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IN DEFENSE OF LIVING WAGES FOR TEA PLANTATION WORKERS

EVIDENCE FROM ASSAM

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EXECUTIVE SUMMARY

The state of Assam has India's largest tea-growing area and contributes over 50% of the country's tea production according to Tea Board of India (2019). The tea sector in Assam has witnessed dramatic changes, particularly in terms of land utilization, production, consumption and price mechanisms. In order to compete in a race to the bottom, tea plantation owners do not provide decent working conditions to their workers and deny them the mandated social and employment security. Assam has the highest number of temporary workers employed in tea plantation in the country. Despite the tea industry's growth potential, export intensity and ability to absorb labour, the plantation workers are poorly paid and work and survive in precarious conditions.

In this context, it is imperative to look into the issue of precarity of tea plantation workers in Assam. As legally mandated under the Plantation Labour Act of 1951 (hereafter the PLA), all workers are entitled to receive employment and income protection as enshrined in various labour legislations. They are also entitled to social safety net since plantation falls under scheduled employment status. However, it has been observed that the primary responsibility of providing social security to all workers is vested with the tea estate management. As far as the state is concerned, it seems its only responsibility is to ensure its implementation. The tea workers in Assam receive wages less than the minimum threshold needed for a decent life and their wages are below the wages received under MGNREGA. It is difficult for the workers and their families to meet their basic needs such as nutritious food, housing, clothing, quality health care and education. They have to borrow from the local money lenders or work overtime which increase their physical burden, mental stress and vulnerability of the entire family. Workers can achieve a decent standard of living and a life of dignity if the state and tea companies agree to pay them living wages.

Based on a rich and comprehensive history of labour jurisprudence, this study provides an estimate of living wages for tea plantation workers in Assam by taking into account their living costs, conditions and wage entitlements under the PLA. It explores the current work structure of plantation workers including contractual,

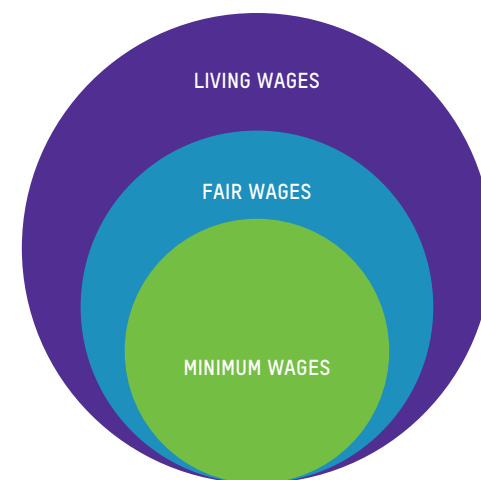
temporary and permanent workers of tea estates to provide a systematic approach for determining a living wage that can cover their daily consumption of food and non-food items as well act as an insurance for future emergencies. For this purpose, it provides evidence and narratives of tea workers to 1) examine the persistence of low wages and its vast mismatch with living cost in Assam, 2) assess the impact of low wages on their living standards, especially for women tea workers and during the COVID-19 pandemic.

Unlike other industries where the unit for minimum wage calculation is a single working person with their residual dependent family members, tea plantation industry's employment structure is based on family as a whole unit since more than one family member work in the tea estate. Under the PLA, ensuring decent living conditions and livelihood for workers and their family members are entrusted to the tea management/estate owners. Thus, it is important to shift the policy focus beyond minimum wages to consider living wage as a basis for calculating wages for a scheduled industry such as the tea industry with family as a unit.

The policy debate on wages and wage structures in India is narrowly focused on minimum wages that will ensure nutritional requirements and a bare subsistence living standard without any attention to health, education, superannuation amenities that takes into account the whole family and not just the individual worker. According to Minimum Wages Act, 1948 'wages' means, *"All remuneration capable of being expressed in terms of money which would if the terms of the contract of employment express or implied were fulfilled be payable to a person employed in respect of his employment or of work done in such employment and includes house rent allowance"*. Thus, minimum wages do not talk about the quality of life; it is just a legally binding obligation on the employer to provide minimum subsistence compensation for the workers. However, according to the Fair Wage Committee constituted by Ministry of Labour, Government of India in 1948, 'minimum wages' must *"provide not merely for the sustenance of life but for the preservation of the efficiency of the worker. For this purpose, the minimum wage must also provide for some measures of education, medical requirements and amenities"*.

In this study, we undertake a principle based approach as enshrined under Article 43 of Constitution of India that endeavours to provide living wages ensuring a decent standard of life and full enjoyment of leisure to all workers. In three landmark judgments, namely, *The Associated Cement Companies vs Its Workmen & Another (1959)*; *Kamani Metals & Alloys Ltd vs Their Workmen (1967)*; *Workmen v. Management of Reptakos Brett & Co. Ltd. (1991)*, the Supreme Court of India has advocated for bridging the gap between the wage actually paid and a living wage to maintain workers' dignity, decent standard of living and legal entitlements. It has highlighted the need to link the minimum wages with fair and living wages. According to Supreme Court of India's judgment (*Kamani Metals & Alloys Ltd vs Their Workmen, 1967*), a minimum wage must be paid in any event, irrespective of the extent of profits, the financial condition of the establishment or the availability of workers. This minimum wage is independent of the scale of operation, applies to all kinds of industries and sets the lowest limit below which wages cannot be allowed to sink. Additionally, wages must be fair, i.e. sufficiently high to provide a standard family with food, shelter, clothing, medical care, and education of children appropriate for the workers but not at a rate exceeding their wage-earning capacity in the class of establishment or industry to which they belong. A fair wage is thus related to the earning capacity and the workload. However, it must be realized that 'fair wage' is not 'living wage' which according to the Supreme Court of India in *Workmen v. Management of Reptakos Brett & Co. Ltd. (1991)* "should enable the male earner to provide for himself not merely the bare essentials of food, clothing and shelter but a measure of frugal comfort including education for the children, protection against ill-health, requirements of essential social needs, and a measure of insurance against the more important misfortunes including old age." Fair wage lies between the minimum wage (to be paid in any event) and the living wage, which is enshrined in Article 43 of Constitution of India. Therefore, the wage structure can be divided into three categories: the basic 'minimum wage' which provides bare subsistence and is at the poverty line level, a little higher is 'fair wage' and finally the 'living wage' which guarantees a comfortable life. Figure 1 illustrates the three-tier wage structure in India.

Figure 1: Principle Based Structure of Wages in India



Source: Various Supreme Court Judgments

To estimate the living wage for tea plantation workers, this study has relied on a mixed method research (MMR) approach combining both quantitative (survey) and qualitative (focus group discussions) methods. Analysis of the findings have highlighted the living costs borne by the workers as well as their institutional challenges across 1) Workers groups within same tea estate 2) Workers groups across tea estates in same districts 3) Workers groups across tea estates and across districts. Triangulation within concurrent method has been used to support the cost components from local mandis. The primary unit of analysis of the study is plantation workers and their family members who are the participants of this research. Our sample respondents have been selected using probability proportionate sampling technique from each selected tea estate. According to Government of Assam, there are 803 Tea Estates registered under Tea Plantation Act of 1951 in the state across 27 districts. We have selected 117 tea estates from seven districts (namely, Tinsukia, Golaghat, Biswanath, Lakhimpur, Sivasagar, Sonitpur and Dibrugarh) to collect primary data from 4909 sample respondents. In our sample, we have 3,099 (63.13%) male tea workers and 1,806 (36.79%) female tea workers.

MAJOR FINDINGS

CONTRACTUALISATION

There exists a growing incidence of contractualisation in the tea plantation sector in Assam. Only 39% of workers can be considered as permanent workers, while the remaining 61% are temporary workers when social security and other mandated provisions under the PLA are taken into consideration.

GENDER WAGE DISPARITY

On an average, women earn only 80% of what men earn; women worker's reported average monthly income is INR 3,745 compared to INR 4,672 for men.

WORKERS' HOUSEHOLD PROFILE

Around 99% workers are residing with their family and less than 1% (48 workers) workers stay alone near the tea estates. Other family members also gets employed from time to time as temporary workers. The size of households in our sample is bimodal and 25.7% workers have an average household size of four members and 25.1% workers have an average household size of five members.

PRECARITY

Workers in tea plantations suffer from wage cut mechanisms, deplorable housing and living conditions, calorie intake deficits, work-related insecurities and non-availability of basic facilities at the workplace. The cost of living is much higher than what they receive as wages resulting in high incidence of debts, especially among temporary workers.

CURRENT INCOME DEFICIT AND LIVING WAGE

Average family income per month reported by tea workers in our study is INR 4,774, without making any deductions and average expenditure on food consumption is INR 1,854 and non-food expenditure is INR 3,895 per person per month. The average deduction by the employer is INR 778, however there are significant variations across tea estates, so their in hand income is INR 3,996 per month. The workers are entitled to get INR 167 per day which is inclusive of both the cash and noncash benefits, but they actually receive INR 160-180 per day as observed in our sample. According to the estimates of this study, for workers to have a dignified life, the compensation in the form of living wages shall include INR 285 per day as expenditure on food items (including 4 units of consumption) and INR 599 per day as expenditure on non-food items, both essential and non-essential utilities. Therefore, the living wage for a worker should be INR 884 per day for a decent living standard in the tea plantation sector. Our proposed living wage is 81% higher than the actual wages workers receive and 54% higher than the National Minimum Wage suggested by Anoop Satpathy Committee (2019).

EFFECTS OF COVID-19 PANDEMIC

Prior to the COVID-19 crisis, only 7% women workers reported access to maternity leave and a mere 2% were able to access the facility for children's education offered by their employers. During the nationwide lockdown, only 10% of the respondents have worked as the only tasks performed in that period were fumigation and sewage draining. The remaining workers were unemployed for the entire duration of the lockdown. Women were more severely impacted by the lockdown and were not able to work for 45 days on an average, while for men the duration was 33 days.

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IN DEFENSE OF
LIVING WAGES FOR
TEA PLANTATION
WORKERS:
AN INTRODUCTION



1.1 FROM MINIMUM WAGES TO LIVING WAGES

The rising incidence of precarity and income insecurity even amongst the scheduled industries under the Industries (Development and Regulation) Amendment Act, 1971 and their 'scheduled' employments under the Minimum Wages Act, 1948 have raised serious concerns about the wellbeing of workers who fall under the purview of protection legislations. Despite being the most organised industry (among 32 scheduled industries and 41 scheduled employments) with special provisions under Plantation Labour Act of 1951, the tea plantation industry has witnessed deplorable working condition, poor wage structure, absence of the developmental state, weak unions and worsening of welfare facilities. The most important change in the plantation system in post-independent India was the introduction of laws specifically for plantation estates as well as extension of laws aimed at protecting the interests of workers. The same was conspicuous by its absence under the British rule and administration. The most important of the laws has been the Plantation Labour Act of 1951 (hereafter the PLA), which specifically takes note of the distinctive features of plantation workers and aims to address them. Many other labour laws enacted from time to time have also been extended to plantation workers. Some of these acts are the Workers Compensation Act, 1923, the Trade Union Act, 1928, the Payment of Wages Act, 1936, the Industrial Dispute Act, 1947, the Factories Act, 1948, the Minimum Wages Act, 1948, the Employees Provident Act, 1952, the Maternity Benefit Act, 1961, the Payment of the Bonus Act, 1965, the Gratuity Act, 1972, the Equally Remuneration Act, 1976, etc.

Notwithstanding such laws and the presence of trade unions, the condition of plantation workers remains deplorable. Wages are the lowest in this organised sector, even lower than the wage under MGNREGA of the respective states. The current daily wages of plantation workers are INR 160-180 and INR 195-200 against the daily wage of INR 213 and INR 204 under MGNREGA for Assam and West Bengal respectively. The daily wage of plantation workers on the other hand is INR 323.69 for Kerala, INR 313.83 for Tamil Nadu and INR 305 for Karnataka. In all these states, the

MGNREGA wage is lower than that of the plantation workers for instance INR 291 in Kerala, INR 256 in Tamil Nadu and INR 275 in Karnataka (MoRD, 2020). Interestingly, workers in the tea plantations are paid wages only for six days in a week even when they are permanently employed. The welfare facilities provided for the workers in the PLA have been very poorly implemented in all respects. Hence, the literacy rate is low, health and sanitation facilities are poor and malnutrition is widespread resulting in high mortality rates. Housing facilities which are provided by the employer fall far short of norms (Xaxa, 2019). Thus, social and economic indicators of development are very poor in tea plantation estates.

In this context, it is imperative to look into the issue of wage precarity of tea plantation workers in the state of Assam. Under the PLA, all workers are entitled to receive employment and income protection as enshrined in various labour legislations and be covered by social safety net since plantation falls under the scheduled employment status¹. However, it has been observed that the primary responsibility of providing social security to all workers is vested in the tea estate management². It appears that the only responsibility of the state is to ensure its implementation³. The provisions so mandated are to be implemented through the enforcement machinery that operated from regional labour officers situated in the tea growing areas (Bhowmik, 2011). The *de facto* enforcement mechanism are entrusted with assistant labour commissioners who are the plantation inspectors under the PLA. There is no separate machinery for the implementation of various labour laws. However, the state's labour department is least interested and hardly visits the tea estates or monitors the workers' situation with regard to different provisions of the PLA (Xaxa, 2019).

Hence, this evidence based empirical study aims to examine the linkages between existing inequalities with denial of living wages and decent working conditions, where the former is perpetuated and exacerbated by the latter. It provides a systematic and scientific approach for determining a genuine living wage by

surveying and analysing existing methodologies of living wage calculation based on their scope, granularity, vectors of data and relevance in the context of tea workers in Assam. It then assesses existing secondary data, from official and non-official sources, of living cost structures in Assam.

