

Power Structure, Discipline, and Labour in Assam Tea Plantations under Colonial Rule

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The tea industry, from the 1840s onwards the earliest commercial enterprise established by private British capital in the Assam Valley, had been the major employer of wage labour there during colonial rule. It grew spectacularly during the last quarter of the nineteenth century, when tea production increased from 6,000,000 lb in 1872 to 75,000,000 lb in 1900 and the area under tea cultivation expanded from 27,000 acres to 204,000 acres.¹ Employment of labour in the Assam Valley tea plantations increased from 107,847 in 1885 to 247,760 in 1900,² and the industry continued to grow during the first half of the twentieth century. At the end of colonial rule the Assam Valley tea plantations employed nearly half a million labourers out of a labour population of more than three-quarters of a million, and more than 300,000 acres were under tea cultivation out of a total area of a million acres controlled by the tea companies.³

This impressive expansion and the growth of the Assam Valley tea industry took place within the monopolistic control of British capital in Assam. An analysis of the list of companies shows that in 1942 84 per cent of tea estates with 89 per cent of the acreage in the Assam Valley were controlled by the European managing agency houses.⁴ Throughout India, thirteen leading agency houses of Calcutta controlled over 75 per cent of total tea production in 1939.⁵ Elsewhere I have shown that the tea companies reaped profits over a long time despite fluctuating international prices and slumps.⁶

One of the most notable features of the Assam Valley tea plantations was that, unlike in the cases of most of the other major industries such as jute, textiles, and mining in British India, it never suffered from a complete

1. Rana Partap Behal, "Some Aspects of the Growth of the Tea Plantation Labour Force and Labour Movements in Assam Valley Districts (Lakhimpur, Sibsagar and Darrang) 1900–1947" (Ph.D., Centre for Historical Studies, School of Social Sciences, Jawaharlal Nehru University, 1983), p. 34.

2. *Report of the Assam Labour Enquiry Committee, 1906* [hereafter, *RALEC*] (Calcutta, 1906), p. 12.

3. Behal, "Some Aspects", ch. 2.

4. *Assam Directory and Tea Areas Handbook, 1942* (Calcutta, 1942).

5. *Report of the Plantation Inquiry Commission 1956: Part 1: Tea* (Delhi, 1956), p. 23.

6. Behal, "Some Aspects", pp. 84–85.

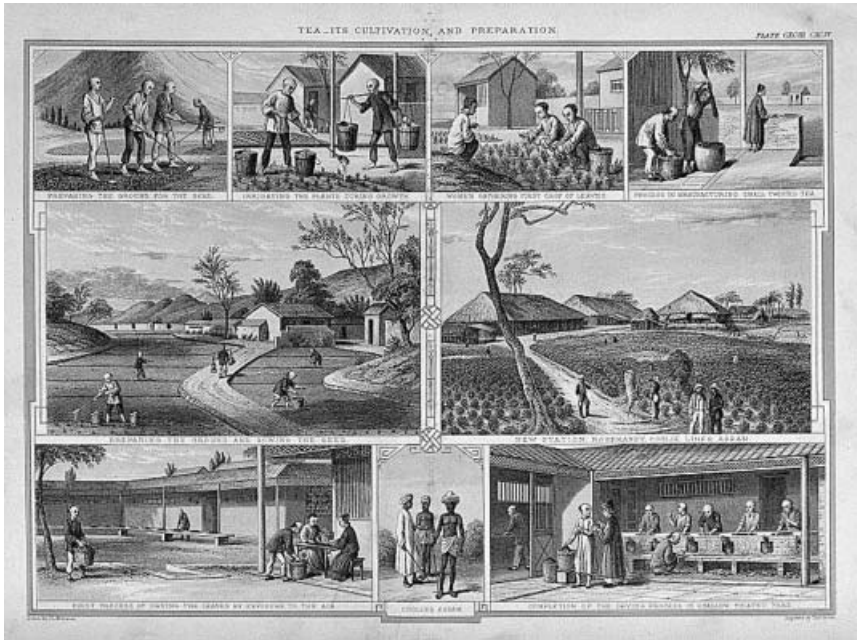


Figure 1. Engraving showing the different stages in the process of making tea, around 1850. Tea production is pictured here idealistically as a well-organized process in an idyllic, pastoral environment, with the coolie lines as comfortable housings.

Joseph Lionel Williams after Thomas Brown, 1850, Wellcome Library, London, V0019221, at <http://www.plantcultures.org/pccms/action/showItem?id=389#description>

stoppage of production during its long history. That is remarkable considering the fact that it employed arguably the largest labour force at the lowest level of wages of any private capitalist enterprise in the history of colonial India. It had one of the worst records of labour relations and constantly complained of “labour troubles”, nor was it trouble-free in other areas of its production, most of which was export-oriented. Fluctuation of tea prices in an increasingly competitive world market was a constant source of anxiety to the management of tea companies, but production and expansion occurred without interruption. I venture to suggest that the explanation of this success story lies in the very nature of the tea industry’s power structure and the hierarchies constructed and evolved during its long history.

This power structure evolved and operated at two levels. At the upper level the tea companies, with their headquarters in the United Kingdom and managing agents in Calcutta, instituted a centralized authority in the form of an apex body, the Indian Tea Association, manned by senior executives of tea companies and retired officials of the Indian Civil

Services. It functioned both as a lobby for the industry in the corridors of power and as a planner and implementer of its strategies of production, organization, and labour policies in the tea plantations. This power structure was bolstered by the industry's social and political connections with the colonial authority to influence policy on labour matters, particularly to prevent legal impediments to the use of extra-legal and coercive forms of labour control on the plantations.

At the lower level, on the ground, these strategies and policies were enforced through a hierarchical power structure centred on the managerial authority of European planters and their assistants. The key emphasis throughout was on immobilizing labour within the plantation complex after its arrival there, and at the same time curbing its contact with the outside world. Both strategies aimed at preventing the formation of collective labour organizations. The planters developed strategies to dominate, discipline, and control labour, both in work and living spaces, through legal and extra-legal methods. Most remarkably, the planters adapted to the exigencies of changing legislative and political situations in the region and were able to manipulate them to their advantage. At both levels the authorities operated in tandem and implemented remarkably successful strategies and policies prepared by the apex body. In the following pages we shall try to trace the story of how this power structure evolved and functioned in the Assam Valley tea plantations. We shall begin at the top.

THE INDIAN TEA ASSOCIATION

The early years of experimentation and slow growth suddenly gave way, during the 1860s, to frantic expansion of tea plantations, which generated a highly speculative boom,⁷ one which was itself triggered by Lord Canning's "fee-simple rules" of land grants to planters at throwaway prices.⁸ The developments in the tea industry taking place after 1865 laid the foundation of a power structure that actually continued to operate for more than two decades after Independence.

The first such development was that managing agency houses took control of the management of tea gardens, which led to the amalgamation of smaller gardens into large-scale enterprises. By the end of the century

7. Sir Percival Griffiths, *The History of the Indian Tea Industry* (London, 1967), pp. 61–99; Radhey Shyam Rungta, *The Rise of Business Corporations in India 1851–1900* (London, 1970), pp. 97, 103, 279–280.

8. The wasteland settlement policy, adopted by the government during the 1850s and 1860s, was to facilitate the grant of large acreages for tea cultivation to European planters. The terms were further liberalized in 1861 under Lord Canning's "fee-simple rules" under which land was sold for 2.8 to 5 rupees per acre without any clearance conditions attached. Instead of giving a lease the land was put up for sale at auction. This encouraged large-scale land grabbing. See Behal, "Some Aspects", pp. 17–19.

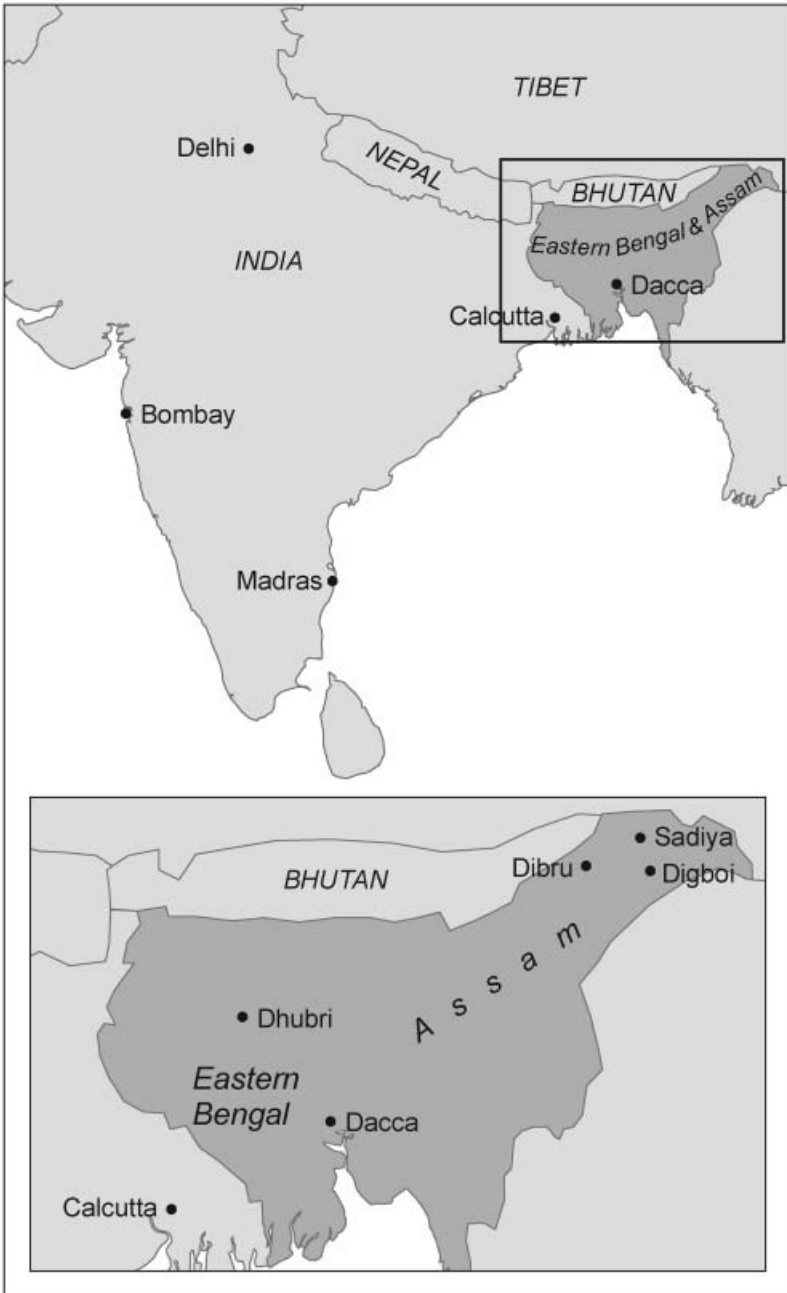


Figure 2. Map of Assam and eastern Bengal at the beginning of the twentieth century. Artwork by Jelle van Lottum

