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**Marginalisation of Women Plantation Workers in
Wage and Labour**
WORKING PAPER

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Introduction

The Indian Tea Industry, topographically concentrated in the States of Assam, West Bengal and Kerala is the country's oldest beverage industry that adds India to the list of top 5 exporters in the world, accounting for 10% of the total exports. Among the 1.5 million workers employed under the Plantation system, women constitute more than 50% of the labour workforce, outnumbering the men workers both in numbers as well as labour contribution. Despite being the key agents of labour in the tea production chain, the constant refutation of them being the primary breadwinner in a system unequally and unfairly dominated by men has led to a sense of incapacity in the women, further making their voices meek to stand against the discriminatory practices meted out to them. Ironically, India being the signatory to UNDP's Sustainable Development Goals (SDG), ranks 123rd out of 189th countries in the United Nation's Gender Inequality Index.

This paper will investigate the looming question of gender gap in the tea plantation workers, denial of existence of women's labour and struggle to grapple with the double burden of livelihood earning and unpaid social reproduction, contextualise the economic and political marginalization that has led to an accepted 'secondary status' of women in the hierarchy and lacunae in the implementation mechanism of the associated welfare provisions and legal frameworks.

Distinct nature of persistent inequality

As per the Fact Finding Mission Report, the tea plantation workers originally belong to the Tribal or *Adivasi* communities who stricken with poverty and deprivation were lured by the colonial estate planters to relocate to the plantation lands with entire family on the false pretext of favorable remuneration and living conditions. Located in isolation, these estates restricted the mobility of the workers to explore any other scope of employment. Since the beginning of time the widespread presence and coveted demand of women in the workforce was backed on the premise to 'populate' the plantations and a mainstream opinion that employment of female labour is cheaper, rate of productivity is higher and net result of unit costs of production is lower (Elson & Pearson 1982). Certain forms of tasks like plucking and pruning are traditionally gendered as they are deemed to be "quintessentially feminine" and demand prerequisites like 'nimble fingers, docility and willingness to accept tedious, repetitive and monotonous work', attributes assumed to be inherently present in women but are physically taxing in practice. The job availability to the women primarily as a worker in the plantation system is based on inheritance and kinship. The conditioning makes it pertinent enough for a women tea worker's daughter to become the part of the system or inherit her mother's job on retirement. In a conversation with Asia Experts Forum, Sarah Besky, a distinguished cultural anthropologist, talks about the 'compensation structure' on tea plantations to be the root cause of subjugation of women workers. Provisions like basic housing, healthcare, child facilities that are extended to the workers as part of a certain legal enactment (PLA 1951) act as compensation for the abysmally low, meager wages. This income is nonoptimal to sustain their

livelihoods, provide subsistence to family or save against future risks. The invisibilisation and devaluation of her productive labour relegates her hard-earned wage supplementary to that of her husband's (Sharma 2022). Therefore, for the women workers it is a constant tussle between sustenance and stereotypical prejudices that excludes them to exploitative work practices. Inter alia, housing, is a major compensation provided to the workers on paper but, in reality the insecurity of 'tenure' leaves the women living on the fence. The residence land of most workers is owned by the¹ management of that estate, and the ownership fluctuates as the managing actor changes without any specific regulation in place to cover the security. Considering that the whole of the family is involved in the plantation work, house and job are intertwined resulting in the tenure right's dependence on the labour provided on the estate. So, when the male members of the family migrate to urban milieu, the burden of economic survival falls on the women of the household as someone must continue to perform the labour-intensive task to protect the shelter.

The disproportionate casualisation of women labour hinders their accessibility to social welfare services as the same does not extend to the temporary workers. The tasks upheld by the women tea workers is often connoted as being 'unskilled' thus sabotaging their existing marginalized, social standing and positioning them to a 'secondary status.' This further leads to normalisation of female workforce as a 'reserve army of labour' who can be hired or fired as per the sheer convenience of the higher authority adding up to their job insecurity and financial instability. It is an interesting facet to note here, as Sarah Besky states, that 'it is by women's labour that there is a house, and it is also by virtue of women's productive labour and social reproduction that children have meals at night and place to sleep' (AEF). Women devote themselves to the unmonetised domestic role as well as the underpaid, strenuous, deprived environment but this extraction of labour does not repay them in any kind of benefits instead escalates their social and economic vulnerabilities.