The first chapter of the report provides an introductory rationale for living wages as a basic criterion for setting a wage floor for tea plantation workers. The second chapter locates the working and living condition of tea workers in the studied districts in the state of Assam. The third chapter offers an estimate of living wage based on detailed calculation using the primary data. Finally, the fourth chapter contextualizes the constitutional provisions for living wages.



¹ Section 1 of "An Act to provide for the welfare of labour, and to regulate the conditions of work, in plantations" as defined by the State Government by notification in the Official Gazette, declare that all or any of the provisions of this Act shall apply also to any land used or intended to be used for growing any plant referred to in clause (a) or clause (b) of sub-section (4), notwithstanding that - (a) it admeasures less than 5 hectares, or (b) the number of persons employed therein is less than fifteen under Plantation Labour Act of 1951.

² Exercising the power granted under section 43 of Plantation Labour Act of 1951, the state shall govern enforcement mechanism and will form an advisory committee to ensure supervise and monitor the facilities provided by the employer.

³ Employers shall be responsible for hours and limitation of employment under section 72 to 73 (Chapter V) unless and otherwise specified by the competent authority.

1.2 FROM NEED-BASED WAGES TO PRINCIPLE BASED LIVING WAGES

In most countries, wages are regulated using the concept of 'minimum wages' by collective bargaining or respective laws. Since past few years, in many developed or developing countries, the attention has shifted towards decent living wages due to rising income inequality, decreasing wage share and increasing cost of living. Across India, tea workers are living a frugal life due to low wages which make them more vulnerable to socio-economic circumstances. In the case of tea workers in Assam, they are getting wages less than the minimum threshold required to live a decent life. It is difficult for the workers and their families to meet their basic needs such as nutritious food, housing, clothing and quality health and education for which they have to borrow from local money lenders or work overtime. This substantially increases their physical burden, mental stress and can push the whole family into a vulnerable position. Workers can achieve a decent standard of living if the state and tea companies agree to pay them the living wages.

Living wages are related to the International Labour Office or ILO's concept of 'decent work'⁴ and quality of life (ILO, 2015). In this context, a 'living wage' is usually defined in terms of enabling meaningful participation in the society beyond mere survival through, for example, recreation, supporting a family and saving against future risks (Clary, 2009; Ryan, 1996). It is considered as an income below which there can be a risk of deprivation and living wage can ensure an upward shift in workers' capabilities and freedom (Parker et al., 2016). Work-related factors (such as better toilet facilities, space for relaxation, healthy working environment etc.) which can promote the wellbeing of the workers are also recognized as a part of living wage (Waltman, 2004). In general, 'living wage' is a wage that enables a worker to afford a 'decent' standard of living for herself and her family.

According to the Fair Wage Committee constituted by Ministry of Labour, Government of India in 1948, the 'minimum wages' must *"provide not merely for the sustenance of life but for the preservation of the efficiency of the worker. For this purpose, the minimum wage must also provide for some measures of education, medical requirements and amenities"*.

The landmark judgments by Supreme Court of India in *Express Newspapers (P) Ltd. v. Union of India, 1959* and *Standard Vacuum Refining Co. of India v. Its Workmen 1961*⁵, broadly agreed with the principles of the Fair Wage Committee for fixing minimum wages and accepted the following six norms for its calculation.

- i. For the standard working class, three consumption units should be taken against one wage earner irrespective of earning of women, children and adolescent
- ii. For an average Indian adult of moderate activity, minimum food requirement should be calculated on the basis of net intake of calories
- iii. A total clothing requirement of 72 yards for workers' family of four, per capita consumption of 18 yards per annum
- iv. In terms of housing, the rent corresponding to the minimum area prescribed by the Industrial Housing Scheme of Government
- v. 20% of the total minimum wage should be given for fuel, lightening and other 'miscellaneous' expenditure
- vi. 25% of the total minimum wage should also be provided for children's education, medical requirement, minimum recreation including festivals or ceremonies and provision for old age, marriages etc.

Therefore, the wage structure can be divided into three categories: the basic 'minimum wage' which provides bare subsistence and is at poverty line level, a little higher is the 'fair wage' and finally the 'living wage' which guarantees a comfortable life. The Supreme Court's landmark judgment in *Workmen v. Management of Reptakos Brett & Co. Ltd. 1991* advocated the concept of and the right to a living wage. It said that the constitution of India in its 42nd amendment has promised a living wage with a socialist idea. The judgment says that wages are not just a contract between the employer and employee but it has a force of collective bargaining under the labour laws which should provide social justice to the workers. It has contextualized the living wage as follows: *"the living wage should enable the male earner to provide for himself not merely the bare essentials of food, clothing and shelter but a measure of frugal comfort including education for the children, protection against ill-health, requirements of essential social needs, and a measure of insurance against the more important misfortunes including old age."* The Global Living Wage-ISEAL Alliance (ISEAL, n.d.) has defined living wage as, *"Remuneration received for a standard work week by a worker in a particular place sufficient to afford a decent standard of living for the worker and her or his family. Elements of a decent standard of living include food, water, housing, education, health care, transport, clothing, and other essential needs, including provision for unexpected events."*

To estimate living wages, adequate income to afford a decent standard of living is dependent upon many factors such as location, household composition and access to livelihood opportunities. The price of food basket determines the food expenditure which is the main component of the living wage. In this study, actual prices of necessary food items have been taken from cost of living survey and the composition of the food basket is taken from the national food balance sheets published by NSSO's Consumption Expenditure Surveys. However, we have used the dietary-nutrition

food information chart from Annual Health Survey of Assam. The food basket is assumed to be at par with 2,100 calories per person per day that is the nutritional requirement for good health proposed by World Bank (Haughton & Khandker, 2009). Housing costs are estimated using the standards suggested under Chapter IV of The Assam Plantations Labour Rules of 1956 which include dwellings with permanent walls and located outside slums and unsafe areas, roofs that do not leak, and adequate ventilation; amenities such as electricity, water, and sanitary toilet facilities; and sufficient living space so that parents and children can sleep separately. The cost of acceptable housing is established based on visits to local housing with workers. The Cost of Living survey asked respondents about the average monthly expenses on health care for a family of two adults and two children, i.e. the standard family. It also enquired about the minimum monthly expenses on education (assuming that children attend public schools) for a standard family. Education in public schools is provided at relatively low cost, but additional costs are related to supplementary materials and fees. Based on this information, the monthly expenditure on health and education is included in the living wage calculation. We have also collected information about travel expenses, expenses on clothes and internet charges as well as on education aid materials. We have also taken into account contingency expenses that are earmarked for unforeseen events.



⁴ Decent work sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.

⁵ Standard Vacuum Refining Co. of India vs Its Workmen And Another on 20 January, 1961, AIR 895, 1961 SCR (3) 536

1.3. NEED FOR A LIVING WAGE: AN ECONOMIC RATIONALE

Indian tea is among the finest in the world owing to favourable geographical indications, heavy investment in tea processing units, continuous innovation, augmented product mix and strategic market expansion. Even though it has an expansive export market, about three-fourth of the country’s total tea produce is consumed locally. According to Directorate General of Commercial Intelligence and Statistics, it is estimated that the value of India’s total tea export stood at US\$ 830.90 million in FY19 and US\$ 826.47 million in FY20. India ranks fourth in terms of tea export after Kenya (including neighbouring African countries), China and Sri Lanka. As of 2019, India was the second largest tea producer in the world with production of 1,339.70 million kgs. During January–February 2020, estimated tea production was 30.54 million kgs (DGCIS, 2019). Tea is a major plantation industry in India and one of the oldest organised manufacturing sectors that has retained its position as the single largest employer in the plantation sector. It is produced mainly in four states, namely Assam, West Bengal, Kerala and Tamil Nadu. The total number of permanent workers in the tea estates or industry is over 10 lakhs and the number of temporary and other category of workers is around six lakhs (Xaxa, 2019). Ironically, even though they are a part of the organised sector, plantation workers remain one of the most excluded and marginalised sections of the society even today. According to the baseline survey conducted by Tea Board of India in 2015, it is estimated that there are 11,31,942 tea workers (7,26,247 are permanent and 4,05,695 are temporary workers). Assam has the highest number i.e. 6,84,654 workers engaged into the tea industry accounting for 60.5% of India’s tea workers. Out of that, 4,00,352 (58.47%) and 2,84,302 (41.53%) are permanent and temporary workers respectively. The state has the highest number of temporary workers employed in tea plantation in the country.

Despite tea industry’s growth potential, export intensity and ability to absorb labour, the tea plantation workers are poorly paid and work and survive in precarious conditions. In fact, the wages earned by tea workers in Assam is much lower than the prevailing wage structure that exists in other organised industries and scheduled employment as listed under Minimum Wage Act of 1948. One of the primary reasons for this was the poor formulation of wage policy for tea sector as well as

lack of collective bargaining which can give more voice to workers in the wage negotiation setting (Bhowmik, 2011). At the time when the PLA was passed by the government in the 15th Indian Labour Conference (1957), it was recommended that 3 units of consumption per worker would be the determining criterion for fixing the need-based minimum wage in an industrial sector (MoLE 2019). However, associations of Indian tea producers, such as the Indian Tea Association, Indian Tea Planters Association, and Tea Association of India raised objection and pleaded for 1.5 units of consumption as the criterion for the plantation sector. The two key objections were that the tea industry was passing through crisis and would not be able to bear the additional burden (Xaxa, 2019).

The argument of crisis has been the constant litany all through the colonial period and even continues to this day whenever substantive demand has been articulated. The second argument made by the tea plantation estates is that they employ and take care of the whole family and hence cannot pay higher wages (Xaxa, 1997). The family has generally been the unit of employment in tea plantation estates but it cannot be generalized as a whole. Further, since the dwindling employment scenario in the 1960s, there have been a large number of families with some members without regular employment (ibid). The employment of children, which was the normal practice under the colonial period, persisted until recent times. In fact, the PLA had a provision for child labour, of course with much lower wages than the adult worker. In fact, adolescents and adults were hired under the category of child labour since that would curtail the expenditure on labour cost (Fernandes et.al., 2003). Child labour has been abolished with the amendment to the Plantation Labour (Amendment) Act, 2010. Due to this, the earnings of the workers’ family have substantially declined and they are finding it difficult to make both ends meet. The unit of analysis to factor in the supply of labour is not an individual worker but the family as a whole as they provide labour services to the same estate for standard and non-standard wages. Therefore, it is important to consider family as a unit and it is imperative to transcend from the need-based minimum wages to the principle-based living wages for tea workers in Assam.



1.4. RESEARCH DESIGN AND CONCEPT

This study has explored the current work structure and living conditions of plantation workers including contractual, temporary and permanent workers of tea estates to provide a systematic approach for determining a living wage structure while detailing their daily consumption of food and non-food items. To estimate the living wage for tea plantation workers, it has relied on mixed methods approach combining both quantitative and qualitative methods to document the living costs borne by workers as well as their institutional challenges across 1) Workers groups within same tea estate 2) Workers groups across tea estates in the same district 3) Workers groups across tea estates and across districts. Triangulation within concurrent method has been used to support the cost components from local mandis or markets. The primary unit of analysis in this study is the plantation workers and their family members who are participants in this research.

According to Government of Assam, there are 803 Tea Estates registered under Tea Plantation Act of 1951 in the state across 27 districts. We have selected 117 tea estates from seven districts of Assam to collect the primary data of 4909 sample respondents (See Table 1.1). Access to tea estates for primary data collection was subject to various regulatory and procedural constraints. Therefore, we have restricted our sample districts to those seven districts where the local network of civil society organisations and trade union partners were already actively working on various aspects of labour welfare.

Across the sample, we have clustered the tea estates as 39 Public limited companies, 67 private limited companies and 16 public sector undertakings.

Table 1.1: Distribution of sample respondents

DISTRICTS	NO. OF BLOCKS	NO OF TEA GARDENS	NO. OF TEA GARDENS SELECTED IN THE DISTRICT	NO OF RESPONDENTS
TINSUKIA	2	122	26	857
GOLAGHAT	4	74	16	528
BISWANATH	2	6	6	419
LAKHIMPUR	3	9	7	309
SIVASAGAR	3	85	16	772
SONITPUR	4	59	16	558
DIBRUGARH	4	177	30	1466
TOTAL	22	803*	117	4909

Source: Government of Assam

WE HAVE USED THE PROBABILITY PROPORTIONATE SAMPLING METHOD TO COLLECT PRIMARY INFORMATION FROM TEA WORKERS ACROSS GENDER, SOCIAL AND ETHNIC GROUPS. OUR SAMPLE RESPONDENTS HAVE BEEN DRAWN RANDOMLY.

1.5. STATISTICAL PROFILE OF TEA GARDEN WORKERS IN ASSAM

To estimate living wages, this study interviewed 4,909 tea plantation workers across seven districts. In our sample, we have 3,099 (63.13%) male tea workers and around 1,806 (36.79%) female tea workers.

Table 1.2: District-wise Gender Disaggregation of Respondents

DISTRICTS	MALE	MALE IN %	FEMALE	FEMALE IN %	TOTAL
TINSUKIA	231	55.13	188	44.87	419
GOLAGHAT	954	65.08	510	34.79	1,466
BISWANATH	202	38.26	326	61.74	528
LAKHIMPUR	153	49.51	155	50.16	309
SIVASAGAR	734	95.08	38	4.92	772
SONITPUR	207	37.1	351	62.9	558
DIBRUGARH	618	72.11	238	27.77	857
TOTAL	3,099	63.13	1,806	36.79	4909

Source: Primary data

Across the districts, the proportion of male tea plantation workers is highest in Dibrugarh district (30.78%) and lowest in Lakhimpur district (4.94%). On the other hand, the share of female tea plantation workers is highest in Dibrugarh district (28.24%) and at 2.1%, lowest in Sivsagar district. The spatial distribution of the sample is based on the probability proportionate to sampling method that indicates the density of tea plantation workers in each district in Assam. Our sample indicate that almost 94% of the sample respondents are from rural areas and the remaining are from urban areas. Further gender disaggregation shows that 92% male workers are from the rural areas compared to 98% female workers.