seven top managing agency houses controlled nearly 61 per cent of all tea gardens.⁹ The overall business strategies of manufacture, transport, and marketing of tea began to be implemented through a hierarchy of managers, superintendents of tea gardens in Assam, managing agents in Calcutta, and the companies' headquarters in Britain. The industry acquired cohesion and became a well-organized business lobby with the formation of its apex body, the Indian Tea Association (ITA) in 1881. By the beginning of the twentieth century the ITA and its branches had become an important European pressure group which successfully influenced government policy affecting the industry in particular and the province of Assam in general.

European planters were the chief body of non-officials who were asked by the government to participate in the local committees set up for the purpose of developing local communications and other infrastructure. Similarly, until 1915, most of the local boards were heavily loaded with ex-officio and elected European planter members.¹⁰ In 1906 a Legislative Council was established as a result of the 1905 settlement which formed East Bengal and Assam into a Governor's province. The new Council was dominated by Europeans, who made up practically two-thirds of its membership.¹¹ When the question of its enlargement came up with the Morley-Minto Reforms of 1909, the ITA, backed by the Bengal Chamber of Commerce, succeeded in pressuring the government to allocate two seats to the tea interests in the Council.¹² In 1912, when the Assam Legislative Council was constituted, the tea industry alone was allocated three out of the eleven elected seats.¹³ However, no representation was given to labour in the three councils.

The Assam Legislative Assembly constituted under the Act of 1935 had 7 European and 2 Indian planting members representing only 1,319 voters. On the other hand tea garden labour representing 34,279 voters was given only 4 seats.¹⁴ The European group continued to be influential with the provincial government even after a "popular" ministry was formed in 1937. The official historian of the tea industry acknowledged rather uncomfortably that in Shillong the European group counted for a great

9. These managing agency houses also controlled most of the other industrial, financial, banking, and shipping enterprises in eastern India and enjoyed tremendous political influence with the British government and its bureaucracy, both in India as well as in the UK; A.K. Bagchi, *Private Investment in India* (Cambridge, 1972), pp. 161–162; D.H. Buchanan, *The Development of Capitalistic Enterprise in India* (New Delhi, 1966).

10. A. Guha, *Planter Raj to Swaraj: Freedom Struggle and Electoral Politics in Assam 1826–1947* (New Delhi, 1977), pp. 30–31.

11. *Ibid.*, p. 75.

12. *The Report of the General Committee of the Indian Tea Association, 1909* [hereafter, *ITA Report*] (Calcutta, 1909), pp. 144–146.

13. Guha, *Planter Raj to Swaraj*, p. 82; *ITA Report, 1912* (Calcutta, 1912), p. 6.

14. Guha, *Planter Raj to Swaraj*, p. 220.

deal and, indeed, found itself called on to play an embarrassingly prominent part in the making and unmaking of provincial governments.¹⁵

The ITA's views, expressed through deputations, memorials, and representations, as well as through behind-the-scenes contacts with officials, received the most privileged consideration by the colonial state. In 1901 the Chief Commissioner of Assam, Henry Cotton, recommended an increase in the monthly wage paid to labourers on plantations and took some corrective administrative actions on the basis of inspection reports from the district officials. The ITA's campaigning through the Anglo-Indian press and lobbying of senior government officials in Calcutta led to trouble for Cotton from his superiors, and marred his future prospects in the Indian Civil Services.¹⁶ However, there were exceptions: the rejection of the Anti-Enticement Bill in 1914 by the Secretary of State for India, which was cleared by both provincial and central governments after some hard lobbying by the ITA, and the withdrawal in 1926 of Act XIII of 1859.¹⁷

But that did not mean that the ITA was becoming unimportant. For example, when the planters were confronted with new realities when labour protests were assuming collective forms, like strikes and the exodus during 1921–1922, the ITA successfully lobbied the Assam government to use its propaganda and law-enforcement machinery to suppress labour militancy. Assam's government responded immediately and appointed a special officer to supervise propaganda work,¹⁸ at the same time complying with the planters' request for a number of platoons of the Assam Rifles to be deployed in troubled districts to assist the civil police in suppressing a strike on the Dibru-Sadiya Railway, and dealing with an outbreak of rioting among tea garden labourers in the Assam Valley.¹⁹ Further, most of the revolts were ruthlessly handled by local police, and by court prosecutions and convictions to varying terms of rigorous imprisonment.²⁰ That the ITA's influence was not at all diminished was

15. Griffiths, *History of the Indian Tea Industry*, pp. 527–528.

16. Behal, "Some Aspects", p. 166; National Archives of India, New Delhi [hereafter, NAI], Government of India, Department of Revenue and Agriculture, Emigration, A Proceedings, nos 6–8, file no. 90 of 1901, pp. 122–136.

17. After the withdrawal of penal clauses from the Immigration Labour Act in 1908 the ITA submitted a memorial to the government asking for new legislation to counter the "enticement" of labour in the tea gardens in Assam. The Secretary of State for India rejected the bill on the grounds that it involved "principles" which could not be accepted. It was a reference to the strong anti-slavery sentiments prevailing in Britain. For details see Behal, "Some Aspects", pp. 158, 166; for more details of Act XIII see below.

18. *ITA Report, 1921* (Calcutta, 1921), p. 5.

19. Assam State Archives, Guwahati [hereafter, ASA], Government of Assam, Financial Department, Immigration Branch B, nos 20–112, March 1922, pp. 105–107.

20. *Annual Report on Labour Immigration into Assam* [hereafter, *Assam Labour Report*], 1920–21 (Shillong, 1921), p. 2. In Sonaguli and Kacharigaon tea estates thirteen and twenty-six

made clear when the Government of India, before passing the Tea Districts Emigrant Labour Act XXII of 1932, sent copies of the draft of the bill to the ITA for their views on its provisions. That action was followed by several interviews and meetings between the planters' representatives and government officials. Consequent upon their discussions, the amendments recommended were accepted in the final draft of the bill.²¹

In the latter part of the 1930s the political climate in Assam, as in other parts of India, began to change, with increasing political activity and the formation of elected provincial governments under the Government of India Act 1935. The arithmetic of electoral politics in Assam prevented the formation of a stable single-party government and ushered in an era of short-term multi-party coalition governments. The European group acquired a balancing position between the Congress and the non-Congress groups.²² The ITA's main concern at this juncture was to prevent any of the coalition groups in power from taking legislative action that it considered inimical to tea interests. With Sir Percival Griffiths, a retired civil servant and later the historian of the Indian tea industry, as its political adviser the ITA prepared strategies to manipulate and support those political groups in forming governments which it considered amenable and easy to influence. Their basic approach was summed up in the following excerpt from communications sent by the Chairman of the Calcutta ITA:

It seems to me to be of vital importance for the industry to realise the dangers which lie ahead, and to do everything possible to consolidate its position. If with a friendly Government we can do anything, which will prevent hostile Legislation, either being introduced if Congress returned to power, or if

labourers respectively were convicted and sentenced to various terms of rigorous imprisonment. In Dhandai, Bargaon, and Khairabri tea estates, sixty-five, six, and twelve labourers respectively were arrested, out of whom forty-nine were sentenced to rigorous imprisonment. In Barkathani tea estate two labourers were convicted – one ran away and the other was sentenced to two years' rigorous imprisonment on the charge of assaulting a manager. The ringleaders in the Amguri and Borsilla tea estates were prosecuted and directed to execute bonds of 50 rupees each, with two sureties to keep the peace for six months, in default of which they were to undergo six months' simple imprisonment. In Suffy tea estate, the Sub-Divisional Officer came with the Assam Rifles and forced the workers to disperse; *Assam Labour Report, 1921–22* (Shillong, 1922).

21. *ITA Report, 1932* (Calcutta, 1932), p. 10. The tea industry constantly complained about restrictions and government control over its recruitment and transport of immigrant labour and lobbied for the legislation to be amended. Following the recommendations of the Royal Commission and the ITA, the Government of India passed the Tea Districts Emigrant Labour Act XXII of 1932 and repealed Act VI of 1901. Under the Act, the government appointed a Controller of Emigrant Labour whose main job was to supervise recruitment and to ensure that the manner in which labourers were transported to the Assam tea gardens complied with government regulations.

