

**‘Labour Resistance in Indentured Plantations in Assam Valley’ presented at
“Challenging Perspectives on the Indian Diaspora: A Global Conference on Diaspora
Studies and Policies” 5-7 October 2017, The Hague, The Netherlands.**

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Growth of tea industry:

The tea industry was the earliest commercial enterprise established by private British capital in the Assam Valley in 1840s. It grew spectacularly during the last quarter of the nineteenth century, and continued upward expansion in the first half of the twentieth century when tea production increased from 6,000,000 lbs. in 1872 to 75,000,000 lbs. in 1900 and the area under tea cultivation expanded from 27,000 acres to 204,000 [Behal, 2014, Appendices]. From mid-1860s labour for the Assam Valley plantations was mobilized and employed under indenture system. Employment of labour in the Assam Valley tea plantations increased from 107,847 in 1885 to 247,760 in 1900 [RELEC 1906]. At the end of colonial rule the Assam Valley tea plantations employed nearly half a million labour out of a total labour population of more than three quarters of a million and more than 300,00 acres under tea cultivation out of a total area of a million acres under the control of the tea companies and produced 397 million lbs. of tea [Behal, 2014]. The important features of this plantation enterprise were the monopolitic control by the private British capital, production for global market and employment of migrant labour force recruited and transported under indenture contract from different parts of British India.

Indenture Labour Regime

Having failed to ‘persuade’ the indigenous communities of Assam to work in the plantations the planters brought labour from other parts of the Indian subcontinent. The recruitment for indenture labour was arranged by the British Managing agencies based in Calcutta through a hierarchy of local intermediaries like *arkattis* and *sirdars*. The true description of this mobilization was contemporaneously coined as the ‘coolie-trade.’ Through the

process of recruitment, transportation and employment the colonial plantation regimes were transforming the Indian agrarian communities into labouring ‘coolies.’ During the course of this transformation their castes, religious, regional, social and cultural diversities were converted into a homogenised disparaging term ‘coolie’ universally used by planters in the capitalist plantation regimes globally and the colonial bureaucracy. Their persona and individuality were to be subsumed into anonymous ‘gangs’ and ‘muster rolls’ to be confined into ‘coolie lines’ in the plantations for the duration of their working lives. They were converted into, what James Duncan described, ‘abstract bodies... that are made docile, useful, disciplined, rationalised, and controlled sexually’ [Duncan 2002].

Another common significant feature of plantation employment under indenture regime was the immobilization of the mobilized labour force on arrival within the plantation complexes and curbing their freedom of contact with the outside world. The nature of work process adopted and the frenetic pace of expansion of tea plantations during the second half of the nineteenth and early decades of twentieth centuries created residential compulsion for the labour force. When the labour intensive drive for expanding production faced the challenge of ‘absconding’ and ‘deserting’ labourers the planters used legal, extra-legal and economic coercion as means to control and immobilize the labour force. Penal contract and right of private arrest of labourers given to the planters under the indenture system became instruments of immobilization of the mobilized labour force within the plantations. The strategies of control were enforced through a hierarchical power structure centered round the managerial authority of European planters and their native assistants [Behal, 2007].

Another significant common feature of the British capitalists plantations was the extraction of hard labour at low wages. Most of these capitalist plantation enterprises remained solvent and highly profitable despite the price fluctuations of tea in the global markets at regular intervals throughout nineteenth and twentieth centuries. This was achieved through strategies of over tasking of work at lower wages, very often lower than the statutory minimum under the contract. Work time and task fixations were at the discretion of the planters and despite the provisions of the labour laws they extracted excess labour by extra tasking and prolonging the working hours. The consequences of overwork and poor wages were malnutrition, high rate of sickness and mortality among the migrant Indian labour force under the indenture [Behal, 2014, ch. 5].

The dominant image of European capitalist plantation as an authoritarian institution is

universally acknowledged both by the critics and the revisionists literature. Use of brutal physical punitive devices like flogging to tame and control labour was well known among the contemporary critics and supporters of indentured plantation regimes in Western metropolis and colonial power centres. That they were subjected to physical, economic and sexual coercion may have been overlooked or underplayed but not denied in these circles. This was true of even among the highest level of colonial official hierarchies [Behal, 2010]. Some of them labelled it slavery and others perceived it as paternalism. The revisionists overlook but do not deny the use of extra-legal and coercive methods of labour extraction by the European planters. Employed under the penal contracts the labourers were totally dependent on the employer for simple amenities and necessities of everyday life that provided opportunity for the planters to establish an unquestioned control over them. They frequently resorted to coercion, both physical and economic, to perpetuate this dependency. The structure of power hierarchy based on coercion and extra-legal authority, aided and abetted by the colonial state was to dominate production relations in the Assam Valley tea plantations for over a century.