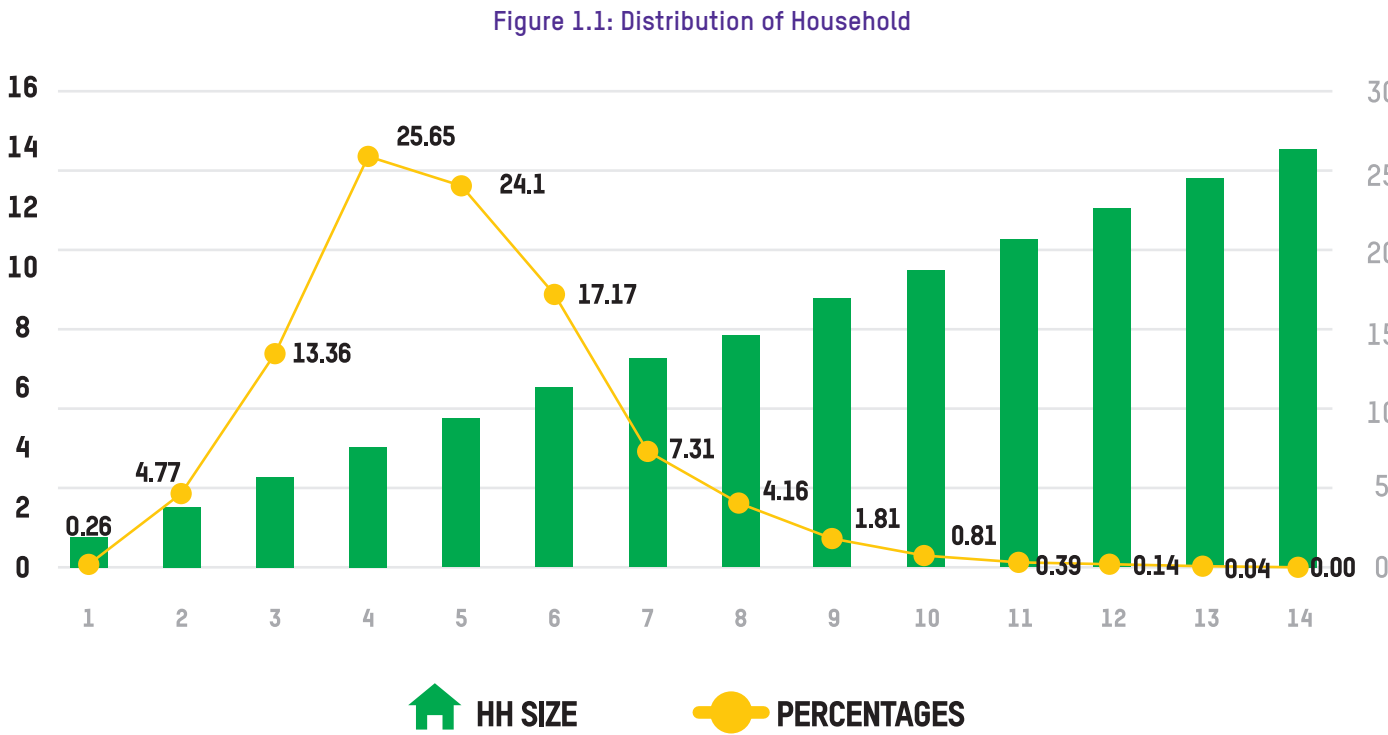
Around 66.7% male workers are in the age cohort of 31-40 years and 41-50 years. Less than 1% are below the age of 18 years. Around 523 male workers are between 18-30 years and 449 male workers are between 51-60

years. Around 2% male workers are more than 60 years. Among the female workers, 46.2% and 28% are in the age group of 31-40 years and 41-50 years respectively. Only 112 female workers (6.2%) are between 51-60 years. The age composition of tea plantation workers indicates that two-third of male workers are in the age group of 31-50 years whereas almost three-fourth of women workers fall in that age group.

Approximately, 73% of tea plantation of workers are Hindus and 27% are Christians. Less than 1% of the sample workers are from other religious groups. This religion stratification is also embedded in the historical evolution of tea plantation industry and its migrant workers who were recruited under the colonial tea plantation system in Assam. In our sample, 86% of total tea plantation workers belong to Other Backward Class and 7% are from General category. Around 5% and 2% of workers belong to Scheduled Caste and Scheduled

Tribe respectively. None of the sample respondents are from Nomadic and De-notified Tribe groups. Out of 4,909 sample worker-respondents, only 2.59% (127 workers) have migrated from other states in the previous year and the remaining are non-migrant plantation workers. Almost 99% workers reside with their family and about 1% (48 workers) stay outside the plantations with their families.

In Figure 1.1, we can see that the size of households in our sample is bimodal indicating that 25.65% workers have an average household size of four members and 25.1% workers have an average household size of five members.



Source: Primary data

Around 17.17% of workers have an average household size of six members. The average family size is 4.3 in each household and the average dependent members per household is 2.3. Around 43.24% workers do not have children below 14 years of age in the family. However, 34.04% and 17.32% of sample respondents have at least one and two children below the age of 14 years respectively. Around 30% respondents have at least one adolescent and 13% respondents have at least two adolescents in the family.

Before examining the distribution of household income, it is important to know who are the principal earners in a family. Around 38% of workers report that they have only adult male as the principal earner in the family and 35% workers say that both adult male and female



are principal earners. Conversely, 17% of workers reported having only adult female as the principal earner in the family. It is very likely that these are female headed households. It is interesting to note that even adolescents are working as principal earners in families. Around 4% workers have adolescents as the male principal earner and less than 3% workers say that both female and male adolescents are principal earners in a family.

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“““
**WE GET INR INR 820
EVERY WEEK. WE
HAVE TO BUY ALL THE
GROCERIES EVERY
WEEK AFTER WE GET
MONEY. WE HARDLY
SAVE ANYTHING.
THE WAGE IS NOT
SUFFICIENT TO RUN
A FAMILY OF 7-10.**

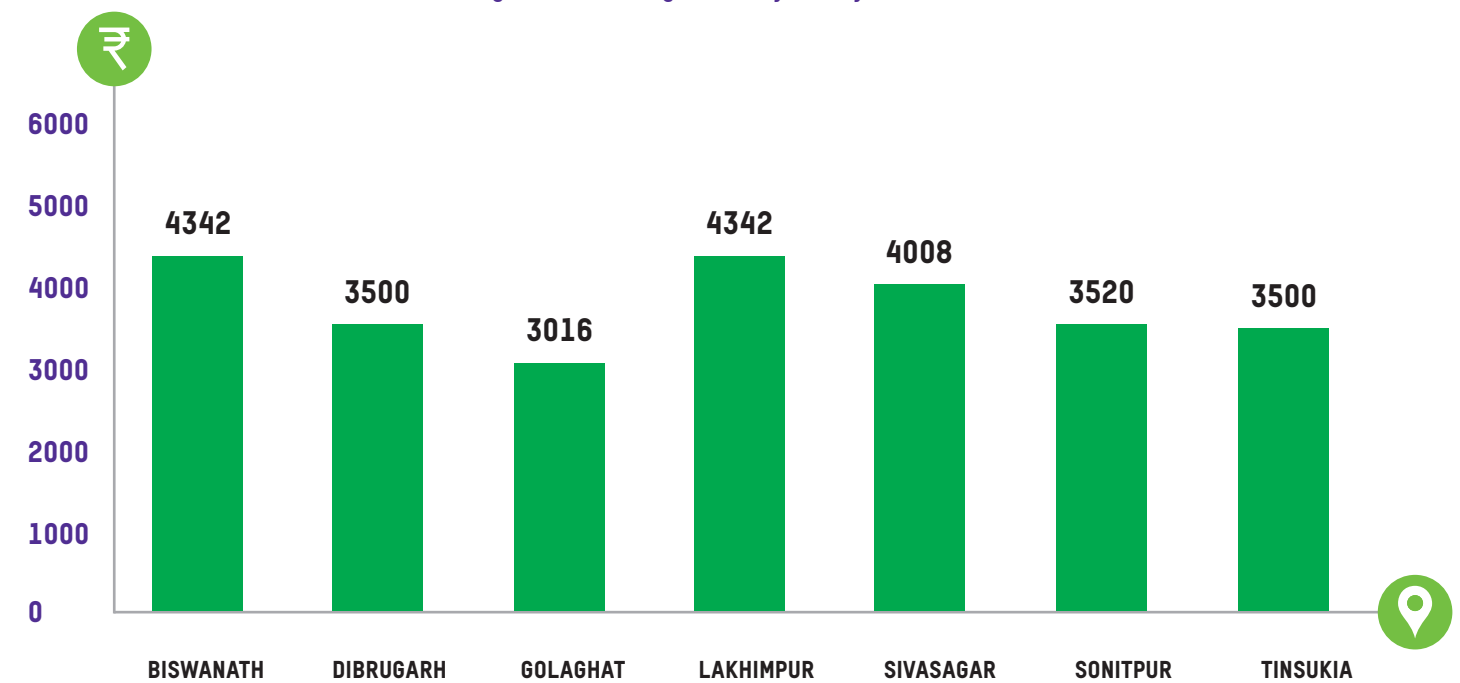
**38 years old female tea garden
worker in Biswanath**
(engaged in plucking since 16 years of age)

Table 1.3: Distribution of Income by Gender

	 MALE	 FEMALE	
MFI	4671.777	3745.073	AVERAGE (IN INR)
PCFI	1054.454	985.258	
MFI	1054.454	985.258	MEDIAN (IN INR)
PCFI	1054.454	985.258	

In our sample the average monthly family income (nominal) is INR 4,774 and the per capita family income is INR 1,075. At the disaggregated level (Table 1.3), the male respondent reported INR 4,672 and female respondents reported INR 3,745 as monthly family income. It shows that male workers earn higher than female workers in tea industry. The median monthly family income for women workers is much lower than male workers due to extreme values that influence the estimated mean.

Figure 1.2: Average Monthly Family Income



Source: Primary data

In our sample the average monthly family income (nominal) is INR 4,774 and the per capita family income is INR 1,075. At the disaggregated level (Table 1.3), the male respondent reported INR 4,672 and female respondents reported INR 3,745 as monthly family income. It shows that male workers earn higher than female workers in tea industry. The median monthly family income for women workers is much lower than male workers due to extreme values that influence the estimated mean.

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**OUR WAGE IS SO LESS
THAT WE CANNOT
EVEN SATISFY OUR
BASIC NEEDS. OUR
PROBLEM INCREASES
MORE DURING RAINY
SEASON WHEN THERE
IS NO WORK IN THE
TEA GARDEN AND WE
MIGRATE IN SEARCH OF
WORK BUT WE HARDLY
GET ANY WORK ON A
DAILY BASIS.**

44 years old female tea garden
worker in Biswanath



FINDINGS FROM CHAPTER 1

The Plantation Labour Act of 1951 applicable for the tea plantation industry mandates the tea management/ estate owners to ensure decent living conditions and livelihood for workers and their family members.

In three landmark judgments, namely, The Associated Cement Companies vs Its Workmen & Another (1959); Kamani Metals & Alloys Ltd vs Their Workmen (1967); Workmen v. Management of Reptakos Brett & Co. Ltd. (1991), the Supreme Court of India has advocated for bridging the gap between the wage actually paid to the workers and a living wage.

A mixed methods approach and probability proportionate sampling have been used to collect both quantitative and qualitative information from tea workers across gender, social and ethnic groups for estimation of living wage.

The study has covered 4909 sample respondents from 117 tea estates spread across seven districts of Assam, namely, Tinsukia, Golaghat, Biswanath, Lakhimpur, Sivasagar, Sonitpur and Dibrugarh. The sample comprises approximately 63% male and 37% female worker respondents.

02

HUMAN COST OF TEA: LOCATING LIVING AND WORKING CONDITIONS OF TEA WORKERS



2.1. LIVING CONDITIONS OF TEA WORKERS

The primary source of labour comes from historical migration trajectories of indentured labourers during the colonial period that provided a fixed supply of labourers to tea estates in Assam. In our sample, majority of tea plantation workers (97%) have been staying in their plantation estates since generations. The remaining workers are from other states who have migrated to work in the tea estates and the highest intensity of migration is in Dibrugarh district i.e. 8% of respondents. This could be because Dibrugarh has the highest number of private tea plantation estates in Assam as well as other potential employment opportunities that attract workers from labour surplus states such as Bihar and Jharkhand. More than 95% workers in the tea estates have been staying with their families. In our sample, 1232 tea plantation workers (25%) have agricultural land ownership out of which 52% are male and 48% are female workers. However, only 1.9% of female respondents have land pattas registered in their name. The average own land size is 3.77 bighas (0.61 acres) which is higher for a male worker (4.31 bighas) relative to a female worker (2.7 bighas).

Despite the high female workforce participation at the estates, the principle source of family earnings is male household members. Female workers are mostly employed in temporary jobs such as leave plucking, pruning and skiffing, rolling and drying that are low wage activities. Access to civil society organisations is crucial for improving collective bargaining of workers. Despite being a scheduled industry, the tea plantation sector has a very poor social dialogue mechanism between tea estate management and workers due to lack of representation by trade unions and workers' collectives. Only 8% workers have membership with civil society organisations. Out of that, only 3% are part of trade unions and the remaining are part of self-help groups and local ethnic *biradari* associations. Highest share of respondents without access to civil society organisations are located in Golaghat district (98%) and the lowest proportion is identified in Sivasagar district (80%).