22. Guha, *Planter Raj to Swaraj*, pp. 216–236; Basudev Chatterji (ed.), *Towards Freedom, 1938* (New Delhi, 1998), chapter on the Assam Ministry.

introduced being effective against tea interests, a great step in the right direction will have been made.²³

As part of Griffiths's action plan to deal with the political situation in Assam, it was decided to support the coalition led by Muhammad Saadulla instead of the Congress Party in return for certain considerations. Abdul Matin Chaudhury was expected to be the new Minister of Labour. As the ITA Chairman acknowledged, "we have in fact cultivated him for sometime past", and he was seen as a guarantee against any legislation hostile and detrimental to the industry. Saadulla was reported to have given his "personal assurance that he will not introduce any Legislation which directly affected the Tea Industry without full consultation with us, as his object is to be guided by those who control the tea industry".²⁴

The years between 1937 and 1940 also witnessed an upsurge of labour unrest and the emergence of trade unions. The Controller of Emigrant Labour reported in 1939 that there were "an unusually large number of strikes, viz. 17 and much unrest".²⁵ The number of strikes reported in another official report was much larger at 37 for that year.²⁶ The strikes spread from the Swedish-owned Assam Match Company at Dhubri, the Assam Oil Company (a subsidiary of Burma Oil Company) in Digboi, the British-owned Assam Railways and Trading Company, to the tea gardens and government establishments.²⁷ The intensity of labour unrest alarmed the government. The Government of Assam expressed its anxiety over the "frequency of strikes and disturbances on the tea gardens in several parts of the province".²⁸ The Indian Tea Association made anxious representations to the government and the attention of the Ministry was drawn to the need for urgent action to maintain law and order.²⁹

As a result the Government of Assam appointed a Tea Garden Labour Committee to investigate the causes of these recent strikes and disturbances. The members of the Committee were K.C. Ghosh, ICS [Indian Civil Services], as Chairman, F.W. Hockenull, of the ITA, Baidyanth Mukherjee, representing the Indian plantation owners, A.K. Chanda,

23. India Office Library, London [hereafter, IOL], Indian Tea Association Papers [hereafter, ITA Papers], circular C. 159, 20 November 1939, mss Eur F 174, Bay/H.

24. IOL, ITA Papers, mss Eur F 174, bay/H circular no. 239, 17 November 1939; circular no. 159, 29 November 1939.

25. *Annual Report on the Working of the Tea Districts Emigrant Labour Act XXII of 1932* [hereafter, *RTDEL*] (Shillong, 1939), p. 386.

26. D.V. Rege, *Report on an Enquiry into Conditions of Labour in Plantations in India* (Delhi, 1946), p. 72.

27. NAI, Fortnightly Reports, Assam, Home Political Department, 1939; Guha, *Planter Raj to Swaraj*, pp. 236–263.

28. ASA, Government of Assam, General and Judicial Department, Immigration Branch B, file no. Imm 118, GIM. 49/47, 1939, p. 167.

29. *ITA Report, 1939* (Calcutta, 1939), p. 26.

MLA [Member of the Legislative Assembly] from the Surma Valley, and Debeswar Sarma, MLA from the Assam Valley, representing labour.³⁰ The ITA, suspicious of the Congress Party and clearly unhappy with the appointment of two Labour members, used its proximity to the colonial bureaucracy to delay and thwart the operations of this Committee from the very outset.³¹ In a letter to the Chief Secretary of the Assam Government dated 26 May 1939, the ITA Chairman protested against the appointment of the two MLAs on the Committee alleging that they were “biased” against the industry and were personally associated with fomenting labour disturbances in tea gardens.³² The ITA was willing to cooperate with the Committee only if it were carried out by persons “acceptable to the tea industry”, failing which it threatened to withdraw its participation completely. It carried out the threat and withdrew from the Committee when its objections did not elicit a positive response.³³ The Committee folded even before it could start to work.

Growing labour militancy and the emergence of trade unions in the tea gardens had clearly emerged as the major concern for the ITA. Ever since the early 1920s the appearance of relatively more organized forms of labour resistance, such as strikes, in the Assam Valley tea gardens had been seen as the work of outside agitators.³⁴ The same refrain dominated the industry’s perceptions in the late 1930s when the early signs of trade unions arrived on the scene. Under such circumstances the industry initiated discussions within tea circles to rethink strategies for control and to counter greater militancy and the emergence of collective and more organized labour protest.

In June 1939, one strategy was suggested by A.C. Turnstall, the Assistant Chief Scientific Officer of the Tocklai Tea Research Centre at Jorhat. In his proposal to the ITA, entitled “A Contribution towards the Solution of the Problem of Tea Garden Education”, Turnstall attempted a

30. The Committee’s terms of reference were: (1) to determine what is the root cause of recent strikes and other manifestations of discontent on tea gardens in Assam, and particularly whether there are economic grievances either generally in the district concerned or in the affected estates; (2) what measures are required in order to remove the root cause or causes of the said strikes; and (3) whether and if so what forms of organization are desirable for enabling labourers on tea gardens to communicate their grievances to the management in such effective manner as will remove any doubt that their interests are secure, and to procure settlement of such grievances, if any, by negotiation; ASA, AICC Papers, file no. P1–12, TL No. 1020, 1939, p. 3; *Amrita Bazar Patrika*, 29 May 1939; ASA, Government of Assam, General and Judicial Department, Immigration Branch B, file no. Imm. 118–GIM–49/47, 1939, p. 167.

31. IOL, ITA Circulars 92 and 115, ITA Papers, mss Eur F/174/bay/H, 1939.

32. ASA, Government of Assam, General and Judicial Department, Immigration Branch B, file no. Imm. 118–GIM 49/47, 1939, p. 137.

33. *Ibid.*; *ITA Report*, 1939, p. 28.

34. Rana P. Behal, “Forms of Labour Protest in the Assam Valley Tea Plantations 1900–1947”, *The Calcutta Historical Journal*, 9 (1984), pp. 30–78.

psycho-analytical explanation of the problem of growing labour troubles and suggested a concrete plan for its solution. A summary of his proposal is revealing of the varieties of attitude and perceptions prevailing at the time among members of the European community in Assam tea circles. He argued that the “tea garden coolies require some sort of education to protect them from unscrupulous and dishonest agitation”. The existing schools in the tea gardens, though increasing in number, were not “conducive to industrial peace”. The educational curriculum of these schools, he felt, rendered the students of the labour community “especially susceptible to agitation of the worst type”. He believed that offers of high wages and better amenities, citing the recent Digboi experience as an example, were no safeguard against strikes. He was convinced that the unrest was not due to any serious grievances but because the strikers “suffer from a feeling of inferiority which gives them an ill-defined sense of grievance”. Agitators found such people easy prey.

His remedial solutions were more in the nature of long-term planning. “The only sure remedy for labour unrest of this kind is somehow or other to replace the feeling of inferiority by one of self-respect and self-reliance.” That could be achieved by adopting Baden Powell’s scout movement for training the younger generation of tea garden coolies on similar lines. A detailed note on the planning and its execution was submitted along with the proposal.³⁵ “It is important”, he recommended, “to get, from the beginning, the right type of scoutmaster with the right type of training”. Turnstall had already taken one such person under his wing. R.C. Mohanta, one of the younger sons of a respectable but poor *Adbikari* (chief) of a small *satra* (Vaishnavite monastery) in a village in Jorhat, was put into the “right type of training” to become a “King’s Scout”. After the completion of his schooling and with the above object in mind, young Mohanta was sent for further training to the US and British Boy Scout headquarters, which entailed an adventurous international tour for him via Burma, South-East Asia, and Japan, to the USA and Europe.³⁶ Turnstall suggested that under his supervision, Mohanta should, on his return to Assam, be the Scoutmaster and organize training camps in the tea gardens.³⁷ The proposal did not elicit a favourable response from the

35. IOL, ITA circular no. 87, 12 June 1939, ITA Papers, mss Eur F 174/Bay/H, pp. 1–5.

36. A copy of the typescript entitled “Note on the General Plan of Mohanta’s Education”, private collection of Mohanta family papers, Jorhat, Assam. I am grateful to Jayraj Mohanta, son of the late R.C. Mohanta, for allowing access to this collection.

37. IOL, ITA circular no. 87, 12 June 1939, ITA Papers, mss Eur F 174/bay/H, pp. 1–5. The Mohanta episode lies buried as an unnoticed piece of archival material. For the Mohanta family, however, it acquired a folklorist aura, of a narrativel tradition recounting the adventures of R.C. Mohanta, who joined the British Indian Army in Lord Mountbatten’s commando unit, which was trained and operated in South-East Asian jungles during World War II. Mohanta later earned the reputation of being one of the toughest tea planters in Assam.

ITA hierarchy, which was busy evolving its own strategies to come to terms with the emerging trade-union movement in and around the plantations of the Assam Valley.

To begin with, the ITA was opposed to the very idea of trade unions in the tea gardens. It argued that conditions in the gardens were fundamentally different from those in industrial concerns: "In most gardens, labour is simple and primitive; and if unions are started they would most probably be run by outsiders. In such cases the prevailing opinion is that they should be discouraged."³⁸ However, by 1939, confronted by the new political situation of the proliferation of nationalist and, more alarmingly, communist activities in labour politics, the ITA began to review and modify its strategies.

Instead of total opposition, it was decided to follow a policy of conditional recognition of unions, so Percival Griffiths prepared and communicated detailed instructions to the superintendents and managers in conditional terms aimed at constraining the formation of labour unions in the tea gardens. For formal recognition of a union, it was laid down that only the permanent labour force residing in the gardens should be enrolled as members, and its executive should be drawn from among them, with a maximum of two persons from outside to be members. No union would be allowed to represent more than one garden. A strike could not be called without a prior ballot with a minimum of two-thirds of votes cast and approved by 50 per cent of voters. Thereafter an advance notice of fourteen days was compulsory. The union was to maintain its accounts, which were to be audited at least once a year by a government auditor. Several conditions laid emphasis on discouraging outside intervention.³⁹ This policy remained on paper for the time being as the Government of India imposed the Defence of India Rules in September 1939 which suppressed, for the time being, the embryonic trade-union movement in Assam.

