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THE PLIGHTS OF THE TEA-PLANTATION WORKERS IN NORTH BENGAL: WITH A SPECIAL EMPHASIS ON THE FEMALE LABORERS & THE LEGISLATIVE FRAMEWORKS

~ *Sneha Pal*

Introduction

The moment we take a sip of tea in the morning, we hardly remember that a woman has plucked the leaves while carrying a heavy basket on her back. We hardly visualize the laborers in the plantations amidst major adversities like low wages, environmental uncertainties, closure of the gardens. Tea, besides being a delicacy to over 80% of Indian households, is a cash crop in the Indian agricultural economy adding millions of dollars to our National Income. The cultivation of the imperial cash crop which initially emerged through a feudal system has become a largely privatized sector nowadays. Due to the financial crisis resulting from lack of maintenance and recurring losses, the tea gardens are often handed over to the private companies. They hardly care about the welfare of the laborers. The negligence in the surveillance by the higher authorities has led to the problems like mushrooming of small tea-bushes which are often illegal. On the other hand, the trade unions fail to conduct fruitful negotiation between the workers and the employers. Most of the laborers being casually employed suffer the most. The majority of the work force consists of female laborers and mostly casual workers. ¹They are crucial especially for plucking the tea-leaves and buds but are considered to be “unskilled”, contingent and inferiorize them from the male labourers. The socio-economic factors nullify the assurance of their basic needs exposing them to human trafficking etc. The effectiveness of the existing trade unions is weakened by the ‘proxy representation’ of women and little participation in various deliberations. Despite having a number of schemes and laws for their welfare, the systematic corruption prevents them from

¹ Priyadarshini Bhattacharya, Gendered Harm and Social Abandonment: Stories of the Dooars Women Tea Garden Workers, 10 JSIS 53, 56 (2024), <https://journals.sagepub.com/doi/10.1177/23944811241236810>

benefitting the people of the grassroot level: the workers. Through this article, we will address the vulnerabilities of the female labourers and the violation of existing laws and their basic rights.

Where do 'they' come from?

The majority of the workers are not indigenous to this region. The tea belt in North Bengal and Assam being surrounded by economically vulnerable regions became a nodal point for immigrants from neighboring regions seeking for job security. Over generations, their mental, economic as well as spatial idea of '*Desh*' or homeland has been confined to this area only. Their origin essentially can be traced back to these two regions -

Peripheral states of West Bengal:

²Their forefathers had migrated to this region during the colonial era from the economically impoverished regions of Jharkhand, Chhattisgarh, Madhya Pradesh etc. For example, the ³Dooars tea industry began in 1874. To supply sufficient laborers, inhabitants from the Adivasi communities were dislocated from the Chotanagpur plateau, especially Dumka, Hazaribagh, Ranchi and Chaibasa. The majority of the tea tribes in the 19th century ethnically consisted of the Oraon, Mundas, Kharias, Mahalis and Santhals and settled in the catchment areas of the tea garden. Gradually, they were subjected to forced acculturation to adapt to living in the tropical tea environments.

Immigrants from Nepal

The suffering of the Nepalese people for belonging to the so called lower order in the social hierarchy of Nepal and the climatic and topographic similarity between Nepal and North Bengal (specially Darjeeling) are the push factor and the pull factor respectively behind the massive migration of these people to the aforesaid region looking for job security. ⁴These immigrants settled in the Darjeeling tea belt and the terai area. The women workers mainly belong to the Hindu community. Many of them are also from the Adivasi community and the Dalit Community. 'Black tribes' & 'White tribes' - these racial terms are generally used to

² SHARIT K BHOWMIK, Living Conditions of Tea Plantation Workers, 50 EPW 29, 29 (2015), <https://www.jstor.org/stable/44002859>

³ Priyadarshini Bhattacharya, Gendered Harm and Social Abandonment: Stories of the Dooars Women Tea Garden Workers, 10 JSIS 53, 54 (2024), <https://journals.sagepub.com/doi/10.1177/23944811241236810>

⁴ Ibid 56

address and manage these two ethnicities coming from two different geographically distinct landscapes.

What do ‘they’ face ?

The major adversities prevailing in their work life include-

Financial Insecurity - The minimum wage for the unskilled labor is Rs. 376 in West Bengal and they are paid only Rs.250, though it is argued that they should be considered as semi-skilled laborers. According to the Plantation Labor Act , the management has to provide them with the money for food, housing, medicine, fuel and for the education of their children. All these cannot be afforded within such low wages. They cannot arrange for elementary or higher education for their children which hinders their mobilization as they remain unskilled to work in another field.They are often illegally engaged as ‘child laborers’ which are denied as well.⁵In 1998, the Government of West Bengal introduced a Scheme for Financial Assistance Given to Workers in Locked out Industrial Unit (FAWLOI) to support them during the closure. But the current rate of Rs. 1500 is too inadequate to meet their basic expenditures.