Around 90% workers have access to PDS system. Out of the remaining who do not have access to PDS, 7% workers have migrated recently and the remaining workers stay outside the tea estates that could further exclude them from the benefits of the PDS system. Although all tea workers are part of a larger colonial

indenture migration system in the present tea estates, without a registered house in the tea gardens they are most likely to be excluded from social safety net. Across the districts, Sivsagar has the lowest share of workers with access to PDS (1.17%). Out of the workers who have access to PDS, only 22% have Above Poverty Line (APL) ration card. Around 72% carry Below Poverty Line (BPL) ration card and all of them work on temporary jobs in the tea estates. Only 5% of workers have Antyodaya (AAY) ration card. Sonitpur has the highest proportion of APL card holders (82%) since the district has majority of public sector undertakings. All the workers in Sivsagar and Tinsukia have BPL cards. The lowest share of workers with BPL card is found in Sonitpur (17%). Golaghat has the highest proportion of workers with AAY card (40%) and there is no such worker in the districts of Lakhimpur and Sivsagar.

“

IT WAS VERY DIFFICULT TO ARRANGE FOOD DURING THE LOCK DOWN.

OUR WAGE BEFORE LOCK DOWN WAS SO LOW THAT WE DID NOT HAVE ANY SAVINGS. WE

DID NOT HAVE WORK DURING LOCK DOWN. WE WERE PROVIDED WITH ONLY RICE FROM THE GOVERNMENT. WE BOUGHT OTHER Eatables FROM THE SHOPKEEPER ON LOAN.

32 years old female tea garden worker in Biswanath



Out of those who own agricultural land in our sample (25%), around 8% have leased land from tea estate management and remaining have bought the land themselves. Lakhimpur has the highest proportion of workers who have taken land on lease from tea estate management while there is not a single such worker in Golaghat district. Overall, around 74% workers reside in employer provided accommodation and 26% in own accommodation. The proportion of workers residing in employer provided accommodation (i.e. labour colony) is highest in Sivsagar (98%) and lowest in Golaghat (15%). Share of workers staying in their own accommodation is highest in Golaghat (85%) and lowest in Sivsagar (2%). Less than 1% of workers either stay in rented accommodation or community housing facility.

“

THE HOUSE PROVIDED BY EMPLOYERS IS INSIDE THE GARDEN. EVERY YEAR BEFORE THE MONSOON, WE HAVE TO SPEND MONEY ON REPAIRING THE HOUSE. WE SPEND ALMOST INR 5000 ON THAT.

32 years old female tea garden worker in Biswanath

Under the PLA, all tea estate owner/management must provide good housing facility with attached toilet and water facility to workers. The study shows that majority of tea workers are still living under deplorable housing and toilet facility. Only 28% workers reside in pukka house, the majority i.e. 43% workers stay in semi pukka house and around 29% live in kuchha house. Highest share of workers staying in pukka house is from Sivsagar (70%) and less than 1% is from Biswanath. Biswanath houses the maximum proportion of workers residing in semi pukka accommodation (84%) while the same proportion of workers stay in kuchha houses in Golaghat. More than 50% tea workers use tube well or borehole as the main source of drinking water at the tea estates. Around one-fourth of the workers use dug well and only 15% workers use piped water for drinking. Since many tea estates are located in remote areas, 9% workers use water from springs for drinking. Inadequate access to drinking water is still a critical issue in many tea estates. As reported in the focus group discussions, during summer springs dry up forcing workers to travel more than 5 kilometers to fetch drinking water.

In our sample, 86% of worker-households have toilet facility attached to their accommodation and the remaining have to use open space. Maximum workers from Sivsagar have reported attached toilet facility in their accommodation (98%) while only 61% have this facility in Tinsukia. Around 94% respondents have electricity connection in their houses with the highest share (almost 99%) in Lakhimpur and lowest in Tinsukia district (86%). Around 67% workers still use wood for cooking food and 8% use kerosene. Only 23% workers have access to LPG for cooking purpose. More than two-third of the workers use both wood and kerosene for cooking and one-third use wood and LPG.

“

GOVERNMENT HAD STARTED THE WORK OF CONSTRUCTING TOILETS. THEY DEDUCTED INR 200 FROM THE SALARY TOO BUT DID NOT FINISH THE CONSTRUCTION. FINALLY, SOME OF THE FAMILIES CONSTRUCTED A SHARED TOILET BY THEMSELVES.

48 years old female tea garden worker in Sivsagar



2.2. WORKING CONDITION OF TEA WORKERS

Out of a total of 4,909 tea workers, around 4,001 respondents (81.50%) are permanent workers and 908 workers (18.50%) are temporary workers. However, lack of access to employment social security and other mandated provisions in the PLA shows that only 39% of workers can actually be referred to as permanent workers while remaining 61% can be considered as temporary workers. Prior to the lockdown, the monthly income of permanent workers was INR 4774 and that for temporary workers was INR 2798. The average period of work experience for both categories was 14 years in a given tea estate.

Table 2.1: Job Specification Prior to Lockdown

JOB SPECIFICATIONS	FREQUENCY	% OF RESPONSE	% OF CASES
PLUCKING	3447	59.37	70.22
PRUNING AND SKIFFING	833	14.35	16.97
ANY OTHER	655	11.28	13.34
DRYING	472	8.13	9.61
PACKAGING AND DISPATCHING	93	1.6	1.89
PEST FUMIGATION	82	1.41	1.67
FERMENTATION	80	1.38	1.63
GRADING	68	1.17	1.39
ROLLING	60	1.03	1.22
WITHERING	16	0.28	0.33
TOTAL	5806	100	

Source: Primary data

In Table 2.1, it can be seen that 59% workers are engaged in tea leaf plucking, whereby the percentage of cases is 70%. Around 14% are engaged in pruning and skiffing and 11% are engaged in other jobs. The category of other jobs comprises drainage line cleaning, sewage repair and piping jobs in 13.34% of cases. Hence more than two-third of the workforce are engaged in the tea fields for leaf plucking and pruning

and skiffing. However, less than one-third are engaged in the tea factory which are considered as regular jobs such as grading, packaging and dispatching. Gender disaggregation shows that around 32% male and 84% female workers are engaged in plucking activity. Male workers are highly concentrated in drainage line cleaning, sewage repair and piping jobs (30%), pest fumigation (16%), grading (10%) and drying (12%).

On the other hand, 12% of the women are working in pruning and skiffing and 4% in rolling. This clearly indicates the gender division of work in the tea plantation industry, where majority of women work in the tea fields and male work in the factory premises. Prior to the lockdown, around 55% of workers used to receive payment slips from their employers. The highest share of such workers is from Tinsukia (89%) and lowest is from Golaghat and Sivsagar districts (16%). Around 57% workers have received at least one deduction from their employers in their payment slips. Only 23% workers have received overtime payment prior to the lockdown, maximum (83%) from Lakhimpur and less than 1% from Sonitpur. Around 79% of workers received fixed amount of wages before the lockdown. While almost all workers from Sonitpur received fixed wages, only 62% workers from Golaghat did so. Approximately, 21% workers received piece rate wages before lockdown with the maximum proportion coming from Lakhimpur. As mentioned earlier, only 39% of workers can actually be referred as permanent workers and the remaining are effectively temporary workers. Of those who have permanent jobs, 21% workers have medical facility for their families and themselves and around 17% get sick leave. Around 16% workers can avail bonus and only 11% workers get provident fund. Only 7% women workers have access to maternity leave before the lockdown and 2% workers are able to access the facility for children's education from their employers. In the post lockdown period, maternity leave was available to 4.7% women workers.

“BECAUSE OF LONG HOURS OF WORK IN THE SUN, THE WORKERS FEEL EXHAUSTED. THE WEAK WORKERS FAINT AND SOME HAVE LOST THEIR EYESIGHT BECAUSE OF LONG HOURS OR WORKING FOR SO MANY YEARS. THEY ARE PROVIDED WITH UMBRELLA BUT IS DIFFICULT FOR A WORKER TO HOLD AN UMBRELLA WHILE PLUCKING LEAVES.

62 year old female worker in Lakhimpur

Table 2.2: Facility at Factory Premise Prior to Lockdown

FACILITY AT FACTORY PREMISE PRIOR TO LOCKDOWN	% OF RESPONSE
POTABLE DRINKING WATER FACILITY	3447
FIRST AID FACILITY	833
HAND WASHING FACILITY	655
CRÈCHE FACILITY FOR EMPLOYEE'S CHILDREN	472
SEPARATE TOILETS FACILITY FOR MALE AND FEMALE	93
TOTAL	100

Source: Primary data

As part of scheduled industry, the PLA also mandates provision of basic facilities at the factory floor to the workers. Prior to the lockdown, 38% workers had access to potable drinking water at the estate premise and 33% had first aid facility (Table 2.2). Only 6% of workers had crèche facility for employee's children at the factory premise. Disturbingly, less than 3% of workers reported separate toilet facility for male and female at tea estate premise.

Since the announcement of nationwide lockdown of 67 days in 2020, only 510 workers (10.39% of the sample) reported having worked for almost 38 days in that period. Remaining workers were unemployed for the entire duration of the lockdown. The only tasks performed during the lockdown was fumigation and sewage draining and average wages paid to workers at that time was around INR 1,441 per month (i.e. 28% of Minimum Wages). Those who worked during the lockdown received cash payment on a fortnightly basis. The longest spell of unemployment during the lockdown was higher for women workers (45 days) compared to the male workers (33 days).

“**DUE TO FINANCIAL PROBLEMS DURING LOCKDOWN, MY CHILD COULD NOT CONTINUE WITH HER STUDY AFTER 10TH STANDARD. MY DAUGHTER STARTED WORKING IN THE TEA GARDEN SINCE THE LOCKDOWN.**”

58 year old female tea workers in Sonitpur

Out of 4001 regular and 908 temporary workers in our sample, 3874 regular workers (96%) and 645 temporary workers (71.27%) were able to resume work in the unlock phase. After controlling for their social security status, it can be observed that only 47% of permanent job holders were able to actually resume as regular workers, whereas the remaining resumed as temporary workers. Across the districts, Lakhimpur has the highest percentage of workers (96%) who resumed permanent employment and Golaghat has highest share of workers (36%) who rejoined as temporary workers. During the unlock phase, around 77% workers received fixed amount as their wages and 23% received piece rate wages. While almost all the workers from Sonitpur received fixed amount of wages, Biswanath has lowest proportion of workers (40%) in this category. The nature of labour market recovery was much slower than expected during the unlock phase. Among those who were able to resume their job in tea estates, 78% received wages on a fortnightly basis and 20% received weekly wages. Only less than 2% workers received wages/salaries on a monthly basis.

“**IN THE UNLOCK PERIOD, THE PREVAILING WAGE WAS INR 167 WHICH WAS PAID ON EVERY 15TH DAY OF THE MONTH IN CASH. ALL THE TEA GARDEN WORKERS WERE GIVEN INR 500 DURING THE LOCKDOWN BY TEA GARDEN OWNER. BY THE END OF THE MONTH WE HAD TO CLEAR THE BILLS (SCHOOL FEES, HUNDI, GROCERY SHOPPING, ETC.) AND ONLY HAD A FEW HUNDRED LEFT.**”

48 year old male worker in Biswanath

“”

WE DID NOT EVEN HAVE PROPER FOOD DURING LOCKDOWN - HOW COULD WE SPEND ON CHILDREN'S EDUCATION? WE WANT OUR CHILDREN TO BECOME DOCTORS, TEACHERS OR DO GOVERNMENT JOBS BUT WE CANNOT TEACH OUR CHILDREN AFTER A FEW YEARS BECAUSE WE DO NOT HAVE THE MONEY. CURRENTLY WE SPEND INR 500 PER MONTH ON CHILDREN'S EDUCATION. IF IT BECOMES MORE EXPENSIVE THEN WE WILL NOT ABLE TO SUPPORT THEIR EDUCATION.

49 year old male worker in Dibrugarh

2.3. FACILITIES AVAILABLE AT THE TEA ESTATE

Our findings demonstrate that the mandatory provision of accommodation facility in the estate premises which is supposed to be provided by the employers are unevenly distributed across sample districts. Overall 93% tea workers are residing in the same tea gardens and in Sonitpur district, all workers fall in this category. However, only 64% workers in Golaghat district are living on the same premises and the remaining stay outside the premises on rent. Among the studied districts, Golaghat and Lakhimpur have less than the state average workers staying in the same premises.

Overall, 78% tea workers walk to their workplace and 21% commute using bicycle. Less than 1% workers use other modes such as motorbike, public transport or transport arranged by employers. According to Section 60 of Assam Plantation Labour Rules, 1956, the housing accommodation should be provided on dry well-drained land which has drinking water within a reasonable distance. The houses must be at a safe distance from the swamps and marshes and above the highest flood level.

“”

THERE ARE NO FEES IN PUBLIC SCHOOLS. BUT THOSE WHO SEND THEIR CHILDREN TO BOARDING SCHOOL HAVE TO PAY INR 2000 PER MONTH.

40 year old male tea worker in Biswanath
(engaged in leaf plucking work since the age of 15)

Around 67% tea plantation workers with children between 5-14 years reported that their children attend school. The percentage of children going to school is highest in Sivsagar district (75.78%) and less than 60% in Golaghat.

Under section 44-71 (Chapter IV) of Assam Plantation Labour Rules, 1956, if there are less than 25 children

in the age group of 5-14 years then the tea estate will provide primary school facility and if it is more than 25, then it will provide both primary and secondary schools in collaboration with the state government. In our sample, there are on an average 56 children residing in each tea estate across all districts. Around 65% respondents have government schools and 15% have private schools in their tea estate or nearby. Only 20.35% respondents have tea estate schools in their estate. In Sonitpur, 27.45% respondents send their children to private school while the figure is only 0.51% in Sivsagar. Around 85% workers in Sivsagar send their children to government schools whereas 46% from Biswanath and Tinsukia send their kids to government schools. This reveals the differential provision of school facility by tea estate owners. The highest number of tea estate schools are found in Tinsukia (37.08%) while they are completely absent in Golaghat.