The imposition of Defence of India Rules by the government made it harder for labour unions to carry on the momentum of the 1939 strikes. However, by 1943 labour struggle outside the plantations was leading towards the organization of labour at the provincial level. The Assam Provincial Trade Union Congress (APTUC) was formed in 1943 as a branch of the All-India Trade Union Congress (AITUC) and became fairly active over the next two years. The first conference of APTUC was held at Dibrugarh on 28 November 1943.⁴⁰ The AITUC's communist

38. *ITA Report, 1937* (Calcutta, 1937), p. 37.

39. IOL, ITA circular no. 917, 11 April 1939, ITA Papers, mss Eur F 174/bay 2 (C). The intention behind the new policy was "that Managers having done their best to prevent a Union being formed, would perforce change their attitude once such a Union had been established, and would in fact as far as possible become the guide of those running the Union in the hope that, by so doing, undesirable influences would be kept out of the Union".

40. Nehru Memorial Museum and Library, New Delhi [hereafter, NMML], All India Trade Union Congress Papers [hereafter, AITUC Papers], file no. 45, 1942-1944, p. 25.

members were also making efforts to establish contacts with tea-garden labourers. Between 1943 and 1945 the APTUC increased its strength in Assam from 4,345 members belonging to 10 affiliated and associated units to about 16,000 members with 41 affiliated and associated units. During this period the APTUC extended its activities to the oil industry too, at Digboi; to the transport industry; and to other industries such as coal, cement, match manufacture, electricity, rice mills, and banks.⁴¹

The most important aspect of the ITA's adaptation to new situations and its adjustment to the industry's growing strength was its shifting policies with regard to the emerging trade unions during the 1940s. From complete opposition to the very idea of trade unions in tea gardens, it shifted its stance to conditional recognition at a time when uninterrupted tea production was a priority, to meet growing demand as part of the war effort. These developments forced the ITA to implement its earlier proposals on trade unions. Trade unions were there to stay, but under the leadership of those who would be acceptable to the industry's leaders.

It would be idle to pretend that sufficient labour leaders of the right type are likely to be forthcoming. In practice, if the Trade Union Movement develops in the Tea Industry – as indeed in other industries in this country – it is almost certain to fall under the control of people who can reasonably be described as agitators,

wrote Griffiths in July 1945 in his notes on the post-war planning of trade unions in tea gardens.⁴² He went on to analyse the current situation facing the tea industry: "We know that hasty development of Trade Unions may well mean a period of difficulty and even convulsion in the Tea industry; we equally know that undue opposition to them may merely make things worse."⁴³ In the face of this reality, what was the industry supposed to do?

It was decided that the industry would recognize those unions which were willing to accept its conditions: no affiliation to the Communist Party; white-collar staff and labour were not to belong to the same union; and finally one-third of the garden labour force had to be paying members.⁴⁴ The ITA remained hostile to the communist-dominated unions: "with irresponsible and unrepresentative unions, organized by communist agitators, whose avowed aim is the expropriation of our estates, we have had and will have nothing whatever to do".⁴⁵ Earlier, the ITA had aligned itself with non-Congress groups when it felt the Congress

41. Report of Secretary Assam Provincial Trade Union Congress (APTUC) at its 3rd Annual Session held on 14 and 15 December 1945 in Dibrugarh, reproduced in ASA, Government of Assam, General and Judicial Department, file no. GIM 7, 1943–1947.

42. IOL, Post War Planning: Notes by the Political Advisor, Circular No. 164, 21 July 1945, ITA Papers, mss Eur F/174, bay 2 (G) 2.

43. *Ibid.*

44. Griffiths, *History of the Indian Tea Industry*, p. 391; Guha, *Planter Raj to Swaraj*, p. 293.

45. *ITA Report, 1946* (Calcutta, 1946), p. xiv.

Party was hostile towards the tea industry in matters of labour and trade unions. However, with the growth of communist-backed unions, which were seen as a bigger threat, an alliance with the Congress Party seemed prudent.

The ITA Labour Adviser, H.F. Clark, reported to its labour sub-committee in December 1946 that the Congress ministry in Assam was acutely aware of the spread of communist influence in the province and was keen to promote labour unions under the Congress umbrella.⁴⁶ A Congress labour cell was formed under the leadership of Robin Kakoti and Bijoy Bhagawati (later Head of the Indian National Trade Union Congress, INTUC) to work in the tea gardens. In May 1947 the Assam branch of the INTUC was formed, with K.P. Tripathi as its president.⁴⁷

At the dawn of Independence the Congress-led INTUC emerged as the dominant substitute for the communist unions. The APTUC Joint Secretary complained of mounting hostilities and attacks from INTUC sponsors and the Congress Government in Assam. According to him, government machinery was freely used to build up the INTUC and to disrupt the AITUC. The Congress Government in Assam had “put behind prison bars more Trade Unionists in a month (the vast majority of them being detained without trial) than even in a year of the worst days of direct British rule”.⁴⁸ Naturally, under these circumstances the Congress Party was acceptable to the ITA:

The outstanding development in labour organization during 1947 was undoubtedly the growth of the new Indian National Trade Union Congress, formed in May by leaders of Congress Party to counteract the disruptive influence of the communist dominated All-India Trade Union Congress. In contrast to the direct action policy of the latter body, the new organization purports to encourage the settlement of labour dispute through the medium of conciliation and arbitration machinery.⁴⁹

Following an agreement between Robin Kakoti of the INTUC, Gopinath Bordoloi, Assam’s Chief Minister, and the ITA, the latter agreed to allow free access in the tea gardens only to such INTUC organizers as were accredited by Kakoti.⁵⁰ The INTUC on its part assured the ITA that its activists would conform to “legitimate” trade-union activity and would not upset existing labour–management relations.⁵¹

46. IOL, ITA circular no. 271, 2 December 1946, ITA Papers, mss F 174/bay 2 (G).

47. Guha, *Planter Raj to Swaraj*, p. 296.

48. NMML, AITUC Papers, TL No. 4, file no. 47, 1947–1948.

49. *ITA Report, 1947* (Calcutta, 1947), p. 41.

50. ITA circular to garden managers, no. L.D. 600, dated Dibrugarh 21 July 1947, cited in Guha, *Planter Raj to Swaraj*, p. 297.

51. *Ibid.*, p. 296.

POWER STRUCTURE AND PRODUCTION RELATIONS

While the ITA used its organizational connections and political power to influence the colonial state and its policies concerning recruitment, transport, legislation, and control of the labour force, it was the nature of the power structure and production relations which evolved within the plantation system that played a crucial role in ensuring and sustaining the employers' dominance over labour for more than a century from its inception.

From the beginning, given the nature of the process (with its intensive production methods) labour was the tea industry's major preoccupation. The Assam Valley was very sparsely populated when the Assam Company commenced its operations in the 1840s and, as a consequence, shortage of labour was a serious problem. The initial experiment of importing Chinese labour for planting turned out to be complete fiasco.⁵² Serious efforts were then made to procure labour both locally and from neighbouring Bengal through *sirdars* and individual agents, mostly fortune-seeking Englishmen. These efforts constantly ran into trouble, with recruited labour running away after arrival on the plantations, or not reaching its destination even after being dispatched by boat from the recruiting areas, thereby causing a loss of advances.⁵³ It is interesting to note that at this stage of its enterprise the Assam Company's efforts to procure labour did not include coercion, although the wages offered were deeply inadequate. The Company's directors wrote to the Superintendent on its plantations in Upper Assam, clearly instructing him that "they positively forbid any violence on the part of the assistants to the natives of the country or to the coolies of the Association and on any such case being formally reported immediate dismissal will most assuredly be the penalty".⁵⁴

The structure of the power hierarchy based on coercion and extra-legal authority, which had dominated production relations in tea plantations for so long, began to evolve during the 1860s with the introduction of the indenture system at the height of the speculative boom during the time of the "tea mania". The official historian of the Indian tea industry described the events of this period thus: "A madness comparable in intensity with that of the South Sea Bubble seized men's minds, and normally level headed financiers and speculators began to scramble wildly for tea shares and tea lands."⁵⁵ Greedy to make quick money, the agents on the spot

52. Guildhall Library, London [hereafter, GL], Assam Company Papers, ms 9925, vol. 1, Proceedings of Committee in Bengal, 15 February, 13 March, May and June 1840, pp. 87–144.

53. GL, Assam Company Papers, ms 9925, vol. 2, August 1841–July 1844, pp. 350–454.

54. *Ibid.*, p. 112.