Food Insecurity - ⁶A fact finding mission initiated by PBCMS (Paschim Banga Cha Majoor Samity), affiliated with RTFWC (Right to Food and Work Campaign) marked 44 people among 122 respondents having BMI< 17 indicating nutritional inadequacy due to insufficient food intake, low quality dietary practices & other existing health concerns. In January 2004 the Supreme Court ordered the state government to provide food grains to the workers of the closed tea garden workers under the **Antodaya Anna Yojana (AAY) scheme**. Under the **National Food Security Act, 2013**, it was declared to be a legal right. In 2016, the State government expanded the scheme to all the tea plantation workers. Till date, numerous families having 4-13 members depend on one single ration card. Additionally, the AAY quota being set according to the 2011 census, this scheme fails to accommodate the increase in population in a decade. The overall malnutrition enhances the chances of anaemia and other diseases, affecting their number of days at work and finally their daily wages.

⁵ Government Indifference Exposes Humanitarian Crisis : A Study of Plight of North Bengal’s North Bengal’s Tea Garden Workers, Fact Finding Report published by Right To Food and Work Campaign, West Bengal (April 12, 2024) prepared by Advocate Purbayan Chakraborty and Atendriya Dana, Right to Food and Work Campaign, West Bengal under the guidance of Anuradha Talwar, Paschim Banga Khet Majoor Samity - Page 10

⁶Ibid 6-7

As a result, ⁷starvation to death (within 2000-2015, 1200-1500 workers have died due to starvation in 17 closed tea plantations in Jalpaiguri and Alipurduar Districts) has become a regular issue among the workers(both permanent and non-permanent). Their direct exposure to the pesticides and insecticides while spraying them in the garden make them more prone to chronic diseases.

The hurdles faced by the female workers:

⁸The female labourers constitute almost 80% of this workforce engaged in tea-plucking. There are certain reasons behind their dominance as laborers in the plantations-

1. **Disparity in wage:** Women are traditionally treated as ‘cheaper laborers’ than their male counterparts. Despite their large contribution in the production, they are less paid.

⁹The employers in the tea industry argued that since employment was family based, they take the 1.5 units of consumption into account for fixing minimum wages though it was decided to consider 3 units of consumption to fix the minimum wages of the female workers by the Indian Labour Conference, 1957. The Royal Commission of Labour in India had noted that the employment of family members did not justify the extent of low wages(especially of the women) in the tea industry.

2. **Dire condition of the work ambience** - Women have been deployed as pluckers since the inception of the industry as they are considered to be more efficient in plucking and sorting the leaves and the buds by their hands. This method retains the freshness and ensures a milder taste. ¹⁰But in reality, women carry heavy loads of tea leaves on their back while working in the uneven terrain on their feet all day long , often amidst hazardous conditions of weather(risk of landslide during rainy season etc).

⁷ SHARIT K BHOWMIK, Living Conditions of Tea Plantation Workers, 50 EPW 29, 30 (2015), <https://www.jstor.org/stable/44002859>

⁸ SUJATA GOTHOSKAR, This Chāy Is Bitter: Exploitative Relations in the Tea Industry, 47 EPW 33, 33 (2012), <https://jstor.org/stable/41720464>

⁹ Kanchan Sarkar and Sharit K. Bhowmik, Trade Unions and Women Workers in Tea Plantations, 33 EPW L50, L51 (Dec. 26, 1998 - Jan. 1, 1999) <https://www.jstor.org/stable/4407515>

¹⁰ SUJATA GOTHOSKAR, This Chāy Is Bitter: Exploitative Relations in the Tea Industry, 47 EPW 33, 34 (2012), <https://jstor.org/stable/41720464>

3. **The plights of the ‘lone mothers’**- There is a considerable number of households headed by abandoned women and her child.¹¹In order to maintain the upbringing of the child, the ‘lone mothers’(mostly from the Adivasi communities) face a compulsion to join the tea-gardens. The income being much lower and the absence of adequate healthcare facilities for the women, both the women and the children become prey to malnutrition. The former continues to deal with social stigmatization and emotional burden due to the unavailability of their partners. These women fell into the intersectional trap of gender as well as ethnic disadvantage. In this context, Priyadarshini Bhattacharya raises a pertinent question that if the employment of the female workforce in the plantations, though argued to ensure their financial stability of these women, contribute anything to the ‘emotional recuperation’ from the social strains.
4. **Trafficking of women and children** -¹²The economic impoverishment of the women workers, especially from the sick or closed gardens makes them vulnerable towards trafficking. According to a field study report, in 2010, 49 girls and a total 85 children were trafficked from various ‘sick’ or ‘closed’ tea gardens of West Bengal.¹³ Teenage girls and women from the families, mostly unable to purchase basic livelihoods, are trapped by the traffickers disguised as ‘employment agents’ promising to arrange for better jobs and comfortable life in other cities. Administrative barriers between the police and the Adivasis reduces the approachability of the former hindering the monitoring of such crimes. The disparity between governmental data and ground research limits legal activism and cross-institutional interventions.