During the field work undertaken for this study, the entire economy was recovering from the pandemic induced economic slowdown. The closedown of the education system impacted the school attendance of the children staying in tea estates. Overall, only 12% of the children could access online education when the schools were shut down due to the pandemic. Only 22% workers responded that they have access to online classes for their children in Dibrugarh and Golaghat districts and less than 1% workers had this facility in Sivsagar district.

The Assam Plantations Labour Rules, 1956 mandates all tea estate owner/employers to provide health and hospitalization facility at the tea gardens under section 7 to 43 (Chapter III) if total number of workers is less than 500 (including regular and temporary workers) and state in collaboration with tea estate will provide garden hospitals in case of more than 500 workers. The employer should provide benefits pertaining to sickness and maternity as stipulated in section 74 of Chapter VI of the Rules. Table 2.3 depicts that only 50% tea workers have health cards provided by their employer with the highest proportion (78%) from Sonitpur and lowest (7.51%) from Sivsagar. Overall, only 1.67% respondents have ESIC cards. Around 27% have RSBY cards and finally, less than 1% have access to other health care facility provided their employer. This clearly shows the ineffective coverage and access to health care facility for tea plantation workers in Assam.

“““

DUE TO VERY LOW WAGES, PARENTS CANNOT AFFORD THEIR CHILDREN’S HIGHER EDUCATION. HENCE AFTER COMPLETING 10TH STANDARD, MOST CHILDREN SIT IDLE AT HOME OR AFTER A CERTAIN AGE START WORKING IN TEA GARDENS. DURING THE LOCKDOWN, MY CHILD COULD ATTEND SOME OF THE ONLINE CLASSES WITH THE HELP OF MY NEIGHBOUR. HE USED TO GIVE HIS MOBILE PHONE FOR A FEW HOURS ON A SHARED BASIS.

40 year old male tea worker in Biswanath (engaged in leaf plucking work since the age of 15)



Table 2.3: District-wise access to health insurance (in %)

DISTRICTS	HEALTH CARD	ESIS	RSBY	OTHER HEALTH CARE BY EMPLOYER
BISWANATH	27.21	0	0	0
DIBRUGARH	80.97	0.24	28.4	0
GOLAGHAT	33.33	0	0	0
LAKHIMPUR	51.46	71.43	0	28.57
SIVSAGAR	7.51	0	50	0
SONITPUR	79.93	0	16.67	0
TINSUKIA	38.86	100	0	0
TOTAL	50.38	1.6	27.23	0.46

Source: Primary data

“““

I GOT ONLY ONE WEEK OF MATERNITY LEAVE. MY CO-WORKER WAS WORKING TILL THE LAST DAY OF HER PREGNANCY. SOME WOMEN RECEIVE ONLY HALF OF THEIR SALARY FOR THE MONTH WHEN THEY TAKE LEAVE FOR DELIVERY. ASHA WORKERS PROVIDE RICE, DAL, WHEAT AND CORN FLOUR ETC. TO PREGNANT WOMEN. SOME WOMEN DIED ON THEIR WAY TO HOSPITAL FOR DELIVERY BECAUSE OF THE PATHETIC CONDITION OF THE VILLAGE ROAD.

36 year old female tea worker in Tinsukia

Table 2.4: District-wise access to health care facility (in %)

DISTRICTS	PRIVATE HOSPITALS/ CLINICS	GOVERNMENT HOSPITALS/PRIMARY HEALTH CENTRE	ESTATE HEALTH CENTRE OR HOSPITAL	OTHER
BISWANATH	1.43	5.01	93.32	0.24
DIBRUGARH	1.16	3.75	82.2	12.89
GOLAGHAT	27.65	47.54	24.81	0
LAKHIMPUR	6.47	12.62	80.91	0
SIVSAGAR	0	10.36	89.64	0
SONITPUR	6.99	17.03	75.99	0
TINSUKIA	8.75	21.82	58.34	11.09
TOTAL	6.17	14.83	73.19	5.81

Source: Primary data

There is also disparate access to health care facility by various type of service providers. Table 2.4 shows that around 73% tea workers access services provided by their estate health centre or hospital with the maximum share of such workers from Biswanath (93.32%) and the minimum (only 25%) from Golaghat. Approximately, 14.83% of tea workers access government hospitals/primary health centre. Among this, Golaghat has highest proportion of tea workers (48%) and Dibrugarh has lowest share of workers who access public health care system. Overall, 6.17% workers access private health care/clinics which cater to almost 27.65% workers in Golaghat. Although, the Rules mandate provision of health care facility to all workers but it is evident that there is inequitable access by tea plantation workers in Assam.

“““

THE FACILITY INSIDE THE GARDEN HOSPITAL IS VERY POOR. THERE IS NO PROPER CARE FOR ANYBODY ADMITTED WITH ANY KIND OF ILLNESS. WHETHER PATIENTS RECOVER OR NOT, THEY WILL GET DISCHARGED WITHIN FOUR TO FIVE DAYS.

32 year old male worker in Biswanath (engaged in plucking leaves, working since 16 years)

“““

THE FACILITY OF TEA GARDEN HOSPITAL IS NOT AVAILABLE FOR TEMPORARY WORKERS.

SO, WE HAVE TO GO TO DOCTORS OUTSIDE. IN CASE OF MINOR ILLNESSES, WE BUY MEDICINES FROM MEDICAL SHOPS. IN CASE OF SERIOUS ILLNESSES, WE TAKE PATIENTS TO CIVIL HOSPITAL. FOR TREATMENT COSTS, WE TAKE LOANS FROM SHOPKEEPERS AND REPAY THE LOAN WITH INTEREST.

29 year old male worker in Sonitpur (sprays chemical on tea plants, working since 9 years of age)





“

**DURING PREGNANCY
WOMEN GET PAID
LEAVE AND FREE
REGULAR CHECK-
UPS IN TEA GARDEN
HOSPITAL. THIS
FACILITY IS PROVIDED
TO ONLY PERMANENT
WOMEN WORKERS.
TEMPORARY WOMEN
WORKERS END
UP SPENDING INR
10,000-20,000 ON
ONE PREGNANCY.**

40 year old female worker in Tinsukia

FINDINGS FROM CHAPTER 2

Historically, since the colonial period, migration trajectories of indentured labourers provided labour supply to tea estates in Assam. Out of a total of 4,909 tea worker respondents, 97% of the workers are living in their plantation estates since generations.

Around 81.5% are permanent workers and the rest are temporary workers. Prior to the lockdown, the family income of permanent workers was INR 4774 per month and that for temporary workers was INR 2798 per month. When social security and other mandated provisions under the PLA are taken into consideration, only 39% can actually be considered as permanent workers and the remaining workers have a temporary status.

Access to health insurance is provided to 50% of the workers through health cards (from the employers) and 27% and 1.6% of the workers are covered by RSBY and ESIS respectively. Pattern of health care utilisation shows that 73% workers seek treatment in tea estate health facilities while public and private health services are used 15% and 6% of the workers respectively.

Around 90% of the workers in the sample have access to PDS; out of these workers, 72% carry BPL ration card, 22% carry APL card and the rest have AAY card.

The sample profile shows that 86% of worker-households have toilet facility attached to their accommodation and the remaining use open space.

03

FROM NEED BASED
WAGES TO PRINCIPLE
BASED WAGES:
A LIVING WAGE
ESTIMATION



3.1. CONCEPT AND DEFINITION

The idea of a living wage is to ensure that workers and their families are able to afford a basic standard of living considered decent by society at its current level of development. Workers should receive a living wage in normal work hours without having to work overtime. According to the Global Living Wage Coalition (GLWC) and its members, the definition of living wage is "Remuneration received for a standard work week by a worker in a particular [time and] place sufficient to afford a decent standard of living for the worker and her or his family. Elements of a decent standard of living include food, water, housing, education, healthcare, transport, clothing and other essential needs including provision for unexpected events".

This definition is consistent with the findings in the comprehensive review of living wages in Anker and Anker (2011). In their study, they follow a global approach to estimate the living wage of workers in a given industry/country using the universally accepted standard of living adjusted for local environment. This methodology takes into account separate cost estimates for a low-cost nutritious diet, basic acceptable housing,

education of children till secondary school, health care, transportation, and all other necessary expenses such as for clothing, furniture, recreation, personal care etc. (See Figure 3.1). A small margin above this total cost of a basic and decent life is added to provide for unforeseen events such as illnesses and accidents or special occasions like marriage or travelling for family ceremonies that demand considerable expenditure. This is to ensure that unplanned but common events do not push workers into debt and poverty. This new total cost of a basic but decent quality life, that up to now has been mostly expressed in per capita terms, is then scaled up to arrive at cost for a typical family size in the area. This is then defrayed over a typical number of full-time equivalent workers per family in the area. Our approach also takes into account the need based principles while calculating the living wages for tea plantation workers, similar to the methods proposed by Anker and Anker (2011). This report expands the scope of calculation of living wages and extends it to India using the principle based approach suggested in Reptakose Judgement (1991) of Supreme Court of India.

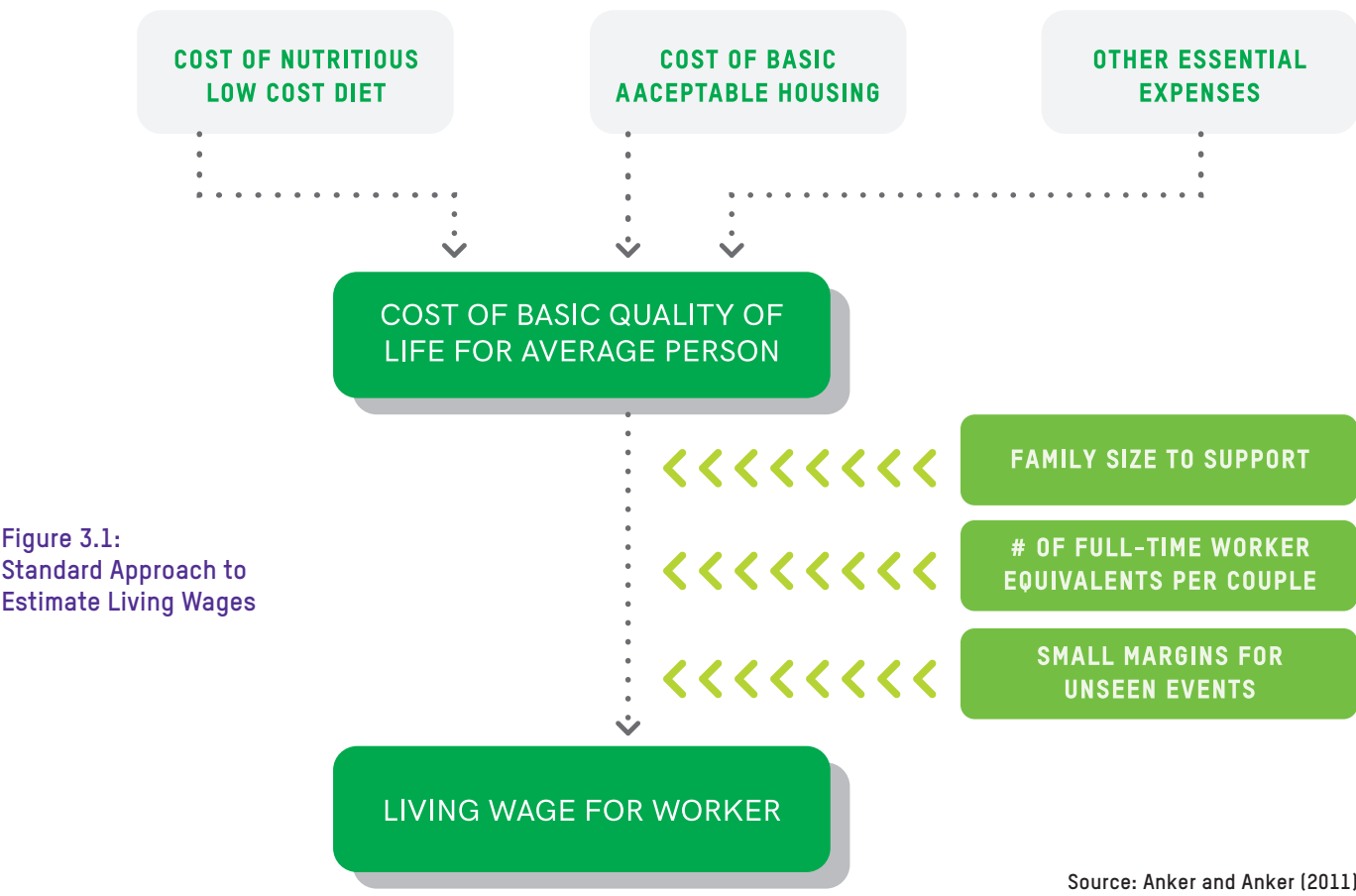
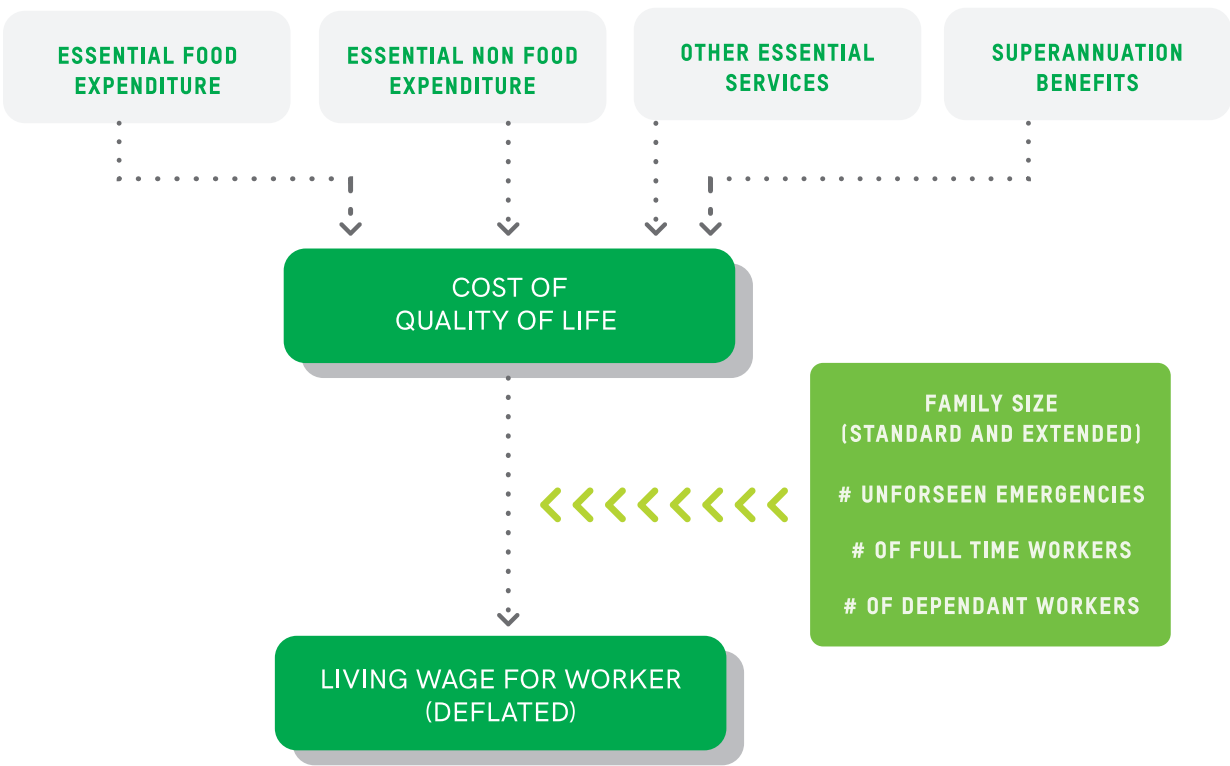