55. Griffiths, *History of the Indian Tea Industry*, p. 96; J.W. Edgar attributed this to the government's wasteland policy: "There can be no doubt that the reckless speculation was very much encouraged by the way in which waste lands were dealt with by Government"; Government of Bengal, *Paper Regarding the Tea Industry in Bengal* (Calcutta, 1873), p. xv.

often misled promoters of these companies by lumping together one or two really good gardens with three or four inferior wild jungle tracts and sold the lot to the company at prices two or three times their actual value.⁵⁶ Other forms of fraud also prevailed. Often money was invested in gardens that never existed. Tea companies, with or without land, sprang up overnight and shares rose to dizzy heights. Lands were cleared without any consideration of their suitability for cultivation or the availability of labour. Highly placed civil servants resigned their posts to become planters.⁵⁷

The immediate fall-out of this situation was a manifold increase in demand for labour supply, which in turn started the process of a very large-scale mobilization of labour from long distances in other parts of British India and its employment under indenture contract in the Assam Valley tea plantations.⁵⁸ The labour force was mobilized under appalling conditions of fraudulent recruitment and insanitary transport, leading to high mortality rates and large-scale desertions from plantations. As commissioners appointed by the Government of Bengal to enquire into the affairs of the tea industry in Assam put it in their report:

In the mad race of speculation, when fresh clearances were made, and acre upon acre covered with tea, to meet the terms of contract entered into with the promoters of new, or to satisfy the shareholders in old companies, no one has suffered more than the unfortunate labourer, for the opening out of new Tea Cultivation has been too often synonymous with disease and death.⁵⁹

Another contemporary official account reported that of the 85,000 labourers imported into Assam between 1863 and 1866, no fewer than 35,000 were reported to have died or deserted.⁶⁰

56. Often a speculator started forming a company while the land was barely scratched. The company was to “start by buying the lands he had scarcely finished clearing as accomplished tea garden, and what still remained of undeniable waste, at a cost out of all proportion [...] to what it was worth”; *Friend of India*, 9 June 1874, cited in Radhe Shyam Rungta, *The Rise of Business Corporations in India, 1851–1900* (Cambridge, 1970), p. 280.

57. A contemporary, Edward Money, reported that a small garden of 30 to 40 acres was often sold to a company as 150 or 200 acres. “It was done over and over again. The price paid, moreover, was quite out of proportion even to the supposed area. Two or three lakhs (£20,000 or £30,000) have often been paid for such gardens, when not more than two years old, and forty per cent of the existing area, vacancies. The original cultivator ‘retired’ and the company carried on.” Government of Bengal, *Papers Regarding the Tea Industry*, p. ix.

58. Behal, “Some Aspects”, pp. 22–25; Rana P. Behal and Prabhu P. Mohapatra, “Tea and Money versus Human Life: The Rise and Fall of Indenture System in Assam Valley Tea Plantations”, in E. Valentine Daniel, Henry Bernstein, and Tom Brass (eds), *Plantations, Proletarians and Peasants in Colonial Asia* (London, 1992).

59. “The excessive mortality in the Assam tea gardens was attributed to sickness, bad housing conditions, overcrowding in houses, insufficient food, impure water, and want of proper medical attention”; *Report of the Commissioners Appointed to Enquire into the State and Prospects of Tea Cultivation in Assam, Cachar and Sylhet* (Calcutta, 1868), p. 49.

60. Government of Bengal, *Papers Regarding the Tea Industry*, p. xix.



Figure 3. Clearing of the ground for establishing a new plantation. Pen and ink drawing by George M. Barker from his memoirs as a planter.

George M. Barker, A Tea Planter's Life in Assam (Calcutta, 1884), p. 129

Some of the contemporary colonial officials were quite appalled at the inhuman nature of such treatment, the physical coercion and economic exploitation, along with the growing racial prejudice of the European planters towards the immigrant labour. As J. Ware Edgar, another Bengal official, wrote in his *Report on Tea Cultivation*:

The miseries of the early immigrant were in too many instances cruelly aggravated by the ill-treatment of their employers. At one time the feelings of the planters as a body towards their labourers was most deplorable. The best men looked on them as a thankless, discontented lot, for whose good it was almost useless to do anything, and who it was impossible not to dislike; while amongst the worst sort of planters this feeling of aversion deepened into a mingling of hatred and contempt that led in some instances to acts of revolting cruelty, and in far more cases than has ever been publicly known to systematic and gross treatment.⁶¹

To the planters it appeared quite natural that the labourers who had deserted or disobeyed should be flogged. After all, the employer had invested so much money in bringing them to the gardens. The typical planter's attitude towards the recalcitrant or deserting coolie was that displayed by W.A. Stoddard, the manager of the Maphock Tea Estate in Sibsagar district, who, in 1872, wrote to the government demanding that

61. *Ibid.*, p. xxi.

the offending labourers be whipped: "The stick has a greater terror for those innate thieves and scamps for whom flogging is useful; especially without hurting the man much, the quiet, firm systematic way the government floggings are conducted." He saw it as the best way to keep alive the goose that was laying the golden eggs.⁶² Often there were cases of labourers who were really physically unfit to work being tied up and flogged. Flogging, as a form of discipline, was a universal practice in the Assam tea gardens.⁶³

To the labourers, desertion appeared to be the only hope of escaping physical coercion and torture. In order to check desertions, the labourers were made to live in closely guarded areas, known as "coolie lines", within the boundaries of the garden. *Chowkidars* (security guards) maintained strict surveillance over the "coolie lines", while "savage" hill men were specially employed to track down absconders with a promise of a reward of 5 rupees per head. Dogs seem to have been specially trained for this purpose. If the absconder was caught he was tied up and flogged, and the reward paid to his captor was deducted by way of fine from his future earnings. As Edgar noted, "often runaways enfeebled by their sufferings in the jungles, died under or from the effect of the floggings they received when caught".⁶⁴

With the amalgamation of tea gardens under the management of agent firms and the impressive growth of the tea industry from the 1870s onwards, the entire geographical landscape of the Assam Valley was transformed. Tens of thousands of acres of jungle and wasteland were converted into private estates, inhabited by labourers, Indian clerical staff, and European managers and their assistants. Through mergers of small gardens, large units averaging 1,200 acres in size had emerged as the typical plantation by the late nineteenth century. Most gardens became physically isolated both by geographical distance and deliberate exclusion by fencing off from urban settlements as well as the surrounding rural society. These huge private estates, with compulsorily resident indentured labour in the coolie lines, provided the milieu for the exercise of virtually unlimited powers by the planters over their workers. A new work regime was imposed with the rhythm of an industrial clock. In fact the clock was put ahead by an hour from standard time to produce something known as "garden time" – a practice that was discontinued only towards the end of the twentieth century.⁶⁵

62. *Ibid.*, p. 44.

63. *Ibid.*, p. xxi.

64. *Ibid.*

65. The sun rises much earlier in eastern India compared with other parts of the Indian subcontinent. The garden-time device made it possible to utilize the extra daytime available to lengthen the working day. A uniform work regime enforced and strictly regulated short durations of water and lunch breaks in the tea gardens. Under the supervision of a hierarchical

Several factors combined with these conditions to determine the nature of the emerging organization of production and its relationships in the Assam tea plantations. First, as an agro-industrial enterprise, tea plantations used labour-intensive methods, making labour the main component of production cost. Second, producing predominantly for export made the tea industry subject to price fluctuations on the international market. It is important to note that a large part of the expansion of the tea industry during the last two decades of the nineteenth century took place at a time of steadily falling prices; between 1880 and 1900, tea prices fell by half.⁶⁶ In such a scenario the industry's profitability was sustained by keeping labour costs as low as possible. In 1901 it was reported in the Central Legislative Council that between 1883 and 1899 the wages paid to tea plantation labour were below the statutory minimum of 5 rupees for men and 4 rupees for women.⁶⁷ These remained characteristic features of the history of the tea industry until the end of colonial rule.⁶⁸ Third, the growing incidence of desertion and absconding from the Assam Valley tea plantations was now perceived by the companies as a financial loss caused by managerial failure. James Finlay & Company's instructions to its Estate Department on this issue were to

[...] impress on Managers the absolute necessity of keeping their labour if their gardens are to be profitably worked, and they must understand that the proper handling of their labour force will be regarded as an essential point in considering a Manager for any promotion that may be going, or even his continuance in charge. An undue proportion of abscondings will be carefully noted against a Manager.⁶⁹

For the labourers, desertion was initially the commonest way of escaping the brutalities of life in the plantations. The effort and courage involved and the risks run in this act may be seen as an indication of a growing desire to fight the plantation system. The planters referred to deserting as "absconding", and it was considered a serious offence under the existing labour laws. Prior to 1865 a deserter from the tea gardens, if caught, was punished under section 492 of the Indian Penal Code, which provided for one month's imprisonment.⁷⁰ Act VI of 1865 then further

power apparatus headed by the managers and established during the indenture period, this work regime has sustained its rigour in the tea gardens even to this day. Daylight saving time applied only to the gardens.

66. *Prices and Wages in India* (Calcutta, 1901).

67. *Proceedings of the Central Legislative Council*, 1901, vol. 40 (Calcutta, 1901), p. 94.

68. Behal, "Some Aspects", ch. 5.

69. Glasgow University Archives, Glasgow, James Finlay & Company Papers, UGD 91/139, 27 September 1900.

70. Government of Bengal, *Papers Regarding the Tea Industry*, p. xxii; S.M. Akhtar, *Emigrant Labour for Assam Tea Gardens* (Lahore, 1939), p. 42.

empowered the employers to arrest runaways without warrant. But the severity of the law could not substantially deter deserters and diminish the scale of desertion. Even the official reports bear testimony to this. The Enquiry Commission of 1868 (though it did not provide figures) reported a very large number of desertions.⁷¹ The annual reports on immigrant labour reported 2,584 desertions in 1877, 9,855 in 1884, 6,432 in 1897, and 10,244 in 1900.⁷² Actual desertions were, however, much more numerous. Many deserters were caught in the immediate vicinity of the gardens while attempting to escape. Some of the captured labourers were often not taken to police stations by their employers, although required under the law, and hence not reported as deserters. There is reference even to children deserting. In 1884 as many as 1,179 desertions were reported among children.⁷³

For managers, the security of their jobs and further promotion became synonymous with ensuring uninterrupted production, and steady growth of profits for tea companies. The drive to intensify the labour process, and constant supervision to prevent coolies from running away, reinforced those elements, described by Edgar, of physical coercion, violence, and extra-legal methods of labour control by the planters during the period of “tea mania”. The managers’ powers acquired an omnipotent authority akin to that of white masters towards their black slave labour in the southern USA just before the Civil War. A large number of *chowkidars*, *sirdars*, and garden *mohurirs* (field staff) supervised by European managers and their assistants constituted the apparatus that controlled the labour force.⁷⁴ Penal legislation armed the planters with immense legal powers over labour, which included the power to prosecute defaulting and malingering labourers and the power of private arrest of deserters.⁷⁵

The abuse of legal powers and recourse to extra-legal authority by planters were known to the highest colonial authorities in the province, though no action was initiated. That the planters often flogged their labourers as a form of private punishment was admitted by the Chief Commissioner of Assam, Sir Bampfylde Fuller.⁷⁶ He reported the case of a woman labourer who was stripped and flogged in a tea garden by the manager.⁷⁷ As late as the 1920s a British trade-union delegate reported that

71. *Report of the Commissioners Appointed to Enquire into the State and Prospects of Tea Cultivation in Assam, Cachar and Sylhet*, p. 54.