Domestic violence, financial insecurity, tedious working hours, verbal harassment by the management, child sexual abuse along with women trafficking, child marriage etc. have been a part of the lives of the women pluckers.¹⁴The Internal Committees in most plantations were

¹¹ Priyadarshini Bhattacharya, Gendered Harm and Social Abandonment: Stories of the Dooars Women Tea Garden Workers, 10 JSIS 53, 56, 66 (2024), <https://journals.sagepub.com/doi/10.1177/23944811241236810>

¹² BISWAJIT GHOSH, Vulnerability, Forced Migration and Trafficking in Children and Women: A Field View from the Plantation Industry in West Bengal, 49 EPW 58, 61-64 (JUNE 28-JULY 5, 2014), <https://www.jstor.org/stable/24480169>

¹³ SUDIP CHAKRABORTY, Tea, Tragedy and Child Trafficking in the Terai Dooars, 48 EPW 17, 18-19 (2013), <https://www.jstor.org/stable/23528471>

¹⁴ Saranya Chakrapani, Armed with awareness, women tea estate workers fight back against gender-based violence, Yourstory, (November 3, 2025, 4:00 pm) <https://yourstory.com/herstory/2023/08/women-tea-estate-workers-fight-back-gender-based-violence>

not formed as per the **POSH (Protection of Women from Sexual Harassments)** Act guidelines, says Manisha Majumder, Manager, **Women's Safety Accelerator Fund(WASF)**. The tribal and the dalit women are the worst victims in this regard. The prevailing social 'norms' often stigmatize them as 'untouchables'. Therefore, the workplace is too easy to become adverse to them. This is how **intersectionality** comes into existence in this region as well.

The failure of Trade unions: ¹⁵Despite the participation and contribution of women in the workforce, the prevailing gendered norms prevent them from actively taking part in decision making, deliberations while voicing their gender-specific concerns. The domestic power structure institutionalizes the domination of the male members in deciding whether the women would join the unions or not and which one they should join. As per some case studies most of the women have joined or have left a union or have never joined any of them just because their fathers(of the unmarried workers), or their husbands(of the married women) or any of the male members among their relatives have 'instructed' them to do so. The relegation of women in the deliberations leaves the specific concerns (sanitation, hygiene, arrangement of creches, maternity leave etc.) unaddressed and unresolved continues their systematic exploitation. The unions are often run by members who are not even workers and have no connections with them. They are little effective in assuring the basic welfare of the workers. Surveyers say that the members of the trade unions never engage with the NGOs and other social organizations(WASF, The West Bengal Cha Mazdoor Sabha etc.) who are really working for the rights of the workers. Rather, they often misguide the workers, taking the advantage of their lack of awareness and innocence.

Enactment of laws and schemes by the Central govt. and the State Govt. :

¹⁶In the post 1950s legislation regarding the protection of the rights of the labourers began to be enacted. This included the Payment of Bonus Act, Acts providing pf and gratuity to workers,

¹⁵ Kanchan Sarkar and Sharit K. Bhowmik, Trade Unions and Women Workers in Tea Plantations, 33 EPW L50, L52 (Dec. 26, 1998 - Jan. 1, 1999) <https://www.jstor.org/stable/4407515>

¹⁶ SUJATA GOTHOSKAR, This Chāy Is Bitter: Exploitative Relations in the Tea Industry, 47 EPW 33, 37 (2012), <https://jstor.org/stable/41720464>

the Industrial Disputes Act and the Factories Act. Here are some important legislations and welfare schemes specially designed for the plantation workers.

1.THE PLANTATION LABOUR ACT, (1951) : As mentioned earlier this law prescribes for the proper management of water, sanitation, recreation etc. but it has been surveyed that it is quite difficult for the workers(especially for the female workers)to get a sick leave.They are often harassed by the employers who force them to go to work with ailment.The tea gardens hardly have a proper washroom as well as hospitals.Therefore,the women workers are prone to suffer from reproductive diseases and have to go to the dispensaries.But until a worker requires to go to the hospital for treatment he or she cannot apply for a sick leave.