Shift in labour laws through the years- for better or worse?

The legislation of Plantation Labour (PL) Act, 1951 was based on the realisation that the legal mechanism prior to this time could not suffice to protect the basic, fundamental interests of the tea workers and failed to promote a suitable, dignified living for them. The PLA, 1951 anchors the regulation of provision of social and economic welfare and underlines these provisions under the brackets of 'statutory' and 'non-statutory'. As in practice, women workers' systemic subjugation in the social power and economic devaluation pushes them at the lowest rung of the entire system, the welfare facilities of education and health puts hyper focus on their betterment. But even with women as focal points, the availability and eligibility of the social security measures is limited only to permanent workers and formal employment as the act does not extend these benefits to the casual labour who compose more than 40% of female workforce (FFM 2016). In a study by OXFAM, among the women tea workers '78% of them are illiterate or only capable to sign their names at the time of wage collection.' The legislation making development of schools within 1.5km of the 'labour lines' in the estate compulsory for states, the promise of this shortened distance is not met making it difficult for the women workers to send their daughters to travel for long hours in the unsafe vicinity in and around the plantation areas.

Virtually all women workers are uninformed and unaware of their maternity protection rights essentially pre-natal and post-natal care (GNRFN 2016). The comprehensive healthcare services are more of an illusion as for the case 'the State of Assam has the highest levels of Maternal Mortality Rate (MMR)' (Assam Human Development Report) and absence of robust childcare in the form of creche facilities makes it imperative to understand that the inefficacy in implementation has left the benefits not lucrative enough to pull women out of the breadline. A considerable amount of empirical evidence questioning the merit of the PLA has brought the latter under extensive scrutiny with researchers like J. John and P. Masingh calling these measures 'these are not entitlements, but instruments of enticement the planters offer to retain workers in the plantations.' (FFM 2016)

Abiding to a widely expressed opinion that India has been functioning under a legal framework that is 'outdated and asynchronous', a newly enacted unified code, the Social Security Code, 2020 that consolidates the enactments extending safety nets of income security, maternity benefits, educational facilities, health, and nutrition, is brought into play. By defining 'unorganised workers' that incorporates majority of women workforce of tea plantation industry among others, the Social Security Code (SSC) opens the avenue for plantation owners to enroll their workers to Employees State Insurance Corporation (ESIC) that ascertains these benefits of employment allowances, sickness benefits, maternity leaves et cetera. In contrast to PLA, this code has put forth the provision of reduction in the working hours and of the basic wage component to not be less than 50% of the total remuneration. It also mandates the set-up of an exclusive Social Security Fund for the unorganised workers and the National Social Security Board to recommend affirmative schemes and monitor the application of the same. 'These codes have amalgamated, simplified and rationalised India's complex labour law regime' (The Wire) but are not devoid of discrepancy. Striving to penetrate at the grassroot levels of the Plantation industry, the SSC's vision is a work in progress. The absence of a regulatory body to take charge of 'Tea Industry' and different union ministries covering varying aspects of the Plantation industry fragments the core issues of workers all over the place and showcases a fractured landscape. For instance, the funds allocated to the Social Security Funds for were 'unutilised since its inception and the government was unable to map this unutilised accumulated fund over the years' (CAG Audit Report 2016-17) as the fund was unmonitored. After having endured generations of gender biased oppression, the women tend to have accepted the notions and practices that thrusts them to the role of a second fiddle. Therefore, when they find themselves deprived of the welfare services that are promised to them by the law of land, the gender gap and functioning lag further widens manifold for them.