The colonial state overlooked the frequent resort to extra-legal methods by the planters against their labour force and provided legitimacy to the indenture servitude of immigrant labourers and reinforced their extra-legal authority through legislative devices. Act VI of 1865 introduced penal indenture contract, which remained formally in force in the Assam Valley tea plantations, with periodic modifications in 1870, 1873, 1882 and 1901, 1908 till it was finally withdrawn in 1926. The penal contract system stipulated a differential minimum monthly wage, Rs 5 for men and Rs 4 for women, Rs 3 for children, a three-year contract term, a nine-hour workday, and the appointment of an inspector of labour empowered to cancel the labour contract on complaints of ill treatment. The main provision of the Act lay in the sanctions for breach of contract by labourers: planters were given powers to arrest the 'absconding' and run away labourers without a warrant within the limits of the districts. Non-compliance of contract by labourers was considered a criminal offence punishable with imprisonment. If convicted under this provision the period of imprisonment was to be added to the term of the contract [Das, 1931]. The indenture system was further modified and strengthened with the passing of Act 1 of 1882 which was designed to serve the need of planters to regulate and control an expanding labour force [Behal and Mohapatra, 1992]. The grant of such extraordinary powers to the planters and the

introduction of penal clauses were justified on grounds of 'exceptional' circumstances of Assam. Sir Stuart Bayley, Chief Commissioner of Assam and later a Member of the Viceroy's Council, put forward this argument: '...circumstances of tea gardens are still so far exceptional as to require exceptional treatment and exceptional legislation to regulate the relations between the planter and his labour' [GOI, 1880]. Poor means of communications, remoteness and the isolation of plantations from the administrative centres made worse by the 'tardiness' and the 'inefficiency' of the police. The labourers, on the other hand, it was argued, were ensured a minimum wage, housing and medical facilities and subsidized rice.

The special official enquiries carried out in 1868, 1874 and 1901 and 1906 and the annual reports on immigrant labour in Assam revealed that statutory minimum wages to indentured labour in Assam were not paid, recruitment abuses flourished and appalling transportation, living and working conditions continued to result in the high mortality of labour. The labour 'protective' provisions of the Act often remained unimplemented. The office of the Protectorate remained ineffective with the excuse that many of them lacked knowledge and the big distances of plantations was an impediment for their inspections [Commissioners, 1868, 68-72 & Parliamentary Papers, 1874, 24; Assam Labour Report, 1901].

In the coming decades physical and economic coercion, confinements, judicial discrimination, lack of freedom of mobility within and outside the gardens, low wages, malnutrition, disease, high mortality and non-reproduction, as a consequence of high death and low birth rate, were the characteristic features and harsh realities of labour life on the plantations. Wages below subsistence level, often supplemented by wages in kind, were the main features of the wage structure in the Assam Valley tea plantations [Behal, 2003]. Planters' attitude towards the migrant coolies was akin to the slave masters of Caribbean and South American plantations. These and the above mentioned features were specific to a plantation structure that operated in contrast to a viable free labour market. How did the labouring communities of Assam Valley tea plantations respond to this transforming process the plantation employment hoisted upon them? Equally significant are the questions of their characters as human beings about which images were projected through the employers' lenses. Were they truly ignorant, unintelligent body of men and women who resisted change, and were prone to violence and immune to economic

incentives as alleged by the employers, the colonial bureaucracy and its institutions? Did they allow themselves to be tamed, disciplined and controlled by their employers without resistance and become docile, passive and mute sufferers in the face of physical coercion, economic and sexual exploitation? We will look for answers below.

Resistance:

For any act of defiance and resistance by labourers punitive measures like flogging and confinement became a normal practice in the tea estates. The planters perceived the labouring tribal and semi-aboriginal communities as inherently inferior humans. This attitude was akin to that of the white masters towards their black slave labour in the antebellum era in southern USA. The British tea planters established an omnipotent, super authority over their labour force within what has been termed as a 'paternalistic' framework [Behal, 2010]. The planters considered intervention in the social and personal lives of labourers as part of their 'paternalist' obligation [Griffiths, 1967, 376]. Within the boundaries erected over isolated vast spaces by the plantation regime to tame and discipline them the labourers expressed their protests in varied forms over time. During the indentured period the acts of resistance included desertions and, what the official reports termed, cases of riots, assaults, intimidations and unlawful assemblies. There were cases of strikes but not recognized as such in official reporting. These acts of resistance were both individual and collective. While economic grievances were important factors provoking workers' actions equally significant issues were the demands of social and cultural rights and dignity. Protests against sexual exploitation of their women were regular feature. One common and persistence feature of these acts of resistance was the resort to violence by workers in retaliation against extreme forms of physical and economic coercion, indignities, and sexual harassment of their women folks by planters.