Figure 3.1 presents the methodological framework by Anker and Anker (2011) that has been used widely to estimate the living wages. In their method, the primary determinants of living wage include costs of low cost nutritious diet, basic housing and other essential expenses weighted by family size (dependent members), number of full time workers and ability to bear unseen expenses, especially medical and accidental expenses. However, the scholars consider only two units of consumption (a couple in a family) and do not take into account different family size as well as the need for

financial security at the time of superannuation. We overcome this limitation in this study as can be seen in Figure 3.2. In our revised framework, drawing from the judgements of Supreme Court of India, we also take into account the need for superannuation benefits, standard family size and total number of dependent family members. The living wage, thus estimated, will enable the entire family to uphold a decent standard of living irrespective of their access to social safety net.

Figure 3.2: Structure of Living Wage as Proposed by Supreme Court of India



The Supreme Court of India in *Workmen v. Management of Reptakos Brett & Co. Ltd. (1991)* has contextualized living wage as follows: "the living wage should enable the male earner to provide for himself not merely the bare essentials of food, clothing and shelter but a measure of frugal comfort including education for the children, protection against ill-health, requirements of essential social needs, and a measure of insurance against the more important misfortunes including old age."

3.2. THE EXISTING WAGE STRUCTURE IN ASSAM

According to NITI Aayog (2018), erstwhile Planning Commission, there are 10.1 million people living Below Poverty Line (BPL) in Assam which comprises 31.98% of the state’s total population. At a disaggregated level, 34.10% of the rural population (9.2 million) and 20.48% of the urban population (0.9 million) are below the poverty line. According to India Wage Report (2017), 43% of casual and regular workers derive average daily wages less than a median national minimum wage set by the central government i.e. INR 176 (USD 2.4).

According to a recent Resolution dated 7 November 2020, the Labour Welfare Department of Assam Government has revised the minimum wages of workers across all industries (https://labourcommissioner.assam.gov.in/sites/default/files/swf_utility_folder/departments/coi_labour_uneecopscloud_com_oid_14/menu/document/notification_of_vda_for_schedule_employees.pdf) as shown in Table 3.1.

Table 3.1: Revised Minimum Wages (2020)

CATEGORY OF WORKERS	WAGES PER DAY (IN INR)	WAGES PER MONTH (IN INR)	PREVIOUSVDA* CUMULATED (IN INR)	NEW VDA (IN INR)	REVISED MINIMUM WAGES (IN INR)
UNSKILLED	240.00	7200.00	1271.40	160.50	8631.90
SEMI-SKILLED	280.00	8400.00	1483.60	187.20	10,070.80
SKILLED	350.00	10,500.00	1854.90	234.00	12,588.90
HIGH-SKILLED	450.00	13,500.00	2384.10	300.90	16,185.00

*VDA = Variable Dearness Allowances Source: Government of Assam

It is interesting to note that the workers are entitled to receive INR 240 per day per worker as minimum wage for unskilled labour but for the tea garden workers the wage stand at INR 167 per day, while they are actually receiving INR 160-180 per day per worker as a minimum wage in our sample. According to the estimates of this study, for workers to have a dignified life, the minimum wage should include INR 285 per person per day as expenditure incurred on food items (including 4 units of consumption) and INR 599 per person per day as non-food expenditure for both essential and non-essential utilities. Therefore, the revised wage should be INR 884 per person per day for a decent living standard in the tea plantation sector.

According to Table 3.2, the average monthly income reported by tea workers is INR 4,774 out of which the average expenditure on food consumption is INR 1,854 and non-food expenditure is INR 3,895 per person per month. The average deduction by the employer is INR 778; however there are significant variations across tea estates in this regard.

Table 3.2: Income- Expenditure at Household Level (Without deflator) in INR

Average Family Income Per Month	4,774
Food Expenditure Per Person Per Month	1,854
Deductions for housing facility provided by employer Per Month (Rent+Electricity+Clothing+Water+Cooking sources)	778
Non-Food Expenditure Per Person Per Month	3,895

Source: Primary data

3.3. AN ESTIMATION OF LIVING WAGE IN ASSAM

In Table 3.3 we provide a basic calculation of living wages for a standard family of 4 consumption units for tea plantation workers. The expenditure on food consumption per month for a standard family is INR 7,416 and for non-food consumption is INR 15,580. Deducting the wages received by tea workers from what they actually need for a decent living standard shows that the wage deficit for tea workers is INR 18,998 for a standard family. The estimated living wage per person per day will be INR 884 for standard family assuming that all essential utilities are borne by the workers themselves. However, if all facilities are provided by the tea estate owners/management then workers are entitled to receive INR 285 per day as minimum wages.

The estimate is based on aggregate expenditure per family as reported by sample tea workers (with a recall period of 30 days) and the figures are adjusted at the household level. The detailed expenditure on different food and non-food items (with a recall period of 7 days) is provided in Table A29 in the Annexure.

The living wage estimated above should enable tea plantation workers to afford a basic but decent living standard in Assam. This should be looked at as the net take-home pay in case the tea owners are unable to provide decent living conditions for the workers at the plantation site as required under the PLA Act. Our study shows that every worker in the tea estate is entitled to a living wage of INR 884 per day. In case the tea estate owners are willing to provide all the basic amenities necessary for a decent standard of living as mentioned in three landmark judgments of Supreme Court of India, then the workers should to be paid INR 285 per day per person. Our proposed living wage is 81% higher than the actual wages and 54% higher than the National Minimum Wage suggested by Anoop Satpathy Committee ⁶ (2019). Given their current wages, distant location and lack of integration into the mainstream economy, the tea workers are forced to live in substandard housing, eat food without adequate nutrition and often forgo any recreation. Therefore, there is a need for appropriate policy measures to bridge the gap between a living wage and prevailing wages in the tea sector in Assam and efforts are needed from all actors in the supply chain to help increase the wages of the tea plantation workers.

Table 3.3: Estimates of Living Wages (Aggregate Level)

A. Food Consumption Per Month ⁶	INR 1854 x 4= INR 7416
B. Non-Food Expenditure Per Month ⁷	INR 3895 x 4= INR 15,580
C. Total Living Costs Per Month (A+B)	INR 22,994
D. Average Family Income Per Month less deductions by employer	INR (4,774- 778)= INR 3,996
E. Wage Deficit (C-D)	INR (22,994 - 3,996)= INR 18,998
F. Living Wage Per Person Per Day	INR 22,994/26 DAYS = INR 884
E. Minimum Wage Per Person Per Day (if Facilities provided by tea estate owners)	INR 7416/26 = INR 285

Source: Primary data

⁶ Items covered under food includes rice, wheat, pulses, vegetables, oil, dry spices, milk, fish and meat.
⁷ Non-food items include electricity, water, rent, telecommunication, petrol, transportation, education, health, medical contingency and entertainment.
⁸ The minimum wage for Assam according to the Committee is INR 342 per day (<https://pib.gov.in/PressReleasePage.aspx?PRID=1564590>)



FINDINGS FROM CHAPTER 3

In our approach, we supplement the standard global approach for estimating living wages by taking into account different family size as well as the need for financial security at the time of superannuation while calculating living wage for workers, as recommended by the Supreme Court of India.

Total monthly living cost based on food and non-food expenditure comes to INR 22,994 for a standard family size with four members.

To support this living cost, Living Wage Per Person Per Day should be INR 884 while Minimum Wage Per Person Per Day (if facilities are provided by tea estate owners) should be INR 285.

Our proposed living wage is 81% higher than the actual wages received by the tea plantation workers and 54% higher than the National Minimum Wage suggested by Anoop Satpathy Committee in 2019.

04

CONTEXTUALIZING THE CONSTITUTIONAL PROVISIONS FOR LIVING WAGES: **A CASE OF TEA PLANTATION WORKERS**



4.1. THE CONSTITUTIONAL FRAMEWORK AND LABOUR RIGHTS

Indian labour laws derive their substantive and procedural aspects from two major sources, namely, the Constitution and the declarations and conventions of global bodies like the International Labour Office (ILO). It is therefore important to develop an understanding of the labour laws from the perspective of the Constitution. The Fundamental Rights and the Directive Principles of State Policy (DPSP) in the Constitution provide the basic framework for Indian labour laws. Articles 14, 19, 21, 23 and 24 comprise the guaranteed 'fundamental rights' promised under part III of the Constitution and are justiciable. On the other hand, Articles 38, 39, 39A, 41, 42, 43, 43A and 47 form part of the DPSP under part IV of the Constitution. Although the provisions provided under the DPSP are not enforceable in a court of law, they provide valuable guidelines for lawmakers and the judiciary. The DPSP constitutes the ideal aspirations that India aims to achieve in the course of its economic development.

Articles 14 (equality before law), 16 (equality of opportunity for all citizens for public employment), 19 (freedom of speech and expression, assemble peaceably and without arms, form associations or unions, free movement throughout the country, freedom of residence and settlement within the territory of India), 21 (protection of life and personal liberty), 21A (right to education), 23 (prohibition of trafficking in human beings and forced labour), and 24 (prohibition of employment of children in factory or mine or engaged in any hazardous employment) of the Constitution are Fundamental Rights which have significant implications for the Indian labour force.

THE DPSP IMPOSES CERTAIN SOCIAL, LEGAL AND ECONOMIC RESPONSIBILITIES ON THE STATE, AS SUMMARIZED BELOW:

ARTICLE 38: the state to secure a social order for the promotion of the welfare of the people;

Article 39: the state to direct its policy towards securing: (a) equal right to an adequate means of livelihood for its citizens; (b) equitable distribution of ownership and control of material resources to best serve the common good; (c) equitable operation of the economic system so that there is no concentration of wealth and means of production to the common detriment; (d) equal pay for equal work for both men and women; (e) that children are not forced by economic necessity to enter vocations unsuited to their age or strength; (f) that children are given opportunities and facilities to develop in a healthy manner and have freedom and dignity from exploitation and moral and material abandonment;

Article 41: the state to make effective provisions for securing the right to work, to education and public assistance in cases of unemployment, old age, sickness and disablement;

Article 42: the state to aim to secure just and humane conditions of work and maternity relief;

Article 43: the state to endeavour to secure through suitable law or economic organisation or otherwise, a living wage to all workers and conditions of work that would ensure a decent standard of life and full enjoyment of leisure and social and cultural opportunities; and

Article 43A: the state to secure, either by law or otherwise, the participation of workers in the management of undertakings, etc. in any industry.

Other provisions such as Articles 47 (responsibility of the state concerning nutrition levels, standard of living and improvement of public health) and 48A (protection and improvement of environment and safeguarding of forests and wildlife) could also have direct and indirect implications for the labour force.

Separately, the classification of law-making power affects the framing of labour policy in a federal set-up. Article 246 of the Constitution allows the central and state governments to formulate laws on the subjects listed under the union list, state list and the concurrent list in the seventh schedule of the Constitution. Also, the Parliament is empowered to make laws (which apply to the whole or any part of the territory of India) on subjects enumerated in the union list and the concurrent list and also on those listed in the state list under certain conditions. The laws made by the Parliament override those by state legislatures on subjects and clauses that are inconsistent or repugnant with those made by

the Parliament. However, the state laws prevail over the laws made by the Parliament in the event the state government receives the assent of the President on that law (see Article 254).

To help determine if a law legislated by the Parliament will override those made by the state legislature and vice versa, the Indian Supreme Court enunciated the 'repugnancy test' by way of various case laws. The 'repugnancy test' lays down that in order to decide which law shall prevail one must consider: (a) whether there is a direct conflict between the two propositions? (b) whether Parliament intended to lay down an exhaustive code in respect of the subject matter replacing the legislation of the State Legislature? and (c) whether the law made by Parliament and the law made by the State Legislature occupy the same field. The major subjects that affect labour as listed in the Constitution are given in the table below.