Tracing the interlink- economic and political marginalisation

Discrimination of all forms, at all platforms shares a common parlance. An asset and backbone of the tea industry, women workers are living at the economic brink that in turn affects their social and political visibility. For a just and equal system and its industrial relations, it is a demand to have a communicating intermediary to bargain and negotiate between the employer and workers for not only better management but also as a medium to raise the voices and cater to the grievances of the workers. Such is the conceptualisation of a 'Trade Union' that "has not only economic objectives but also other objectives which have gained attention in connection with changing socio-political environment" (Basistha, Pathak 2020). In the Trade Unions of the tea plantation

industry the dominant workforce that of the women finds the scantiest representation. With family as an institution and patriarchy as its salient characteristic, women's engagement in the trade unions is directly influenced by them. The patriarchal restrictions do not allow the women tea workers to go out independently for their wage collection as ultimately the income is controlled and managed by the men of the household. Within the union, the domination of men in holding superior positions of authority creates an unwillingness among the women workers to be associated with the same as they are accustomed to the suppression of their voices and identity as a resource to the economy and society, in general. From a study conducted in the State of Assam, out of 37 respondents only 9 women held membership positions in the union (Duara, Mallick 2019). Rest of them were either made a member not by individual choice but on the influence of their male counterparts like husband, brother and father who were part of the union (Sarkar, Bhowmik 1998) or owing to the rate of illiteracy among women workers many of them lacked the political consciousness to take part in the union activities or got to know about their membership only at old age. With representation and visibility so minimal, the issues of women's discrimination went unheard. The fundamental example of this stands to be unequal wage remuneration to the women tea workers. Because the wage to be given is decided through a 'Collective Bargaining Agreement' - an agreement between workers, trade unions and government every three years (Al Jazeera), women inoccupancy of this space has left them at the bottom strata of the plantation hierarchy. Transition in the larger political economy of the country that has resulted in politicisation of trade unions has diluted its foundation and cause of fight as the leaders look out for political gains and successes, turning a blind eye to the sufferings of the workers. Sarah Besky in her study on Darjeeling Tea Planters puts forth the argument as to how the wave of neo-liberal ideology that advocates the 'free market' and supersedes the role of private players viz a vis public/state is based on the premise of 'fair trade' which has significantly contributed to dwindling state welfare measures that protect the interests of the workers and impacted the working of the labour unions negatively. She states, "Although fair trade makes claim to universalistic notions of social justice and workers' empowerment, what fairness means and how it is experienced varies by locale" (Besky.2008). She reinforces that fair trade undermines the authority and responsibility of state to ease out the living conditions of the workers and dissolution of trade unions as they regarded as barriers to trade will aggravate the woes of the workers proving detrimental for their well-being.

To see women as leaders or share the equal platform of participation in trade unions is a rarity and those who have been able to break the shackles of entrapment had a struggle of their own. A few case studies in point like the creation of independent labour unions of female workers and protests to fight for their rights has brought in a ray of hope for change in gender dynamics. In Assam, the women went ahead to boycott the mainstream trade union, the Assam Chah Mazdoor Sangha (ACMS) and formed a union called The Adivasi Labour Union that had solely female workers as members and superior heads. The uniqueness of these independent labour unions run by females is that women irrespective of social cultural background could turn up to get redressal of their issues. The Munnar Plantation Women Workers Strike, 2015 that started the movement 'Pembilai Orumai' is another example of women coming together to fight against the predicament of their marginalisation on the virtue of their identity as a 'woman'. It is intriguing to know that the workers to went on this strike did not have the fight against the 'polarizing view of the gender divide' but

rather a demand to gain the fruit of the productive labour they put on in the economy (Kamath & Ramnathan 2017).

Conclusion

It has taken women tea workers years of political savvy to acquire the strength to stand against their lifelong deprivation from resources and benefits. What is understood is the deeply embedded, sexist understanding that women lack the know-how to lead associations and organisations is at the crux of their underrepresentation. With welfare and legal mechanisms at place, the need of the hour is to promote for holistic development of women that treats her as an equal member in all the realms of this society. Taking inspiration from the creation of independent trade unions and women led strikes across the major tea producing States will set the course for the women of the plantation industry to rebel against the violations and smash the glass ceiling.

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Sarah Besky on India's tea plantation workers <http://asiaexpertsforum.org/sarah-besky-indias-tea-plantation-workers/>