72. *Assam Labour Reports* for relevant years; *RALEC*, p. 81.

73. *Assam Labour Report, 1884* (Shillong, 1884), p. 26.

74. Barker, *Tea Planter's Life*, p. 134; Rege, *Report on an Enquiry into Conditions of Labour*, p. 13.

75. Behal and Mohapatra, “Tea and Money versus Human Life”, pp. 161–163; Behal, “Some Aspects”, ch. 4.

76. Sir Bampfylde Fuller, *Some Personal Experiences* (London, 1930), p. 118.

77. *Ibid.* Henry Cotton, Fuller's predecessor as Chief Commissioner of Assam, also reported the case of a woman labourer who was flogged for trying to escape from the garden. Another

“we witnessed a group of men, women and children working away together, while five yards away was a planter’s young assistant proudly hugging the whip”.⁷⁸ The official reasoning for condoning the exercise of such powers without explicit sanction was based on the ground that the “tea planter as a master of a large and irregular labour staff must enforce discipline by occasionally severe measures which need not be looked into too closely, because they are substantially just and for the good of the general body of coolies”.⁷⁹

Extra-legal action on the part of planters was confined neither to the workplace nor to the prevention of desertions, but permeated the whole social life of a labour force isolated in the coolie lines within the plantation complex. In his memoirs, George M. Barker, a tea planter, fondly remembered sitting in judgment every morning on cases of coolie “delinquency” reported to him by the *jamadar* (headman in the coolie lines), and meting out punishment to “evildoers”.⁸⁰ Similarly, a Bengal Government official was shocked to find in 1888 a planter organizing a polyandrous marriage between five “time-expired” coolies who had completed their contract period, and a single woman. In return each man had to agree to be re-engaged to work in the same garden for five years. “The disposal in marriage of all imported female coolies”, he noted, “is regarded as a matter entirely within the jurisdiction of the manager”.⁸¹

While the operation of penal legislation and extra-legal actions by the planters helped to create this power structure, it was the introduction of several other practices that imposed and sustained the severe forms of dependency in production relations. The most significant one was the partial payment of wages in kind, by providing rations at subsidized rates; this practice was introduced in the indenture contract and remained in vogue till the end of colonial rule. The general impression of the material conditions of labour as projected by the planters and the colonial state was one of “comfort” and “well-being”. That impression was reinforced by claims that labour was paid well enough not only to live in “comfort” but even to save. It was further pointed out that the cash wage did not represent the total earnings of the labourer, since it was supplemented by grants of cultivable land, either free or for nominal payments, as well as by

woman was also flogged on suspicion of helping the others to escape. He also came across a case in which labourers were confined for a number of days in a “prison-house” in the tea garden and were mercifully beaten up. Arms of three of the labourers were broken as a result of the beating; Henry Cotton, *Indian and Home Memories* (London, 1911), p. 266.

78. A.A. Purcell and J. Hallsworth, *Report on Labour Conditions in India* (London, 1928), p. 35.

79. NAI, Government of India, Department of Revenue and Agriculture, Emigration, B Proceedings, nos 1–3, September 1893.

80. Barker, *Tea Planter’s Life*, p. 171.

81. NAI, Government of India, Department of Revenue and Agriculture, Emigration, A Proceedings, nos 2–9, February 1889. The time-expired labourers were those who had completed their contract of five years under the Immigrant Labour Act.



Figure 4. “Packing the tea”. This pen and ink drawing by George M. Barker subtly illustrates the power relation between British overseers and their labourers.

Barker, A Tea Planter's Life, p. 149

the provision of cheap subsidized rice during certain periods.⁸² Elsewhere we have shown that planters were often guilty of non-compliance with the payment of minimum statutory wages and that the real wages of tea labour often declined or remained stagnant during most of the period of colonial rule. Since the statutory minimum cash payment was inadequate even for subsistence, and since even that was not fully paid, labourers and their families were forced to depend for their daily survival upon the planters' provision of subsidized rations.⁸³

Another practice which enforced the dependency relationship was the grant by the planters of small plots of land to their permanent labour force for private cultivation in the plantation complex. The industry considered it to be an important “concession” that supplemented the earnings of labourers.⁸⁴ Most of the labour reports remarked that gardens with plenty of cultivable land were “popular” with labour. The 1931 Royal Commission on Labour remarked, “The garden worker is essentially an agriculturist, and his desire for the possession of a holding which he can

82. Griffiths, *History of the Indian Tea Industry*, p. 297.

83. Rana P. Behal, *Wage Structure and Labour: Assam Valley Tea Plantations, 1900–1947* (NLI Research Studies Series, no. 043/2003) (Noida, 2003).

84. Griffiths, *History of the Indian Tea Industry*, p. 302; *Report of the Royal Commission on Labour in India* (London, 1931), p. 384.

cultivate with the help of the members of his family is great.”⁸⁵ However, the labourer had to pay rent on such lands and the grants were conditional on the continuation of employment.⁸⁶ The land could be taken back on “disciplinary” grounds.⁸⁷ Besides, the size of these landholdings was very small, averaging between one-quarter and one-half an acre per worker, and was hardly a source of additional earnings.⁸⁸ The Assam Labour Enquiry Committee appointed by the Government of Assam in 1921–1922 did not find that the cash value of crops so raised could be considered as a “concession”.⁸⁹ But, though private cultivation did not contribute significantly to the total earnings of the labour force, in the face of constantly declining real wages, labourers’ dependence on such land for survival increased. Even for those who could escape from garden employment, alternate employment was not a real option: work in other industries, such as might have existed, required different skills.

A third practice of giving “advances” or “bonuses” began when the time-expired labourers were contracted under the Workman’s Breach of Contract Act XIII of 1859. It was asserted that these were popular incentives for labourers who were contracted under this Act.⁹⁰ In reality these advances, or *girmit* (agreement) money, given both in cash and kind, were to be recovered from wages. Given the extremely low level of earnings, these advances became a source of indebtedness and bondage. “It would not be unfair to hold”, noted the Enquiry Committee of 1921–1922, “that the indebtedness of the labourer affects his freedom”.⁹¹ The 1931 Royal Commission found that “before the abolition of Act XIII of 1859 an outstanding advance whatever its nature, was no doubt used as an argument against the grant of a discharge certificate, and to that extent the indebtedness of the labourer may be said to have affected his freedom”.⁹²

The reported cases of fraudulent recruitments, high mortality both en route as well as on the plantations, and large-scale desertions triggered state intervention by the Bengal Council in the form of the labour legislation of 1863 and 1865. Act VI of 1865 introduced a penal system that sanctioned punishment for breach of contract (for three years); planters were given powers to arrest without warrant labourers who absconded,

85. *Report of the Royal Commission*, p. 384.

86. *RTDEL*, 1937 (Shillong, 1937), p. 135.

87. *RALEC*, 1921–22 (Shillong, 1922), p. 24.

88. Behal, “Some Aspects”, pp. 186–188.

89. *RALEC*, 1921–22, p. 24.

90. Griffiths, *History of the Indian Tea Industry*, p. 281.

91. *RALEC*, 1921–22, p. 74. Similar methods used by employers to bind and control the labour force through the system of advances were also used in the Ceylon tea plantations. For details see Vijaya Samaraweera, “Masters and Servants in Sri Lankan Plantations: Labour Laws and Labour Control in an Emergent Export Economy”, *Indian Economic and Social History Review*, 18 (1981), pp. 123–155.

92. *Report of the Royal Commission, Written Evidence*, p. 22.

and to imprison them for refusal to work. The Act also stipulated minimum monthly wages (5 rupees for men and 4 rupees for women) and the appointment of a government inspector of labour, empowered to cancel the contract of labourers on complaints of ill treatment. Time-expired or locally recruited labourers were, however, contracted under the Workman's Breach of Contract Act XIII of 1859.⁹³

Subsequently, all labourers contracted under the Labour Immigration Acts were referred to as "Act labour", while the rest of the labour force, including those contracted under Act XIII of 1859, were termed "non-Act labour" in official reports. In 1882 the Government of India, after hectic lobbying by the tea industry, passed the Labour Districts Emigration Act I, which increased the term of the indenture contract to five years. During the course of the next two decades, when the tea industry grew rapidly, the intensified labour process took its toll on labour life. Appalling working and living conditions, low wages, overwork, and undernourishment leading to high mortality and negative rates of labour reproduction were the consequences of the rigorous operation of the penal system under the 1882 Act.⁹⁴

The working of the penal labour system drew the attention of the Calcutta-based nationalist D.N. Ganguly in 1887 and of independent missionaries such as Charles Dowding during the 1890s.⁹⁵ The labour response to the intensification of work norms and labour processes found expression in increasing cases of desertions, "rioting, mobbing, assaults and unlawful assembly" being reported in official labour reports. During 1902–1903, of fifteen serious cases of "violence" and "intimidation", in four cases managers or their assistants were seriously beaten, and in a fifth the manager saved himself only by the use of a revolver.⁹⁶ About ninety labourers were convicted and sentenced to imprisonment on charges of "intimidation", "assaults", or "rioting".⁹⁷ In 1903–1904 one of the assistant managers "who seems to have been a new man and injudicious in his treatment of the coolies, was set upon and severely beaten by a mob of coolies, who left him unconscious!"⁹⁸ During 1904–1905 one assistant manager in the Jorhat subdivision was attacked by some thirty labourers

93. *RALEC*, 1906, Appendix, p. 136.