Table 3.2: Income- Expenditure at Household Level (Without deflator) in INR

UNION LIST	CONCURRENT LIST	STATE LIST
<p>ITEM 13 – Participation in international conferences, associations and other bodies and implementation of decisions made there at.</p> <p>ITEM 55 – Regulation of labour and safety in mines and oilfields.</p> <p>ITEM 61 – Industrial disputes concerning union employees.</p> <p>ITEM 94 – Inquiries, surveys and statistics for any of the matter in the list.</p>	<p>ITEM 20 – Economic and social planning.</p> <p>ITEM 22 – Trade unions, industrial and labour disputes.</p> <p>ITEM 23 – Social security and social insurance, employment and unemployment.</p> <p>ITEM 24 – Welfare of labour including conditions of work, provident fund, employers' liability, workmen's compensation, invalid and old-age pensions and maternity benefits.</p> <p>ITEM 25 – Vocational and technical training of labour.</p> <p>ITEM 36 – Factories.</p> <p>ITEM 37 – Boilers</p> <p>ITEM 45 – Inquiries and statistics for any of the matters specified in list II or list III.</p>	<p>ITEM 9 – Relief for disabled and unemployable.</p>

The Ministry of Labour and Employment (MoLE) maintains the list of all central and state labour laws in India. Central labour laws include numerous laws on labour welfare. The central labour laws are administered either solely by the central labour administrative agencies, or jointly by the centre and the state labour administrative agencies, or solely by the state labour administrative agencies.

4.2. THE PLANTATION LABOUR ACT OF 1951

The Plantations Labour Act was enacted in 1951 to provide for the welfare of plantation labour by regulating the conditions of work. The Act covers the entire country except the State of Jammu & Kashmir. It applies to all Tea, Coffee, Rubber, Cinchona, Cocoa, Oil Palm and Cardamom plantations, which admeasures five hectares or more and in which fifteen or more persons are employed or were employed on any day of the preceding twelve months. The Act also covers workers employed in offices, hospitals, dispensaries, schools/balwadis and crèches, etc., in the plantations but it does not apply to those factory premises to which the provisions of the Factories Act, 1948 apply. The State Governments are, however, empowered to extend all or any of the provisions of the Act to any plantation notwithstanding the size or the number of employed persons therein provided that no such declaration shall be made in respect of such land which admeasured less than five hectares or in which less than 15 persons were employed, immediately before the commencement of this Act. The main provisions of the Act pertain to: (i) Health and Welfare, (ii) Hours of Work, Rest Intervals etc., (iii) Employment of children / adolescents and (iv) Annual leave with wages.



4.3. IMPLICATIONS OF LABOUR CODES ON TEA PLANTATION WORKERS

In this chapter, we provide a broad overview of the proposed changes in labour laws and their potential impact on the Indian labour market, particularly the tea sector. Though the state initiative to reform the existing labour laws is a welcome step towards streamlining the legal framework and to improve the effectiveness of labour administration, it is disheartening to note that the shift in policy focus has been largely driven by the idea of promoting capital generation and projecting India as a business friendly nation (and not necessarily to improve working conditions).

Interestingly, all the Labour Codes provide for overlapping definitions of a 'worker', 'establishment' and 'competent authorities'. Therefore, there are chances that such an overlap might later adversely affect interpretation or implementation of the labour laws. Moreover, the effective provisioning of social benefits has been entrusted with private sector entities, which could lead to privatisation of social security funds to the detriment of workers' rights.

As highlighted in various instances, the trade unions' collective bargaining power has been severely diluted, which might in turn affect negotiations at the factory level. Separately, the Codes aim to consolidate the central decision making power at the administrative and executive level of a factory, at the cost of social dialogue with other stakeholders. This in turn could have serious implications in the long run. Unfortunately, the Codes

are silent on the dynamics of the industry, which are ever changing due to technological innovations and fluctuations in demand. Also, the promotion of private methods of dispute resolution such as arbitration will only dilute the dispute resolution system.

It is obvious that despite being considered as the most dynamic, innovative and export-oriented sector, the tea sector is bound to witness the adverse impact of the Codes. An analysis of the Codes highlights that their provisions are mostly pro-employer and pro-establishment, often at the cost of devaluing labour welfare provisions. The majority of the workers engaged in the tea sector, especially temporary workers are excluded from the benefits provided by the Code on Industrial Relations. It is important to understand the positive impact of values of labour welfare on the society and include such values in this Code. It is clear that in order to promote the ease of doing business, India has shifted the social and transactional costs often associated with employment generation, from the employers to the workers. By removing the tea sector from scheduled industry and excluding such employment from the 'principle employment' category of the Code on Industrial Relations, an entire segment of workers has become vulnerable. Additionally, arbitrary powers given to the labour officer cum facilitator and lack of effective central and state enforcement provisions will fail to provide legal safeguards to many workers especially in Assam where the actual level of



enforcement is already weak. The Code on Industrial Relation (2020) will repeal the special status granted to the tea Sector in India that will phase out special provisions accorded to it as a seasonal industry under Chapter V(A) of Industrial Dispute Act of 1947. It will have a far-reaching impact on the tea sector as it will be regulated like any other sector in the country and non-cash components of the wages will be borne by workers. On a positive note, combining all components of wages into a single code could increase the liability of the principal employer in cases of breach as well as increase the productivity of workers who would be motivated to work towards earning 'wages' as broadly defined in the Code on Wages. The approach adopted by the Code on Wages will help the labour industry to adopt the principle of 'equal pay for equal value of work' in a systemic manner and has the potential to move towards living wages as suggested in the Reptakos judgement of the Supreme Court of India.

The Code on Wages (2020) will dismantle the industry and state specific committee that used to revise the wages according to the local demands of the workers and costs of living. Now the central government will play a major role in deciding the minimum wages for workers which shall be uniform across all sectors. Under the PLA, the tea workers are skilled workers; however, under the new Code they shall be considered as unskilled workers.

The definition of wages is the same under the PLA, 1951 and the Minimum Wages Act, 1948 which outlines that wages should be in cash and not kind. However, the Code on Wages (2020) allows the employer to pay a part of the wages or remuneration in kind such as for accommodation, ration and any social security etc. In other words, if an employee is given in lieu of wages any remuneration in kind by his/her employer, the value of such remuneration (not exceeding 15% of the total wages payable) shall be deemed as a part of the wages of such employee.

The Codes protect a woman from working during six weeks following her delivery, stillbirth, miscarriage or medical termination of pregnancy. While this may seem to be a positive step, such provisions will only make employers more unwilling to hire women workers. The Codes in addition to providing various exemptions to different classes of workers must also provide exemption from payment of taxes and dues by various state governments. If such welfare provisions are effective at the central level, the Government may also allow exemption notifications from payments of taxes and dues in other retail sectors that have a strong link

to the tea industry in India. Lastly a major drawback of the Codes is that they do not include penal provisions for employers failing to provide social safety nets for the women workers which will discourage female workforce participation.



FINDINGS FROM CHAPTER 4

Combining all components of wages into a single code would increase the liability of the principal employer as well as increase the productivity of workers who would be motivated to work. It will help the labour industry to adopt the principle of 'equal pay for equal value of work' in a systemic manner and has the potential to move towards living wages as suggested in the Reptakos judgement of the Supreme Court.



The Code on Industrial Relation (2020) will repeal the special status granted to the tea sector in India that will phase out the special provisions accorded to it as a seasonal industry under the Industrial Dispute Act of 1947. Hence, the tea sector will be regulated like any other sector and the majority of the workers, especially the temporary workers are excluded from the benefits provided by the Code on Industrial Relations.

After the Code on Wages (2020), the central government will play a major role in deciding the minimum wages for workers which shall be uniform across all sectors. Under the PLA, the tea workers are skilled workers; however, under the new code they shall be considered as unskilled workers.



The definition of wages is the same under the PLA, 1951 and the Minimum Wages Act, 1948 which outlines that wages should be in cash and not kind. However, the Code on Wages (2020) allows the employer to pay a part of the wages or remuneration in kind (not exceeding 15% of the total wages payable) such as for accommodation, ration and any social security etc.

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ANNEXURE I: TABLES

Table A1: Principal Earners in a Family

PRINCIPAL EARNERS IN A FAMILY	FREQUENCY	PERCENTAGE
Only Male (Adult)	1,843	37.54
Only Female (Adult)	843	17.17
Both Male and Female (Adults)	1,702	34.67
Male (Adolescent)	190	3.87
Female (Adolescent)	116	2.36
Both Male and Female (Adolescents)	116	2.36
Both Adolescent and Adult Person (Any)	99	2.02
TOTAL	4,909	100

Source: Primary data

Table A2: Status of Migration by district

MIGRATION FROM OTHER STATE	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	417	2	419	99.52	0.48
DIBRUGARH	1,348	118	1,466	91.95	8.05
GOLAGHAT	527	1	528	99.81	0.19
LAKHIMPUR	309	0	309	100	0
SIVSAGAR	768	4	772	99.48	0.52
SONITPUR	558	0	558	100	0
TINSUKIA	855	2	857	99.77	0.23
TOTAL	4,782	127	4,909	97.41	2.59

Source: Primary data

Table A3: Principal Earner in the Family by district (in %)

PRINCIPAL EARNER	ONLY MALE (ADULT)	ONLY FEMALE (ADULT)	BOTH MALE AND FEMALE (ADULTS)	MALE (ADOLESCENT)	FEMALE (ADOLESCENT)	BOTH MALE AND FEMALE (ADOLESCENTS)	BOTH ADOLESCENT AND ADULT PERSON (ANY)
BISWANATH	22.43	23.63	47.49	1.43	0.24	3.34	1.43
DIBRUGARH	32.67	10.85	48.5	4.5	2.25	0.55	0.68
GOLAGHAT	13.45	4.92	55.3	1.7	1.33	10.8	12.5
LAKHIMPUR	25.24	33.01	38.51	0.32	0	2.59	0.32
SIVSAGAR	87.56	2.85	9.46	0	0.13	0	0
SONITPUR	30.47	48.75	19.35	0.18	0.18	0.18	0.9
TINSUKIA	32.09	19.02	23.34	12.49	8.52	3.27	1.28
TOTAL	37.54	17.17	34.67	3.87	2.36	2.36	2.02

Source: Primary data

Table A4: Access to Collective Dialogues

MEMBERSHIP OF UNION	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	369	50	419	88.07	11.93
DIBRUGARH	1,387	79	1,466	94.61	5.39
GOLAGHAT	425	103	528	80.49	19.51
LAKHIMPUR	303	6	309	98.06	1.94
SIVSAGAR	615	157	772	79.66	20.34
SONITPUR	554	4	558	99.28	0.72
TINSUKIA	851	6	857	99.3	0.7
TOTAL	4,504	405	4,909	91.75	8.25

Source: Primary data

ANNEXURE I: TABLES

Table A5: Access to PDS System by district

DISTRICT/RATION CARD	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	83	336	419	19.81	80.19
DIBRUGARH	115	1,351	1,466	7.84	92.16
GOLAGHAT	43	485	528	8.14	91.86
LAKHIMPUR	39	270	309	12.62	87.38
SIVSAGAR	9	763	772	1.17	98.83
SONITPUR	61	497	558	10.93	89.07
TINSUKIA	150	707	857	17.5	82.5
TOTAL	500	4,409	4,909	10.19	89.81

Source: Primary data

Table A6: Type of PDS card by district

RATION CARD TYPE	APL-ABOVE POVERTY LINE	BPL-BELOW POVERTY LINE	AAY-ANTYODAYA ANNA YOJANA	TOTAL	APL-ABOVE POVERTY LINE (IN %)	BPL-BELOW POVERTY LINE (IN %)	AAY-ANTYODAYA ANNA YOJANA (IN %)
BISWANATH	56	251	29	336	16.67	74.7	8.63
DIBRUGARH	459	883	9	1,351	33.97	65.36	0.67
GOLAGHAT	1	289	195	485	0.21	59.59	40.21
LAKHIMPUR	57	213	0	270	21.11	78.89	0
SIVSAGAR	0	763	0	763	0	100	0
SONITPUR	410	86	1	497	82.49	17.3	0.2
TINSUKIA	2	704	1	707	0.28	99.58	0.14
TOTAL	985	3,189	235	4,409	22.34	72.33	5.33

Source: Primary data

Table A7: Own Agriculture Land by district

OWN AGRICULTURE LAND	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	234	185	419	55.85	44.15
DIBRUGARH	1,220	246	1,466	83.22	16.78
GOLAGHAT	223	305	528	42.23	57.77
LAKHIMPUR	139	170	309	44.98	55.02
SIVSAGAR	764	8	772	98.96	1.04
SONITPUR	440	118	558	78.85	21.15
TINSUKIA	657	200	857	76.66	23.34
TOTAL	3,677	1,232	4,909	74.9	25.1

Source: Primary data

Table A8: Agriculture Land Provided by Management by district

OWN AGRICULTURE LAND	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	417	2	419	99.52	0.48
DIBRUGARH	1,289	177	1,466	87.93	12.07
GOLAGHAT	528	0	528	100	0
LAKHIMPUR	140	169	309	45.31	54.69
SIVSAGAR	769	3	772	99.61	0.39
SONITPUR	519	39	558	93.01	6.99
TINSUKIA	849	8	857	99.07	0.93
TOTAL	4,511	398	4,909	91.89	8.11