Desertion

The earliest reference to resistance was that of the Cacharee labourers in Assam Company's garden in 1859 who struck work demanding raise in their wages [Antrobus, 1957, 97-98]. One of the important forms of resistance by the migrant labour against the coercive indentured regime was to reject the rhythm of plantation life by running away from the gardens. Desertion symbolized the rejection of the relationship of servitude the emigrants had been coerced into under the indentured regime in the Assam Valley tea plantations. It was both an

individual and sometime collective act and comparable to what Peter Wood described as an act of ‘stealing themselves’ by the slaves in the eighteenth century South Carolina colony in America [Wood, 1974, 239]. Desertion, under the labour laws, was a criminal offense. The effort, courage and the risk involved in this act reflected the intense desire of the runaways to reject the life of subordination under an indentured regime in tea plantations. 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 [Commissioners, 1868, 50; Parliamentary Papers, 1874; Akhtar, 1939, 42]. There was an elaborate and cruel system of deterrent punishment. Many of these labourers, when caught, were tied up and flogged by the planters and the reward paid to their captors was deducted by way of a fine from their future earnings [Parliamentary Papers, 1874, xxi].

The act of desertion was not an easier one either. It was extremely difficult to succeed in running away. Serious efforts were made to prevent desertions. There were *chowkidars* or watchmen keeping close surveillance over the living quarters of the labourer. It was reported that hill men were specially employed to track down 'absconders' with a promise of a reward of Rs. 5.00 per head. Dogs also seemed to have been specially trained for this purpose, practices reminiscent of the slaves tracked down by dogs in the British owned plantations in Jamaica during the 17th century [Dunn, 1972, 248]. If the absconder was caught he was tied up and flogged, and the reward paid to his capturer was deducted by way of fine from the absconder’s future earnings. But severe flogging often meant no future earnings. ‘...often runaways enfeebled by their sufferings in the jungles, died under or from the effect of the floggings they received when caught’ [Parliamentary Papers, 1874, xxi]. In the tradition of the slave owners of South Carolina the Assam tea planters had an organised system of recovering deserters through advertisements in the market town posters and newspapers [Wood, 1974, 239-42]. But the severity of law and other hardships could not substantially deter deserters and diminish the scale of desertions as is clear from the official reports.

Those who could not ‘steal themselves away did adopt strategies to put up resistance against day to day chores of work under coercion which included shirking and sabotaging the work process and schedule. George Barker, a planter in Assam, recalled his recipe for dealing with ‘shirking’ labourers in his garden during the 1880s: ‘Various forms of punishment - from a good thrashing to making him do two or three times the amount [of work] over again - are

inflicted, but always with the same after-result, that if an opportunity presents itself he will invariably adopt all the devices of which he is master (and they are many) to shirk his work; a result, I regret to say, that is not entirely confined to the black labourer' [Barker, 1884, 130]. Reminiscing on his days in the plantations, another planter W.M. Fraser recollected his experiences during the 1890s of a senior manager chastising women labourers for faulty leaf plucking, 'The ground become strewn with bad leaf, while from one woman to the other went the admonishing Thomson, his tongue and hands fully employed' [Fraser, 1935, 15]. In another case F.A. Hetherington, a young assistant manager recorded the punishment he had inflicted on women labourers for plucking bad leaf on 1st August 1901: 'Went round the new lines plucking and nearly caused a riot by clouting three women... They were plucking into *kapre*, which was strictly forbidden' [Hetherington, 1994, 24].

Official Perception

Very often information on the incidents of protests and resistance in the tea gardens was deliberately suppressed in official reporting so as to present a picture of well being and harmony, and reports often invoked the low level of prosecution under the penal law as a sign of good relations prevailing on the plantations. The state bureaucracy interpreted these acts of resistance as illegal as per the provisions of labour laws and hence the official descriptions as 'assault', 'unlawful assembly', 'mobbing' and 'rioting' etc. However despite the efforts to project labour relations as harmonious the growing number of incidents of rioting, mobbing, assaults and unlawful assembly displayed a different reality. In 1901 the Chief Commissioner observed that there was a considerable increase in general 'criminality' amongst tea-garden labourers [Assam Labour Report, 1901, 12]. In 1903, instances of serious conflict between European planters and the labour force were numerous enough to merit the attention of the Governor-General lord Curzon, who wrote that 'the number of assault cases are steadily increasing in Assam and the relations between masters and coolies in many plantations are becoming a public danger' [GOI, 1903]. On Curzon's insistence a detailed report on the question of relations between the employers and labour was prepared and submitted. The details given in this report provide us a range of factors that provoked action on the part of labour and the nature and extent of punishment meted out to them. From the report it appears that involvement of labourers in the acts of violence, both minor and serious ones, were

