due to low wages. This type of employment has provided the management with cheap labour.

h) Threat of Closure of Tea Garden

The closure or abandonment of the tea industries causes great distress to the workers as the workers are left to starve. The management often threatens the workers for closure of the estate to curtail their demands especially when the workers demand for wage increments. The threat of closure of tea garden are often used when the workers demand for increment in wages and the workers usually settle for the amount proposed by the employers.

i) Subsistence Wages as a Tool for Control

This threat of closure has allowed the circumstances to be totally in favour of the management and the workers can do nothing but abide by it. Wages in the tea industry are very low as the workers are entitled to negotiated wage and not minimum wage. The wages are determined in tripartite forum through collective bargaining despite the fact that minimum wages are applicable in the tea plantations in the entire country. Considering how the plantation system functions and how workers are always subjugated and oppressed, the wages in the tea industry determined by collective bargaining has led to abysmally low wages. The educated and skilled employers who are expert lobbyist bargain with the members of the trade union. The state has also failed to notify the minimum wages till date.

VIII. CONCLUSION

The plantations are enclave for capital accumulation bringing huge profits to the owners but the workers remain marginalized and subjugated because of the exploitative plantation system that has ensured accumulation of capital and subsistence of low wages even in the contemporary times. The tea plantation system has been structured in such a way that leaves the workers oppressed and marginalized. The workers' state of total dependency to the plantation has led to managerial excesses. The plantation owners are capitalists that care little

about the welfare of the workers and concerned only in the turnover that the tea business produces. Therefore, through strict disciplining and vigil the owners ensure better productivity and profit from the tea industry. The plantation system is skewed in the favour of the owners and therefore it is due to continued subjugation, disciplining and managerial excess that the condition of the workers remain very poor.