94. Behal and Mohapatra, "Tea and Money versus Human Life", pp. 155–161.

95. In 1887 D.N. Ganguly, the Assistant Secretary of the Indian Association, published a series of articles in *The Bengalee* highlighting the abysmally low wages and the appalling conditions in which labour was made to work and live in Assam gardens, a situation which he compared to slavery. Dwarkanath Ganguly, *Slavery in British Dominion* (edited by S.K. Kunda, reprint of thirteen articles published in the newspaper *The Bengalee* between September 1886 and April 1887) (Calcutta, 1972); Charles Dowding, *Tea Garden Coolies in Assam* (London, 1894).

96. See the *Assam Labour Reports* for the relevant years.

97. *Assam Labour Report*, 1902–03 (Shillong, 1903), p. 12.

98. *Ibid.* p. 10. In the same year sixteen other such cases of "rioting", "violence", etc., were reported.

because he had very “[...] injudiciously taken a woman by the ear to force her to return to work”.⁹⁹

Officials investigating cases of “rioting” or unrest in general repeatedly pointed out that these often occurred after “assaults” by the European staff. The Deputy Commissioner of Lakhimpur reported in 1900: “Blows given by managers, or more commonly by assistant managers, to coolies, either for bad work or refusal to work, were the immediate cause of most of the rioting cases which occurred during the year!”¹⁰⁰ Referring to the reaction of the labourers, it was observed that in such cases the “coolies have generally come up prepared to risk and sometimes go to the length of tempting the manager to strike them”.¹⁰¹ In Darrang district the labourers “assaulted” the managers of Kalakuchi and Ghoira tea estates. The reason for the “assault” in one case was that the manager had abused and “assaulted” the wife of one of the labourers.¹⁰² The husband was sentenced to five years’ rigorous imprisonment and the others received from two to six months. In the other case, one labourer was sentenced to eighteen months’ rigorous imprisonment, while his friend was awarded six months’ rigorous imprisonment.¹⁰³ There were cases where the labourers did not merely react to planters’ acts of violence, but demanded certain social and personal rights. In Halimguri tea estate in Sibsagar district it was reported that some Santhal labourers attacked the manager, James Begg, on Kalipuja day. They had demanded a holiday on that day, but the manager not only refused it, he tried to force them to work. Though the manager was not hurt, the court sentenced one labourer to six months’ rigorous imprisonment, two to five months, and seventeen to shorter terms.¹⁰⁴

The news of overtly violent conflict between labourer and planter became serious enough to draw the attention of the Viceroy, Lord Curzon.¹⁰⁵ On his insistence, an investigation was ordered into the causes. The Chief Commissioner of Assam, J.B. Fuller, felt the penal contract system, right of private arrest, and direct managing of labour by the European planters were all factors responsible for the increasing number of outbreaks of violence.¹⁰⁶ On these grounds, the Government of Assam sought the withdrawal of the provision of power of private arrest from the Assam Valley. A majority of persons interviewed in the recruiting districts by the Assam Labour Enquiry Committee of 1906 named the penal clauses

99. *Assam Labour Report, 1904–05* (Shillong, 1905), p. 8; *Eastern Bengal and Assam Era*, 21 February 1906, p. 4.

100. *Assam Labour Report, 1900* (Shillong, 1900), p. 22.

101. *Ibid.*

102. *Ibid.*, p. 13.

103. *Ibid.*

104. *Ibid.*, p. 23.

105. Behal and Mohapatra, “Tea and Money versus Human Life”, pp. 165–167.

106. NAI, Government of India, Revenue and Agriculture, Emigration A, nos 12–14, December 1904.

as a cause of the unpopularity of plantation life among the prospective emigrants.¹⁰⁷ Following the recommendations of this Committee, the government passed the Assam Labour and Emigration (Amendment) Act in 1908 which abolished the penal clauses of Act VI of 1901.¹⁰⁸ Realizing that the penal clauses were going to be abolished, planters resorted to a more stringent use of Act XIII of 1859, which ensured an even more effective control over their labour force.

The Workman's Breach of Contract Act XIII was passed in 1859 at the instance of the Calcutta Trade Association and other similar interests. They memorialized the government, setting forth losses sustained from wilful breaches of contract or desertion of service by workmen and servants, and asking for the application of summary remedies.¹⁰⁹ The Act was supplemented by sections 490 and 492 of the Indian Penal Code (Act XLV) of 1860, making breach of contract of service by a workman (during the journey to and at the place of work) a criminal offence in cases where the employer had paid for the journey.¹¹⁰ The Act XIII of 1859 was passed for the benefit of employers in general, but tea plantations in Assam found it most useful. Initially its application was restricted to locally engaged labourers, but by the beginning of the twentieth century time-expired labourers were increasingly engaged by planters under the Act. The Enquiry Committee of 1906 observed that there was an increasing tendency on the part of tea planters to resort to Act XIII of 1859 for renewal of agreements. Apart from time-expired labourers, newly imported ones were engaged increasingly under this Act as most managers considered it "absolutely necessary that a more rigid form of contract should be retained for new arrivals".¹¹¹

As far as labour was concerned, then, the withdrawal of the penal clauses from Act VI of 1901 did not mean any improvement in their status. The strict application by planters of Act XIII of 1859 for new contracts continued to keep labourers in bondage. In some ways they were, in fact, worse off. Even the official historian of the tea industry had to concede that

[...] the practice of placing free labour under long term contracts under Act XIII of 1859 had to some extent deprived the labourer of such protection as was afforded by Act VI of 1901 and had largely modified the effect of the withdrawal of the provisions of that Act relating to local contract and to the power to arrest absconders.¹¹²

107. See the section on recruiting districts in *Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts* (Calcutta, 1906). The committee reported that out of thirty-one witnesses in the recruiting districts, twenty-eight held the view that the penal contract with its accompanying want of freedom deterred labour from going to Assam.

108. R.K. Das, *History of Indian Labour Legislation* (Calcutta, 1941), p. 23.

109. *Ibid.*; *idem*, *Plantation Labour in India* (Calcutta, 1931), p. 37.

110. Das, *History of Indian Labour Legislation*, p. 26.

111. *RALEC*, 1906, p. 75.

112. Griffiths, *History of the Indian Tea Industry*, p. 281.

Compared with the penal provisions of Act VI of 1901, the punishments awarded to the labourers under Act XIII of 1859 for “breach of contract” and absconding were even more stringent. The Enquiry Committee of 1921–1922 recorded a number of cases where labourers, both men and women, were sentenced to rigorous imprisonment and hard labour for periods ranging from three weeks to three months for refusing to work the entire period of the contract. Even minors were not spared.¹¹³ The Committee reported that children had been arrested and sent to jail pending trial.¹¹⁴ Even after Act XIII was amended in 1920, planters continued to use its oppressive provisions. In 1922 the Committee found that the practice of placing labourers, especially new immigrants, under illegal long-term agreements, illegal arrests of absconders, and the placing of minors under contract were still widespread.¹¹⁵ Such irregularities were overlooked by the leading companies.¹¹⁶

During the years 1920–1922 labour resistance to the indenture system in Assam grew at an alarming rate, and suddenly the numbers involved surpassed all previous figures as the scale and scope of that resistance reached a significantly higher level. The intensity and seriousness of the revolt was sufficiently alarming for the government to appoint an Enquiry Committee to investigate the events of 1920–1922.¹¹⁷ The qualitative difference between labour unrest earlier, and the phenomena witnessed from 1920 onwards, was recognized indirectly in the language of the bureaucracy. Official terminology broadened in order to classify the events of those years. Terms such as “strike”, “disturbances”, and “exodus” were added to the older repertoire of “unlawful assembly”, “intimidation”, and the rest. Between September 1920 and January 1922 cases of strikes, disturbances, and riots were reported in most tea districts in the Assam Valley.¹¹⁸

Detailed information collected by the Enquiry Committee and relating to the above incidents reveals very interesting features of plantation life. Apart from the European planters (managers and assistant managers) there were others in the hierarchy. Among their Indian staff were garden *babus* or clerks, *zamindars*, *chowkidars*, and *mohurirs*; and the *kaya* or the Marwari shopkeeper in the vicinity of the gardens. They subjected the

113. Under Act VI of 1901 it was illegal to place minors below the age of sixteen years under contract. The ITA defined as “minor” those who were below twelve years of age. See *RALEC*, 1921–22, pp. 86–87.

114. *Ibid.*

115. *Ibid.*

116. *Ibid.*, p. 92.

117. *RALEC*, 1921–22, p. 1; *The Bengalee*, 29 June 1921.