retaliatory in nature against the managers and assistant managers. The issues involved in some cases were economic, for example, low wages, deductions for short work, denial of rice as a part of wage in kind, extraction of excessive work etc. In other cases it was the anger against physical coercion, confinement and indignities heaped upon the labourers like public caning and flogging sometime causing death, insults and beatings. There were cases of violence against managers and assistant managers in retaliation of sexual harassment of women labour and severe chastisement for drunkenness [GOA, 1904].

Awareness of rights and solidarity

Contrary to the stereotype thesis of their being 'ignorant' and 'helpless' the labourers often showed a great deal of awareness of their rights when, on many occasions, they tried, though often unsuccessfully, to go up to the offices of Deputy Commissioners *en masse* to register their complaints against maltreatment and extraction of excess work by manager and demanded a redress of their grievances and sometime even threatened action. As early as 1866 in a case of flogging of labourers on the charge of desertion at Serajoollee tea garden of Assam Company in Darrang Capt Lamb, the Deputy Commissioner, reported that the labourers were prevented from coming to his office for complaining against the manager and assistant manager for ill treatment [Parliamentary Papers, 1867, 2]. In 1888 some female labourers were flogged in Mesaijan tea garden as a result a large body of them left the garden and came to Deputy Commissioner's office to complain of ill-treatment [GOA, 1904, 12]. In 1888 a large number of labourers of Mesaiijan tea garden went to the office of the Deputy Commissioner of Lakhimpur to complain of gross ill treatment of female labourers by the manager and his assistant. They persuaded him to order an enquiry. The enquiry by the District Superintendent of Police and the DC himself found that women labourers Panu, Khumti and Sukhi were beaten and flogged for desertion and short work. They were tied to a post in the porch of the Manager's house, their clothes lifted up to their waists, and they were been beaten on the bare buttocks with a stirrup leather by the orders of the Assistance-Manager, Mr Anding. This was a rare case where the labourers succeeded in getting the Assistant-Manager, Anding, convicted by court to rigorous ten months imprisonment, and a fine of Rs 450 [Assam Labour Report, 1888, 71].

The Deputy Commissioner of Lakhimpur reported in 1892 that the 'The tendency for coolies to come in numbers to complain in court appears to be increasing, and employers urge

with justice that there should be a penalty for coolies leaving the garden when the procedure of section 134 has been complied with' [GOI, 1892, 49]. This observation was recorded when the Rewa labourers of Khobang tea garden struck work and went en mass to his office to complain against extraction of excess work by the manager and lack of sufficient food. Many of them did not want to renew their contract either. He 'persuaded' them to go back instead of taking action against the errand manager. He was soon informed of 'riot' in the garden. In this case the labourers not only assaulted the manager but also targeted others from lower ranks of hierarchy- the *hazira muhrriri* holding him responsible for payment of short wages. Eight labourers were sentenced to three months' rigorous imprisonment in this case.

Many among the district officials began to acknowledge the growing awareness of their rights and familiarity with provisions of labour laws among the labour force in the tea plantations. The Labour Immigration Resolution of 1902-03 observed that 'The coolies are aware that the conditions of their employment are regulated by rules, not by the bargaining of the market; the rules are unfavourable to them in some respects but favourable to them in others, and they resent any attempt to exact more labour than the rules warrant' [GOA, 1904, 13]. P.J. Melitus, the Commissioner of Assam Valley districts, however, did not think that labourers were knowledgeable about the rules. However he was aware that over the years and through experience 'round the rule certain local practices, or *dusturs*' had grown up in the tea gardens. The labour force had developed a sense of what was beyond the norms of the rules any 'departure from *dusturs* in a direction unfavourable to them which they really resent' [GOA, 1904, 13]. The Deputy Commissioner of Lakhimpur, Major H. W. Cole, also observed that over the past ten years there was an increasing tendency among labourers of 'unlawful assembly' and that the 'attitude of coolie towards his employer has deteriorated...' Among the various causes of this tendency among the labourers he enumerated was 'a fair knowledge of the labour laws, gained by experience' and 'the publicity and importance attaching to cases between employers and employed, the frequent discussion in the press- European and Native- have not been without their result on the mind and attitude of the coolies.' Major Cole added a cautionary note, borne out of his stereotypical perception of the labourers, that while 'no one wish to curtail a coolie's knowledge of the law under which he labours, nor his power to resist *bona-fide* oppression, but the danger lies in the coolie being an unthinking individual, easily led, especially in his cups, ready to resort to violence on insufficient provocation' [GOA, 1904. 13]. D. H. Lees, the Deputy

