



The rights of women workers in the tea gardens of Assam

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Abstract

This paper examines the conditions of women workers in the tea gardens of Assam. The objective of this paper is to find out the level of enjoyment of workers' rights by the women workers. Workers' rights are relatively a new addition to the modern concept of human rights. The International Labour organization was formed to protect workers' rights. The Universal Declaration of Human Rights, The French Declaration of the Rights of Man, The Constitution of India and the like has talked about workers' right. Every worker in all sectors (organized/unorganized) including the tea industry must have workers' rights. But the condition of women workers of the tea gardens is very pathetic. They are deprived of various workers' rights. Moreover, many of them even today have no idea about what are workers' right. They are also facing various socio economic problems.

Keywords : Women workers right, tea gardens.

1. Introduction

Workers rights are relatively a new addition to the modern concept of human rights. Karl Marx is one of the earliest and most prominent advocates of workers rights. Labor rights/workers rights are a group of legal rights and claimed human rights having to do with relations between workers and their employers, usually obtained under labour and employment law. Generally labour rights' debates relates to workers' pay, benefit and safe working conditions, unionism etc.

In the year 1919 as a part of League of Nations the International Labour Organisation was formed to protect workers' rights. Later on ILO became a part of United Nations. Universal Declaration of Human Rights in Art. 23 and Art. 24 talks about workers' rights.

Art. 23 says that—

- Everyone has right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- Everyone, without any discrimination, has the right to equal pay for equal work.

- Everyone who work has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of a social protection.
- Everyone has the right to form and to join unions for the protection of his interests.

Art. 24 says that –

- Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

The International Convention on Economic, Social and Cultural rights of U. N. also talks about social, economic and cultural rights. The Indian Constitution under Directive Principles of state policy talks about various rights of the workers like right to adequate means of livelihood, right to equal pay for equal work, right to human conditions of work and maternity relief, right to working conditions ensuring decent standard of life for workers, right of workers to participate in management of industries etc.

Thus, various national and international documents and organizations talk about workers' right. Every worker in all sectors (organized/unorganized) including tea industry must have some rights as a worker. But workers' rights are violated in almost all sectors. The tea industry is not an exception. Though way back in 1951, the Indian Govt. had passed the Plantation Labour Act, we can't say that tea garden workers are enjoying their rights. The condition of female workers are more pathetic than their male counterpart.

2. Women workers of the tea garden

Assam is the land of tea gardens. It is the oldest and the largest tea producing state in India with about 55% of the production in the country. Tea Plantation requires a very large labor force. Women have been employed in the tea industry from its inception. Out of the tea labor employed more than 50 to 60% is engaged in crop harvesting. From among these crop harvesting about 80% are women. Thus, women are more than half of the labor force of tea gardens in Assam.

3. Condition of women workers of the tea gardens in Assam

The condition of women workers on plantation everywhere is universal and similar. These women are always from the most backward and economically weaker section of society and hence are extremely vulnerable to all forms of exploitation. They are exploited and dominated by male at both domestic and occupational levels. The exploitation of women workers was common on tea plantations and still exists even to this day, only the forms and degree of extent have changed over the years. Since the beginning of tea industry women workers are discriminated with separate wage rate than their male counterparts until the fixation of the minimum wage rate in 1990. Women workers are assigned the lower status in the functional and social hierarchy on tea plantations. Hence they are subjected to all kinds of abuse and ill treatment at the hands of their employers. These women have very little exposure to the outside world. They even have no knowledge about what are their rights as worker.

As per law apart from other basic workers' right they are entitled some special rights as women

worker. Plantation women workers must have maternity leave, just as for other workers. The period of maternity leave must be at least of 12 weeks and not less than 6 weeks. Leave is to be taken after the child is born. No pregnant women should be required to undertake any type of work which may be harmful to her health. A female plantation worker should not be dismissed because she is pregnant. She is entitled to interrupt her work to nurse her child.

In the year 2004 a study was conducted by North East Research Centre (Guwahati) on 172 tea gardens in Assam. They have interviews and group discussion with the family and workers. The study shows many violations of the provisions of The Plantation Labour Act 1951. Workers are deprived of safe drinking water, crèches, schools, proper health facilities, and sanitation for women workers, shelter and the like. Another problem is that they do not get their wages on time. Moreover, the wages they get differs from the actual. Management cuts down some amount of their wages in the name of various facilities provided to them (which actually never exist). Provident fund is one of them. But for last 10 years not a single retired worker gets provident fund. Conditions of these workers are going down day by day. Whatever least facilities they were getting in the past now they are deprived of those things. Another serious problem is the condition of the workers worked in abandoned and closed tea gardens. A report published in the year 2003 by Inter Ministerial Committee on Plantation Labour, shows that Assam is one of the states where largest defaulting in the payment of workers' dues have occurred.