118. During the same period equally serious and more well-known cases of exodus and strikes occurred in the Surma Valley (the famous case for instance of the Chargola Exodus, May 1921). For our purposes we are concentrating only on the incidents which occurred in the Assam Valley; *Assam Labour Report*, 1920–21, p. 3; *RALEC*, 1921–22, pp. 6–7.

labour force to varying degrees of economic exploitation or physical coercion. The riots, strikes, and so on of 1920–1922 showed increasing articulation by the labourers of their grievances, and a recognition of this hierarchy of exploiters. For example, in a number of cases the labourers' targets for attack were not only the European but the Indian staff too. There were cases of the Marwari traders' shops and weekly bazaars being looted and property being attacked.¹¹⁹

The labourers' struggle during 1920–1922 certainly did succeed in dealing a death blow to that notorious labour law, the Workman's Breach of Contract Act XIII of 1859. One of the major recommendations of the Enquiry Committee was the abolition of that legislation, which was accepted in 1925 despite strong opposition from representatives of the tea industry,¹²⁰ who argued that any attempt to reform or modify such an Act was useless, as had been shown by the failure of the amendment to the Act XIII of 1920. The planters strenuously opposed the recommendation of the Committee.¹²¹ Two members of the Committee, representing the tea industry, came out against the withdrawal of the Act on the grounds that employees had no security against absconding labourers.¹²² However, pressure from the labour protests of 1921–1922 and from the Indian members of the Legislative Assembly, along with the recommendation of the Enquiry Committee, compelled the Government of India to repeal the Act in 1926.¹²³

The dismantling of the last vestiges of the indenture system deprived the planters of legislative support and legitimacy in running an overtly coercive labour regime. Newer strategies were needed to deal with the changing circumstances of shifting official attitudes prompted by the growing awareness of habitual abuses, and by the display of aggressive labour militancy during 1921–1922 in the tea gardens. Planters now proceeded to work out their own internal system, which effectively curbed labour mobility within the tea districts. An elaborate set of rules was drawn up by the ITA in 1929 to discourage enticement of labour from within the tea gardens, and this became the basis of the Revised Brahmaputra and Surma Valley Labour Rules, and was agreed upon by the tea companies.¹²⁴ The Rules prohibited one manager from deliberately "enticing" or employing labourers from another garden. Rule No. 2 unambiguously laid down that:

119. *Ibid.*

120. *Ibid.*

121. ITA Report, 1921, p. 8.

122. *Ibid.*, p. 90.

123. *Central Legislative Assembly Debates*, 20 February 1923 and 2 February 1925 (Calcutta, 1923 and 1925).

124. IOL, ITA Circular no. 35, 16 October 1929, ITA Papers, mss Eur 174/bay 1/shelf 2.

[...] no subscriber to these rules shall employ directly or indirectly or harbour or detain any coolie (whether under contract or not) who has been imported by another concern, within the period of three years after importation, it being understood, however, that no claim under this rule shall be made or entertained unless duly formulated within two calendar years after the coolie has left the importing concern.¹²⁵

For the arbitration of disputes an internal Court was to be constituted by the ITA branch committee on receipt of written complaints. The breach of rules was punishable with fines varying from 300 to 1,000 rupees.¹²⁶ D.V. Rege, appointed to enquire into conditions of labour in the plantations in 1946, reported that, though these rules were terminated with the consent of the planters with effect from 14 September 1938, they reverted to the practice within a year. In 1939 an agreement known as the Brahmaputra and Surma Valley Local Recruitment Agreement was signed by the planters with identical provisions,¹²⁷ but to make it more effective it was stipulated that if an estate employed an “enticed” immigrant from another estate then it should be obliged to pay that original estate a “transfer fee” of 75 rupees for the first year, 50 rupees for the second, and 25 rupees for the third.¹²⁸ Thus even after the withdrawal of indentured contract and Act XIII of 1859, the planters still managed to restrain labour mobility within their plantations.

One of the most effective means of sustaining the geographical isolation of plantation labour was through control over the freedom of movement of that labour. Most of the labour working and living within the gardens was employed under the penal contract system, and, as already pointed out, kept under close surveillance. Life on the plantations under this system was perceived by most labourers as a *phatak* (literally jail). As the Deputy Commissioner of Lakhimpur ruefully noted: “Every form of punishment however mild and whether really done for the coolie’s good or not is designated as *phatak*.”¹²⁹ The successive official enquiry committees and commissions often commented disapprovingly upon the imposed immobility of labour as an irrational system, but no action to dismantle it was seriously considered.

For example, when the penal provisions were withdrawn in 1908, planters were clearly unhappy and argued that Act XIII (which was still in

125. *Ibid.*

126. *Ibid.*

127. Rege, *Report on an Enquiry into Conditions of Labour*, p. 28.

128. *Ibid.*

129. Government of India, *Special Report on the Working of Act I of 1882 (Indian Emigration Act) in the Province of Assam During the Years 1886–1889* (Calcutta, 1890), p. 240. Over a decade later the Chief Commissioner, J.B. Fuller, noted in 1903 that among the coolies the whole plantation system was commonly regarded as a *phatak*; NAI, Government of India, Department of Revenue and Agriculture, Emigration A, nos 12–14, December 1904.

force) alone could not afford the necessary control over their labour force. The Enquiry Committee of 1906 had, however, suggested that better treatment of labour by the planters and the availability of enough wasteland to settle the immigrants would be sufficient to keep the labour force under “control”. The planters did not agree. The Chairman of the ITA retorted, “The majority of imported labour is not the thrifty settler, but of a type naturally indolent, who will work with a little judicious handling, but from whom some sort of security against enticement and outside influence is necessary to safeguard the employer from loss of his heavy recruiting expenses.”¹³⁰

On the question of “outsiders” and “outside influence” the planters developed a siege mentality bordering on paranoia. They considered the entire area of the plantations as their private property and therefore anyone from outside who wished to go through the gardens had to seek prior permission from the manager.¹³¹ The Royal Commission was not impressed though, and remarked, “We do not regard as satisfactory the existing position where workers are largely isolated from outside influence and any member of the public may be effectively prevented from approaching the workers’ lines except with the manager’s permission.” As to the planters’ argument of the “danger of outsiders exploiting the ‘illiterate’ and ‘ignorant’ labour force on the tea gardens”, the Commission commented that “this is a risk to which every industry in India is exposed, and we think it better to face it than to continue a policy which inevitably gives rise to suspicion and is liable to be abused”. They recommended that steps should be taken to “secure public contact with workers’ dwellings on all plantations”.¹³²

Omeo Kumar Das, the Congress MLA from the Assam Valley, was the first publicly to contest this position of the planters. In November 1937 he informed the Secretary of the Assam Legislative Assembly of his intention to move the Assam Tea Garden Labourers’ Freedom of Movement Bill, and sent a communication to that effect to all concerned, including the representatives of the ITA. In the statement of objects and reasons of the intended bill he argued:

It is generally felt that freedom of movement of tea garden labourers is limited in a manner unheard of in any other industry. They are not allowed to go out of the

130. ITA Report, 1909, p. 49.

131. *Assam Legislative Council Proceedings*, 1927, vol. 7, no. 5 (Shillong, 1927), pp. 40–103.

132. *Report of the Royal Commission*, p. 378. Planters in the Ceylon tea gardens adopted similar methods to isolate their labour force from the “mainstream of political and trade-union developments in the rest of the country. A strict surveillance was maintained on plantations and trespass laws prevented ‘outside agitators’ from having access to the labour force at its place of work.” Samaraweera concludes from this that “these restrictive features of plantation life inhibited the rise of trade unions or any form of independent organizational activity among the workers”. See Samaraweera, “Masters and Servants in Sri Lankan Plantations”, p. 22.

estate whenever they want to do so. It is a common practice to engage night chowkidars to keep watch over the lines and prevent labourers from leaving the estate. The impression has been created in the minds of labourers that they have no right to go out of the gardens of their own free will. This constant restraint on their right of free movement has reduced them to a state of slavery.

Through his bill he intended to put an end to the forced isolation of the existence of labourers in the tea gardens: "Removal of obstructions will help to establish contact with the outside world which is absolutely necessary for their moral and economic advancement."¹³³

The immediate response of planters was anger and protest against these "allegations". F.W. Hockenull, the ITA representative, threatened further action on the subject unless objectionable expressions were removed from the letter. In the conference called to discuss the bill he arrogantly dismissed the arguments: "So far as the letter is concerned in which the conditions of the tea garden labourers is so described, it is sheer nonsense. We are not here to talk about nonsense."¹³⁴ As to the complaint of preventing outsiders' entry and free movement, the ingenious explanation was that "access to outsiders was only denied for the consideration of contagious disease they might bring to the gardens"¹³⁵ At the same time, to cushion the impact of Das's bill and to prevent matters escalating into a public debate, the planters made a show of terminating the Assam and Surma Valley Labour Rule. They further assured that no restraint would be placed on labourers on attending any meeting outside the gardens. But if contact were to be attempted inside the garden, managerial permission would be required.

The bill was withdrawn, as the planters' representatives managed to convince the Congress Ministry that the grievances addressed in it would be removed.¹³⁶ That assurance was not honoured, for in 1946 Rege reported the continuation of the old practice of *chowkidars* keeping watch, and the requirement of managerial permission still in place. "Even in cases of marriages, the consent of the manager concerned is generally sought to save trouble."¹³⁷ It was only after the attainment of Independence in 1947 that rules were framed under the plantation code to guarantee freedom of movement in the tea gardens.

133. ASA, Government of Assam, General and Judicial Department, Immigration B, nos 34–63, September 1939, pp. 48–49.

134. *Ibid.*, p. 81.

135. *Ibid.*, p. 79.

136. ASA, Government of Assam, General and Judicial Department, Immigration B, nos 34–63, September 1939, p. 49; *Assam Administrative Report, 1938–39* (Shillong, 1939), p. ii; Guha, *Planter Raj to Swaraj*, p. 243; ASA, Assam Legislative Assembly Debates, 1938, vol. 2, pp. 820–821.

137. Rege, *Report on an Enquiry into Conditions of Labour*, p. 28.