Commissioner of Darrang, also observed deterioration of relations between the employers and their labourers. He attributed this to stricter discipline being enforced on many gardens and 'in order to secure economy' excessive work is extracted: 'Work on tea gardens has therefore become more irksome, and coolies, being now better acquainted with their rights, are more and more disinclined to endure the strict discipline under which they are kept. The growing dislike to work on tea gardens is shown by the increasing number of coolies who leave the gardens' [GOA, 1904, 13].

Issues of Social and Cultural Rights

There were also cases where the labourers did not merely react to the planters' acts of violence, but demanded certain social and cultural 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 and the manager not only refused it but also 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 [Assam Labour Report, 1900, 23]. In most of these cases the labourers acted in groups, rarely alone. Officials investigating cases of rioting etc., repeatedly pointed out those these often occurred owing to 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' [Assam Labour Report, 1900, 22]. 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' [Assam Labour report, 1900, 22].

Issue of dignity:

One of the most important issues around which the labourers were provoked to violent action was the indignity perpetrated on them and their womenfolk by garden managers and their assistants. In 1890 a gang of 40 labourers of Silghat tea garden in Nowgong district assaulted the manager because he had beaten a woman labourer on the pretext of disobeying orders. While the manager was acquitted of the charge 14 labourers were sentenced to nine months' rigorous imprisonment. In 1892 the labourers assaulted the

manager of Maduri tea garden, Sibsagar, because of sexual harassment and ill treatment of a labour girl. In this case the manager was convicted of wrongful restraint and simple assault and was sentenced to a week's imprisonment and a fine of Rs. 100. In 1893 the labourers of Boekl tea garden, Lakhimpur, attacked the manager and assistant manager with sticks and bricks because of the public caning of a labourer. One labourer was sentenced to rigorous imprisonment for six months and five others for five months. The violent clash between coolies and the management of Rowmari Garden in Lakhimpur District during 1903 was a typical example of overt conflict in the plantations. The ostensible cause of violence was the garden management confiscating umbrellas which the coolies used while plucking tea leaves during the rains, and forcing them instead to wear broad-rimmed hats (*jhampi*). The ferocity of the assault for an apparently trivial reason surprised the investigating official, and initially it was ascribed to their natural 'excitability' and to a few 'malcontents' who made the reversion from umbrella to *a jhampi* a matter of prestige. The next day they all marched to the magistrate's court at Dibrugarh to complain about the management. It was a collective action seeking redressal of their grievances and refusing work till these were redressed [GOI, 1903]. One fact which needs to be borne in mind that such resistance was dealt with extremely harsh punishments, ranging from long years of incarceration in prison to death sentence the judiciary awarded to the 'recalcitrant' workers.

Cultural traditions as means of resistance

The migrant labour communities never allowed the memories of their social cultural traditions and practices to be marginalized or erased by keeping these alive. While they grieved for their dead and deserted ones they also celebrated their festivals, marriage and child birth ceremonies in their traditional cultural, social forms- dances, drinking and music being the integral part these festivities. These diverse labour communities kept the memories of their experiences alive, which helped to cope with the everyday life of grief and wretchedness. Both Barker and Crole (another planter), in their own cynical and convoluted ways, gave a graphic account of cultural celebrations among the labourers on the occasions of marriages and festivals. Barker mentioned about the intervening time of three days given free to labourers in between the expiry and signing of new contract that three or four successive days' holiday was given to 'certain amount of debauchery'. On every native holiday, and on Sunday, when all work ceased,

labourers went for the weekly purchase at the *hat*. After marketing was over, the remainder of the day was given over to ‘nautches and carousing’- a reference to traditional dances and singing. Referring to the festivals, marriage or child birth celebrations Barker commented ‘...the din is terrific, five or six tum-tums all along at once, mixed a varied assortment of discordant wails and the perpetual monotony of the curious droning noise, that forms the basis of all native minstrelsy. This *hullabaloo* (I know no other more appropriate term), kept up without a lull until two or three in the morning, forms a charming accompaniment to a restless night. Continual tum-tumming in the lines is at first, to the uninitiated, a source of maddening annoyance’ [Barker, 1884, 176].