2.THE MATERNITY BENEFIT ACT(1961): ¹⁷This act entitles all the ‘female’ workers (permanent,casual and contracted) of a plantation to have paid leave who are 6.5 months pregnant and have worked for 80 days or more in the 12 preceding months . But when the question of enactment arises, the lobby of the employers along the tea-producing states extend the margin to 150 days . Here the casual and the contracted laborers are trapped in the legalities and face ‘systematic exclusion’ from the workforce as it is literally impossible for them to get to work according to the aforesaid merging.Why? Because tea is a seasonal industry and many of the gardens are closing gradually (which hinders the chance of even the permanent ones to get to work).

3.THE PRADHAN MANTRI MATRU VANDANA YOJANA: ¹⁸This is a centrally funded scheme for the pregnant women and for the lactating mothers to provide them with the cash incentive of Rs.5000 (in 3 installments) directly through their bank accounts.But as ground level surveys show that in West Bengal the centrally funded schemes are hardly possible to be implemented due to the continuous tensions between the two governments Though the banking details and other necessary details have been collected by the Asha Workers, none of them have received any single installment.

¹⁷ Ibid 37-38

¹⁸ Pradhan Mantri Matru Vandana Yojana (PMMVY), UMANG , The Spirit of India.

<https://web.umang.gov.in/landing/departement/pmmvy.html>

4. THE CHAA SUNDARI EXTENSION SCHEME: ¹⁹Local surveyors say that this scheme granting 5 decimal land to the workers through 'Pattas' by the Government of West Bengal will result in their displacement in large numbers from the tea gardens following the trend of massive closures of the gardens and privatizations of the same. The raised concerns include ceasing communities depending on economic activities like animal husbandry, farming etc. from continuing the same in the declared housing projects etc. The female workers will face more vulnerability as the non-permanent section of them will become jobless initially. As a consequence, their economic dependency on their male counterparts inside their families enforces the risk of facing Domestic Violence .

The distance between North Bengal from Kolkata, the capital of West Bengal has continued to be a socio-economic as well as political dividend between the two regions. Despite the development in the transport system , the problems of the people of the grassroots level have remained the same.

What may happen in the far future ?

²⁰The living condition of the labourers in the North Bengal region compels them to migrate to other regions of Kerala, Assam etc. looking for job security and better wages. Declining production of tea, closure of tea estates, crisis for paying wages, depressed prices and geopolitical crisis affects India's tea export and places tough competition in the global market throwing tea plantation workers into further uncertainty. The female workforce would be left behind with a massive workload due to the migration of their male counterparts. The ambience of the workplace, therefore, will become more adverse since economic stability will continue to destabilize.

Forced urbanization by the private companies to promote tea tourism will affect the tea economy while rendering the workers into more fragile conditions. Acute pollution, changing patterns of land use will lead to the degradation of the ecological balance. Following the increased poverty among the workers, the Siliguri Corridor, a sensitive region in the North Bengal due to its strategic and economic importance may become more exposed to terrorism endangering National Security.

¹⁹ Atri Mitra, In CM's sops for tea workers, hint of scheme's bleak future, The Indian Express, (November 2, 2025 5:30 pm) <https://indianexpress.com/article/cities/kolkata/in-cms-sops-for-tea-workers-hint-of-schemes-bleak-future-9067476/>

²⁰ Priyadarshini Bhattacharya, Gendered Harm and Social Abandonment: Stories of the Dooars Women Tea Garden Workers, 10 JSIS 53, 55 (2024), <https://journals.sagepub.com/doi/10.1177/23944811241236810>

Conclusion

We call Darjeeling the '**Queen of Hills**' but care little about the living queens. Their plights are hardly prioritized in mainstream decision making and policy advocacy. The violation of the constitutional right of the workers to lead a life is curtailed everyday. They being majorly uneducated are more exposed to exploitations. There is much space before the state government to bring legislative changes based on the Article 39(right to adequate means of livelihood), Article 41(Right to work), Article 42 (right to a safe place to work), Article 43(right to a living wage), Article 46 (promoting the educational and economic interests of the SCs and SCs) under the Directive Principles of the State Policies. The **social organizations**, having clear ideas about the ground reality and its reason and the **trade unions**, having more influence among the workers, should come together to negotiate to solve the aforesaid problems in a holistic way. They should have a sensitive outlook while interacting with the female workers with a special focus on the Dalit and the Adivasi women. Besides spreading awareness and promoting vocational training the most important step will be engaging women members in the trade unions so that they can raise their own voices .

Here, **the bureaucrats** can apply their power to assure that all the eligible persons are getting the benefits of the schemes provided by the government by engaging with the social workers as well.

In order to deal with the grievances of the workers, **the judiciary** of the state should intervene by establishing and activating the Lok Adalat, the Nyaya Panchayat to provide them with judicial services at free of cost empowering them to counter the exploitations committed by the employers.

In this way,by engaging the local governance and local organizations with the higher executive and judicial body we can create a sustainable place where the workers can access their basic needs and provide their labor without compromising their dignity .