Moreover, women workers of tea plantations in North East India played a limited and passive role in unionism. Their participation in the trade union is low than the male laborers. The trade unions are not giving special attention to the specific needs and interest of women workers on their agenda. It is because women themselves are not ready to take up their own issues and problems. Moreover, these women are ignorant and illiterate. They are also busy in their household work and many times their husbands discourage them to participate in union affairs.

The management can exploit them because of their helplessness. The workers have no choice. They have no other easily available jobs. They have no cultivable land to cultivate. Moreover, if management violate any labour related rights nothing harm can be done to the management. Legal procedure is too lengthy and monetary penalty is too little for the management.

4. Some problems faced by the women workers of Assam :

The women workers are not only deprived of various rights but also face various other problems inside the tea gardens. The tea planters exploit them along with the male counterparts with every possible way. Since they do not have any alternative in occupation they have to accept the harsh life inside the tea estates. They are facing various social, economic and health related problems as discussed below :

- 4.1 Poor health care facility—Health care facility is not in good condition in numbers of tea gardens. According to a newspaper report when Assam Govt. is opening up new new medical colleges in various parts of the states, in many tea gardens of Assam there is not a single physician to look upon. There are some tea gardens where a pharmacist is not available. The tea gardens under the big tea companies generally have one hospital with adequate facilities. But majority of the tea garden workers worked in the gardens run by single owner, therefore as a whole the tea garden workers are living under a pathetic health care condition. On the other hand only the permanent worker can avail health care facility provided by the tea gardens.
- 4.2 Maternal mortality—Maternal mortality is another problem faced by the tea tribes women working in the tea gardens. Even during pregnancy and post natal period, women continue to engage in hard jobs. These caused harm to their health and also to the baby.
- 4.3 Problems of epidemics like malaria and diarrhea—Tea garden workers are living in unhygienic environment. As a result they suffer from various diseases like malaria, diarrhea etc.

- 4.4 Unsafe drinking water—Safe water is a big problem for these people. They use to drink the contaminated water. According to Unicef report, children died in their tender age due to diarrheal disease that result when unsafe water is mixed with powdered milk.
- 4.5 Early marriage—We can see cases of early marriages in the tea garden societies. Economically weak parents do not want to take the burden of rearing a girl child for a longer time. Early marriage is another cause of maternity death.
- 4.6 Child Labour—Another serious problem among the tea tribes is the problem of child labour. Women pluckers have to carry their children to the fields because there are no child care alternatives. Children in the tea industry involve in the function of plucking, weeding, hoeing, nursery work etc. Sometimes they are also made to work in the factories against established law.
- 4.7 Alcoholism—Alcoholism of the men folk is a serious problem. Usually the men folk lead an idle life. Women are working hard and earn money. Their husbands are used to drink country bear. They often beat their wives bitterly. Cases of domestic violence are in alarming rate in the tea garden areas. Due to excessive consumption of drinks male lost their mental balance and beat their wives mercilessly.
- 4.8 School dropout—Most of the children inside the tea gardens can not finish their primary education, specially the girl childs. Due to poor economic condition education becomes a luxury for them. The elder children usually engaged in rearing the other children instead of going to school.
- 4.9 Superstitious beliefs—Tea tribes are mostly superstitious. In the treatment of various diseases they follow traditional therapy to cure the patient. Now a days case of witch hunting is also increasing in tea garden areas.

5. Conclusion

Thus tea tribes working in the tea gardens of Assam are having various problems in their life. Though in the year 1951 the Plantation Labour Act

was passed to protect and promote the tea garden workers yet the potential benefits promised under Plantation Labour Act remain unachieved. Rights of these women workers are being violated from the inception of the tea industry till today. No student union no political party can change their pathetic

condition. At this juncture this is an appeal to the government to do something meaningful for this section of the society. Along with this the women workers themselves must be aware of their rights. Then only we can hope for a better future of this section of the society.

References

A report by North East India Dairy, April 18, 2008.

Bhowmick, S.K., & Kalam, M.A., & Xaxa, V., 1996 : *Tea Plantation Labor in India*, New Delhi, Friedrich Ebert Stiftung Publication.

Das, T.C., & Sharma, K.M. 2008 : *Agony of Plantation Workers in North East India*, New Delhi, Kalpas Publication.

Gonsalves, Lina. 2008 : *Women and Human Rights*, New Delhi, APH Publication Corporation.

Kaniampaddy, Elizabeth FMA. 2003 : *Status of Women Workers in the Tea Plantation*, New Delhi, Akansha Publication House.

Kumar, Amarendra Narain., & Kumar, Purnendu., & Singh, S.N., 2006 : *Socio Economic and Political Problems of Tea Garden Workers*, New Delhi, Mittal Publication.

Kumar, Purnendu., 2006 : *State and Society in North East India*, New Delhi, Regency Publication.

Yasim, Adil Ul., & Upadhyay, Archana., 2004 : *Human Rights*, New Delhi, Akansha Publication House.