While these dance forms, music and songs may have appeared exasperating, wild, weird and even creepy to the alien European planters these forms of folk traditions carried and reflected the migrants’ memories of painful and deceitful experiences of their recruitment and harsh lives in the plantations- description of day to day life of exploitation, love and protest etc. Some of the most popular songs still very regularly performed are the Jhumar folksongs and dances. They relate with Karam Puja and occupy a very prominent place in the cultural life of the tea garden labourers of Assam Valley. The Karma Puja was, and still is, celebrated during the festive season during August- September followed by the festival of Vijaya during November- December every year. Every Karam Puja is accompanied with Jhumar folk dance. [Sengupta & Sharma, 1990]. Jhumar is the tune, which gives pleasure to all the ethnic groups of tea garden labourers. According to Mahato the male and female dancers accompanied with Dhol and Mandal present in every fair and festival a most colourful social cohesiveness in the social clusters of the migrants. Jhumur is collective and composite tune and revolves around love songs based on Radha and Krishna episode but the vitality of Jhumur opened other dimensions also. [Mahato, 1990]. Recently put together and translated by Indian scholars some of these Jhumar songs are self explanatory in their contents. In Jhumur there is description of day-to-day life of exploitation, love, protest etc. among labouring communities in tea gardens. One of the famous Jhumur composers of Jharkhand, Uday Karmakar from erstwhile Manbhum composed a song in the last part of the 19th century, which is still prevalent among the labour communities:

Paka Khatai lekhaeli nam

Re Lampatiya Shyam

Phanki diye bandu chalali Assam

Depughare maritari
Uthaillele terrene kori
Hoogli sahare dekholi Akash
Mane kari Assam Jabo
Jora Pankha tanabo
Sahab dilo Kodaleri Kam
Dina Udaya bhane
Akale peter tane
Tipki tipki pareh gham

(Our names were written in the permanent book. The recruiter Shyam deceived us and sent us to Assam. We were beaten in the depot-ghar (godowns where labourers were kept during transit). We first saw the sky in Hoogly town. We thought we would be engaged to draw fans in Assam but the Sahibs gave us spades. We sweat while working). [Mahato, 1990, 140].

The following Karma-Jhumur is still very popular in almost all the tea gardens:

Sardar bole kam kam
Babu bole dhari an
Saheb bole libo pither cham
Re Jaduram,
Phanki diye bandu pathali Assam

(The Sardar asks for more work. The Babu abuses and the Sahib threatens to peel the skin of the back. Alas! Jahuram, you sent me to Assam by deceiving). [Mahato, 1990, 141].

It has been pointed out that the Jhumar songs and dances convey the aesthetic sense of the people. They communicate the life, the joys and sorrows of the community. The authorship of the songs is not known as they are preserved by oral tradition. The language of the folksongs and folklore provide insiders' view of typical ways of life. [Sengupta & Sharma, 1990, 225].

PROTESTS DURING THE 1920s

Labour resistance around the issues of wage-levels and prices acquired new intensity during 1920-22 [Behal, 2003]. In the years 1920-22, for the first time the numbers involved in struggles surpassed all previous figures. The scale and scope now reached a significantly

higher level. During this period we notice mass unwillingness to accept the indenture system, with resistance to it taking a somewhat organised and distinctly political form. The intensity and seriousness of the revolt was sufficiently alarming for the government to appoint an Enquiry Committee to investigate the events of 1920-22 [RALEC 1921-22, 1; Bengalee 29 June, 1921]. The qualitative difference between labour unrest earlier and the phenomena witnessed from 1920 was recognized indirectly in the language of the bureaucracy. With the termination of penal provisions from the labour legislation the official terminology broadened to describe the collective actions of workers. Terms like strike, disturbances and exodus were added to the older repertoire of 'unlawful assembly' 'intimidation', etc. Between September 1920 and January 1922 a number of cases of strikes, disturbances and riots were reported from all the three districts (Lakhimpur, Sibsagar and Darrang) in the Assam Valley [Assam Labour Report, 1920-21]. The riots, strikes, etc., of 1920-22 showed increasing articulation by the labourers of their grievances and an identification of this hierarchy of exploiters. For example, in a number of cases, their targets of attack were not only the European but also the Indian staff. There were cases of the *keya* trader shops and weekly bazars being looted and property (bungalows, etc.) being attacked [RALEC 1921-22, 6-7].

The significant upsurge of labour unrest at this time needs to be explained. The planters and their spokesmen alleged that the ignorant and illiterate labourers were incited and influenced by the outsiders who were part of the Gandhian non-cooperation movement. Congrave, the Deputy Commissioner of Lakhimpur, however, in discussing strikes in his district, stated, '... there is little or no evidence to show that the strikes were due to the influence of Congress agitators. In my opinion the strikes were mainly due to economic causes, i.e. the high cost of living' [RALEC 1921-22, 19]. The Enquiry Committee did not find any evidence of any direct link between the non-cooperation movement and the strikes of plantation labourers of Assam Valley. Low wages and rising prices, combined with the extortions of shopkeepers and *babus*, pushed the labourers into direct action. The looting of *kaya's* shops and the attacks on the Indian staff by the labourers were a consequence of the exploitation and coercion practiced by the former. The Enquiry Committee found evidence of doctor *babus*, shopkeepers and garden clerks extorting money from labourers in a number of gardens RALEC, 1921-22, 9-16].

Impact of Resistance

The labour revolts of 1920-22, despite their intensity and extent, did not succeed in forcing the employers to accede to their demands or having their grievances redressed. The main reason for this failure lay in the fact that these struggles remained isolated and no linkages emerged between them. Although they coincided with a general mass movement in the province (in the form of the non-cooperation movement) these revolts were barely affected by it. As a result no organised effort, both from inside or outside the labour struggles, could be made to pressurize the employers to even consider the labourers' demands. On the other hand the planters were a highly organised, influential and the most powerful commercial and industrial lobby in the province. The efficiency of their organization was demonstrated when the state assisted them in ruthless repression of the labourers' revolts [[GOA 1922, 221; ITA, 1920, 137].

However the growing militancy among labour had its impact. The arbitrary power of private arrest had come under critical comments from Fuller, the Governor of Assam and Curzon expressed his unhappiness too [GOI, 1903]. The Government of Assam sought the complete withdrawal of the provision of private arrest. These recommendations were reiterated by the Assam Labour Enquiry Committee of 1906, which led to the enactment of Act 1908 that struck a blow at the penal contract system in Assam. The legal basis of indenture system was dismantled. However the actual operations of the indenture system survived as the labour continued to be engaged under Act XIII of 1859 for a couple of decades more. It received its deathblow only after the major labour upsurge during 1920-22 which led to its abolition in 1926 [Behal & Mohapatra, 1992, 167-68].

III- Post Indenture Period till 1947

The official dismantling of the indenture regime did open up opportunity for more organized and larger scale protests. However the planters now proceeded to work out their own internal system which effectively curbed labour mobility within the tea districts through 'labour rules' and 'wage-agreements' adopted by the planters' association in order to prevent one employer from employing labour from the other gardens [Royal Commission, 1931, 386]. Under this agreement no manager would generally employ a labourer from another

garden without the permission of the previous employer failure to observe this would result in payment of compensation. That the labour in the post-indenture era continued to be fettered and denied mobility was recognized in Omeo Kumar Das' 1937 resolution, "Assam Tea Garden Labourers' Freedom of Movement Bill" tabled in the Assam Legislative Assembly: '... the 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 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 estates. The impression had been created in the minds of the labourers that they have no right to go out of the gardens of their own will. This constant restraint on their right of free movement has reduced them to a state of slavery!' [GOA, 1939, 49; Assam Administrative Report, 1938-39, ii; Guha, 1977, 243].

Exodus

While this may have restraint the workers' struggle from crystallizing into a unified and organised labour movement in the Assam Valley they adopted a new strategies and forms of resistance. While the cases of riots, assaults and strikes continued to be reported, [*Assam Labour Reports*, 1922-23, 1923-24 and 1924-25]. The post-indentured period witnessed a new and novel form of labourers' resistance which was described in officialese as exodus. Exodus like desertion represented a political act of en mass rejection of the imposed rhythm of life in the plantation regime. The shifts in the character of protest does not represent any ascending order or teleological sequence. The shifts in the forms were often in response to the changing configuration of power and shifting historical context. While new and more organised forms of resistance were developing older forms continued to persists. Overlapping forms like acts of desertion, 'unlawful assembly', 'mobbing' persisted well up to 1920s when more organized larger scale forms of protest like strikes and exodus forced recognition in official reporting. The increasing intensity of labour militancy during the 1930s in response to the sharp decline in wages due to Depression paved the way for the emergence of trade unions in the Assam tea plantations. While in the cases of desertions the workers defied the indentured regime that defined it a 'crime' under the penal system, exodus represented a collective expression of utter rejection of the plantation regime. Exodus in the Assam Valley tea plantations meant a large number of workers in one or more gardens leaving work and walking off.

Depression 1930

The depression of 1930 caused a slump in the tea industry. Export of tea declined sharply as a result of fall in demand. The situation became worse with a decline in internal consumption of tea. The stocks of tea both in London and Calcutta piled up and the prices fell. Consequently profitability was adversely affected and none of the companies declared dividends during 1930 and 1931. To combat the effects of the depression the industry resorted to measures that badly affected the earnings of labourers. One was the direct wage cut and the other control of production. The labourers reacted sharply to wage cuts. The district official in Assam Valley tea gardens reported more than 20 strikes specifically on the issue of wages during the year 1931 alone. These strikes, well spread all over the Assam Valley tea gardens, involved large number of labourers and lasted for longer periods than was the case earlier [Behal, 2014; GOA, 1931; Assam Labour Report, 1931]. The planters with state help suppressed most of these strikes.

Organizational activities

The formation of trade union activities was a relatively slower process. Only in the late 1930s do we notice the emergence of trade unions in their embryonic form in Assam Valley tea plantations. The Controller of Emigrant Labour reported in 1939 that there were 'an unusually large number of strikes, viz., 17 and much unrest' [RTDELA, 1939, 386]. The number of strikes reported in another official report was much larger, viz. 37 for that year [Rege, 1946, 72]. A secret official document reported one Chota Nagpuri Association as early as April 1938. The important figure in this Association was P.M. Sarwan who was described as the moving spirit behind it. The main object of the Association was the amelioration of the welfare of tea garden labourers [Home Political, 1938, 1]. Few other labour unions were also formed during 1939 in the Assam Valley [ALAP, 1940, 242]. The available evidence tells us very little about the activities of these unions. In most of the reported strikes in tea gardens during 1940, there is no reference to any of the above unions [Rege, 1946, 72].

Employers Response

The intensity of the labour unrest, however, alarmed the planters and 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’ [GOA, 1939, 167]. The Indian Tea Association, the apex body of tea industry in India, made anxious representations to the government and the attention of the Ministry was drawn to the need for urgent action in order to maintain law and order [ITA, 1939, 26]. The emergence of trade unions, even in embryonic form, in the tea gardens became a major concern for the ITA. ITA’s initial response was the total rejection of the very idea of trade unions. It was argued that conditions in the gardens were fundamentally different from those in industrial areas. ‘In most gardens the 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’ [ITA, 1937, 37]. However, by 1939, confronted with the new political situation of spreading nationalism and, more alarmingly, communist activities in labour politics it began to review and modify its strategies. Instead of total opposition, it was decided to follow a policy of conditional recognition of unions in the tea gardens. This policy remained on paper for the time being as the colonial government, at the onset of World War II, imposed the Defense of India Rules in September, 1939, which suppressed, for the time being, the trade union movement in Assam [Assam administrative Report, 1938-39; Griffiths, 1967, 384; Bhuiyan & De, 1978, 270].

The early years of the 1940s were a setback to the labour struggles in the tea gardens and in Assam as a whole. The passing of Defense of India rule in 1939 put breaks on the trade union activities. Rege reported that since 1941 there was a definite reduction in the number of strikes. The reason for this was the restrictions on the activities of agitators in order to secure stable conditions for the war efforts [Rege, 1946, 72; Griffiths, 1967, 384]. However, as a consequence of World War II there was a fantastic increase in prices which led to sharp decline in real wages and at the same time the tea industry’s efforts to extract excessive work to meet higher production targets created a deep sense of resentment among the labourers. ‘The economic conditions,’ it was reported, ‘are producing signs of discontent, both among regular labour forces and in Defense projects...’ [Home Political, 1943, 102]. Moreover the labour struggle outside the plantations was moving towards the formation of a provincial level labour organization. The Assam branch of the All India Trade Union Congress (APTUC) was formed in 1943 and became

fairly active in the course of the next two years. The first conference of APTUC was held at Dibrugarh on 28th November 1943 [AITUC, 1942-44, 25]. The Communist workers of the AITUC were also making efforts to establish contacts with the tea garden labourers [GOA, 1943-47; Behal, 2007, 153-54].

The ITA, faced with these developments, adapted and adjusted its policies with regard to the emerging trade unions. These developments forced the ITA to implement its earlier proposals on trade unions. Trade unions were to be recognized but under the leadership of those who would be acceptable to the ITA and who were willing to accept its terms and conditions: no affiliation to the Communist Party; the white-collar staff and labour were not to belong to common unions; and finally, one-third of the garden labour force had to be paying members [Griffiths, 1967, 391; Guha, 1977, 293]. While remaining hostile to communist dominated unions it made an alliance with the newly formed Indian National Trade Union Congress (INTUC), a Congress party trade union that accepted its conditions [Behal, 2007, 154]. The INTUC on its part assured the ITA that its activists would conform to 'legitimate' trade union activity and not upset the existing labour management relations [Guha, 1977, 296].

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