Source: Primary data

ANNEXURE I: TABLES

Table A9: Housing Ownership by district

HOUSING	OWN	RENTED	PROVIDED BY EMPLOYER	COMMUNITY HOUSING	TOTAL	OWN (IN %)	RENTED (IN %)	PROVIDED BY EMPLOYER (IN %)	COMMUNITY HOUSING (IN %)
BISWANATH	43	0	376	0	419	10.26	0	89.74	0
DIBRUGARH	215	4	1,240	7	1,466	14.67	0.27	84.58	0.48
GOLAGHAT	447	0	81	0	528	84.66	0	15.34	0
LAKHIMPUR	78	0	231	0	309	25.24	0	74.76	0
SIVSAGAR	17	0	755	0	772	2.2	0	97.8	0
SONITPUR	126	0	432	0	558	22.58	0	77.42	0
TINSUKIA	349	0	508	0	857	40.72	0	59.28	0
TOTAL	1,275	4	3,623	7	4,909	25.97	0.08	73.8	0.14

Source: Primary data

Table A10: Housing Type by district

HOUSE TYPE	KUCHHA	SEMI PUKKA	PUKKA	TOTAL	KUCHHA (IN %)	SEMI PUKKA (IN %)	PUKKA (IN %)
BISWANATH	65	351	3	419	15.51	83.77	0.72
DIBRUGARH	208	1,097	161	1,466	14.19	74.83	10.98
GOLAGHAT	445	28	55	528	84.28	5.3	10.42
LAKHIMPUR	63	140	106	309	20.39	45.31	34.3
SIVSAGAR	31	204	537	772	4.02	26.42	69.56
SONITPUR	306	74	178	558	54.84	13.26	31.9
TINSUKIA	313	218	326	857	36.52	25.44	38.04
TOTAL	1,431	2,112	1,366	4,909	29.15	43.02	27.83

Source: Primary data

Table A11: Sources of Drinking Water by district (in %)

DRINKING WATER SOURCE	PIPED WATER	DUG WELL	WATER FROM SPRING	TUBEWELL OR BOREHOLE	TANKER TRUCK	SURFACE WATER (RIVER/DAM/LAKE/POND/STREAM/CANAL)	COMMUNITY RO PLANT
BISWANATH	8.11	45.11	0	46.78	0	0	0
DIBRUGARH	0.07	22.03	24.9	52.86	0	0	0.14
GOLAGHAT	0	0.38	9.47	90.15	0	0	0
LAKHIMPUR	0.65	62.14	1.29	35.92	0	0	0
SIVSAGAR	90.8	1.55	0	7.25	0.13	0.13	0.13
SONITPUR	3.05	33.15	0	62.72	0.18	0	0.9
TINSUKIA	0.12	32.44	0.12	67.33	0	0	0
TOTAL	15.4	24.06	8.56	51.76	0.04	0.02	0.16

Source: Primary data

Table A12: Toilet Facility by district

TOILET FACILITY	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	51	368	419	12.17	87.83
DIBRUGARH	108	1,358	1,466	7.37	92.63
GOLAGHAT	14	514	528	2.65	97.35
LAKHIMPUR	35	274	309	11.33	88.67
SIVSAGAR	12	760	772	1.55	98.45
SONITPUR	114	444	558	20.43	79.57
TINSUKIA	332	525	857	38.74	61.26
TOTAL	666	4,243	4,909	13.57	86.43

Source: Primary data

Table A13: Electricity Facility at House by district

ELECTRICITY FACILITY	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	23	396	419	5.49	94.51
DIBRUGARH	75	1,391	1,466	5.12	94.88
GOLAGHAT	14	514	528	2.65	97.35
LAKHIMPUR	3	306	309	0.97	99.03
SIVSAGAR	8	764	772	1.04	98.96
SONITPUR	63	495	558	11.29	88.71
TINSUKIA	121	736	857	14.12	85.88
TOTAL	307	4,602	4,909	6.25	93.75

Source: Primary data

Table A14: Cooking Sources

PRINCIPAL EARNERS IN A FAMILY	FREQUENCY	% OF RESPONSES	% OF CASES
Wood	4416	37.54	89.96
LPG or Natural Gas	1518	17.17	30.92
Kerosene	519	34.67	10.57
Coal	49	3.87	1
Biogas	27	2.36	0.55
No food cooked in house	18	2.36	0.37
Electricity	14	2.02	0.29
TOTAL	6561	100	

Source: Primary data

Table A15: Payment Slip Prior to Lockdown by district

PAYMENT SLIP	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	331	88	419	79	21
DIBRUGARH	238	1,228	1,466	16.23	83.77
GOLAGHAT	445	83	528	84.28	15.72
LAKHIMPUR	37	272	309	11.97	88.03
SIVSAGAR	646	126	772	83.68	16.32
SONITPUR	416	142	558	74.55	25.45
TINSUKIA	93	764	857	10.85	89.15
TOTAL	2,206	2,703	4,909	44.94	55.06

Source: Primary data

Table A16: Payment Deductions Prior to Lockdown by district

PAYMENT SLIP DEDUCTIONS	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	0	88	88	0	100
DIBRUGARH	4	1,224	1,228	0.33	99.67
GOLAGHAT	0	83	83	0	100
LAKHIMPUR	1	271	272	0.37	99.63
SIVSAGAR	2	124	126	1.59	98.41
SONITPUR	0	142	142	0	100
TINSUKIA	5	759	764	0.65	99.35
TOTAL	12	2,691	2,703	0.44	99.56

Source: Primary data

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Table A17: Overtime Payment Prior to Lockdown by district

OVERTIME PAYMENT	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	339	80	419	80.91	19.09
DIBRUGARH	975	491	1,466	66.51	33.49
GOLAGHAT	354	174	528	67.05	32.95
LAKHIMPUR	52	257	309	16.83	83.17
SIVSAGAR	702	70	772	90.93	9.07
SONITPUR	553	5	558	99.1	0.9
TINSUKIA	792	65	857	92.42	7.58
TOTAL	3,767	1,142	4,909	76.74	23.26

Source: Primary data

Table A18: Payment before Lockdown

BASIS OF WAGES BEFORE LOCKDOWN	PIECE RATE (PER KG/ PER BAG)	FIXED AMOUNT	TOTAL	PIECE RATE (PER KG/ PER BAG) (IN %)	FIXED AMOUNT (IN %)
BISWANATH	153	266	419	36.52	63.48
DIBRUGARH	86	1,380	1,466	5.87	94.13
GOLAGHAT	201	327	528	38.07	61.93
LAKHIMPUR	127	182	309	41.1	58.9
SIVSAGAR	124	648	772	16.06	83.94
SONITPUR	0	558	558	0	100
TINSUKIA	317	540	857	36.99	63.01
TOTAL	1,008	3,901	4,909	20.53	79.47

Source: Primary data

Table A19: Access to Social Security Prior to Lockdown

	FREQUENCY	% OF RESPONSES	% OF CASES
Medical Facilities for Family	3210	21.42	65.39
Medical Facilities for Self	3166	21.13	64.49
Sick Leaves Facility	2654	17.71	54.06
Bonus Facility	2442	16.3	49.75
Provident Fund Facility	1677	11.19	34.16
Maternity Leaves	1113	7.43	22.67
Gratuity Facility	450	3	9.17
Facility of Children Education	273	1.82	5.56
TOTAL	14985	100	

Source: Primary data

Table A20: Employment during the unlock phase by district

WORKING SINCE UNLOCKING	PIECE RATE (PER KG/ PER BAG)	FIXED AMOUNT	TOTAL	PIECE RATE (PER KG/ PER BAG) (IN %)	FIXED AMOUNT (IN %)
BISWANATH	19	400	419	4.53	95.47
DIBRUGARH	188	1,278	1,466	12.82	87.18
GOLAGHAT	2	526	528	0.38	99.62
LAKHIMPUR	2	307	309	0.65	99.35
SIVSAGAR	8	764	772	1.04	98.96
SONITPUR	11	547	558	1.97	98.03
TINSUKIA	160	697	857	18.67	81.33
TOTAL	390	4,519	4,909	7.94	92.06

Source: Primary data

Table A21: Nature of Employment during Unlocking by district

NATURE OF EMPLOYMENT DURING UNLOCKING	TEMPORARY	PERMANENT	TOTAL	TEMPORARY (IN %)	PERMANENT (IN %)
BISWANATH	48	352	400	12	88
DIBRUGARH	83	1,195	1,278	6.49	93.51
GOLAGHAT	190	336	526	36.12	63.88
LAKHIMPUR	11	296	307	3.58	96.42
SIVSAGAR	113	651	764	14.79	85.21
SONITPUR	120	427	547	21.94	78.06
TINSUKIA	80	617	697	11.48	88.52
TOTAL	645	3,874	4,519	14.27	85.73

Source: Primary data

Table A23: Payment time During Unlocking by district (in %)

PAYMENT TIME DURING UNLOCKING	DAILY	WEEKLY	FORTNIGHT	MONTHLY
BISWANATH	0.25	95.5	0.25	4
DIBRUGARH	1.96	1.33	95.46	1.25
GOLAGHAT	0	4.18	95.82	0
LAKHIMPUR	0	0	99.67	0.33
SIVSAGAR	0	1.44	97.64	0.92
SONITPUR	0.55	80.26	15.36	3.84
TINSUKIA	0.29	3.59	92.68	3.44
TOTAL	0.69	19.83	77.61	1.88

Source: Primary data

Table A22: Wage Basis during Unlocking by district

WAGE BASIS DURING UNLOCKING	PIECE RATE (PER KG/ PER BAG)	FIXED AMOUNT	TOTAL	PIECE RATE (PER KG/ PER BAG) (IN %)	FIXED AMOUNT (IN %)
BISWANATH	240	160	400	60	40
DIBRUGARH	92	1,186	1,278	7.2	92.8
GOLAGHAT	226	300	526	42.97	57.03
LAKHIMPUR	125	182	307	40.72	59.28
SIVSAGAR	125	639	764	16.36	83.64
SONITPUR	0	547	547	0	100
TINSUKIA	252	445	697	36.15	63.85
TOTAL	1,060	3,459	4,519	23.46	76.54

Source: Primary data

Table A24: Living Same working tea garden by district

LIVING SAME WORKING TEA GARDEN	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	14	405	419	3.34	96.66
DIBRUGARH	84	1,382	1,466	5.73	94.27
GOLAGHAT	192	336	528	36.36	63.64
LAKHIMPUR	45	264	309	14.56	85.44
SIVSAGAR	1	771	772	0.13	99.87
SONITPUR	0	558	558	0	100
TINSUKIA	9	848	857	1.05	98.95
TOTAL	345	4,564	4,909	7.03	92.97

Source: Primary data

ANNEXURE I: TABLES

Table A25: Means to Commute to Workplace by district (in %)

TRANSPORTATION TO WORKPLACE	WALKING	BICYCLE	BIKE/SCOOTER	PUBLIC TRANSPORT	FACILITY PROVIDED BY EMPLOYER
BISWANATH	53.46	45.11	1.19	0.24	0
DIBRUGARH	74.35	25.31	0.34	0	0
GOLAGHAT	86.36	13.07	0.19	0	0.38
LAKHIMPUR	74.11	25.89	0	0	0
SIVSAGAR	96.11	3.89	0	0	0
SONITPUR	77.42	22.58	0	0	0
TINSUKIA	78.06	21	0.7	0	0.23
TOTAL	78.26	21.29	0.35	0.02	0.08

Source: Primary data

Table A26: School Attendance Rate by district

CHILDREN GOING TO SCHOOL	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	141	278	419	33.65	66.35
DIBRUGARH	483	983	1,466	32.95	67.05
GOLAGHAT	214	314	528	40.53	59.47
LAKHIMPUR	88	221	309	28.48	71.52
SIVSAGAR	187	585	772	24.22	75.78
SONITPUR	201	357	558	36.02	63.98
TINSUKIA	323	534	857	37.69	62.31
TOTAL	1,637	3,272	4,909	33.35	66.65

Source: Primary data

Table A27: Type of schools by district (in %)

CHILDREN SCHOOL TYPE	PRIVATE	GOVERNMENT	TEA ESTATE SCHOOL
BISWANATH	23.74	46.04	30.22
DIBRUGARH	15.67	65.41	18.92
GOLAGHAT	15.92	84.08	0
LAKHIMPUR	9.5	66.52	23.98
SIVSAGAR	0.51	84.62	14.87
SONITPUR	27.45	56.3	16.25
TINSUKIA	17.42	45.51	37.08
TOTAL	14.82	64.82	20.35

Source: Primary data

Table A28: Access to online class for children by district

ONLINE CLASS FOR CHILDREN	NO	YES	TOTAL	NO (IN %)	YES (IN %)
BISWANATH	392	27	419	93.56	6.44
DIBRUGARH	1,140	326	1,466	77.76	22.24
GOLAGHAT	416	112	528	78.79	21.21
LAKHIMPUR	298	11	309	96.44	3.56
SIVSAGAR	767	5	772	99.35	0.65
SONITPUR	528	30	558	94.62	5.38
TINSUKIA	774	83	857	90.32	9.68
TOTAL	4,315	594	4,909	87.9	12.1

Source: Primary data

ANNEXURE I: TABLES

Table A29: Per Capita Expenditure Across All Districts in Assam (Adjusted with sample size)

ITEM				TOTAL COST
FOOD	MONTHLY FAMILY CONSUMPTION IN KG (1)	PER PERSON MONTHLY CONSUMPTION IN KG (2)=(1)/5	COST PER KG (3)	PER PERSON MONTHLY COST (4)=(2)*3
Rice	38.38	7.67	25	191.91
Wheat	12.67	2.53	47	119.10
Pules	2.77	0.55	60	33.33
Dry Vegetables	2.06	0.41	30	12.37
Vegetables	16.47	3.29	69	227.28
Oil	2.82	0.56	120	67.76
Dry Spices	1.05	0.21	200	42.34
Milk	3.28	0.65	20	13.15
Fish	2.10	0.42	200	84.05
Chicken	1.73	0.34	240	83.23
Mutton	0.33	0.06	700	47.44
Pork	1.36	0.27	280	76.51
TOTAL COST OF ABOVE ITEMS (5)				998.51
TOTAL COST OF OTHER FOOD ITEMS (6)				214.60
TOTAL COST ON FOOD ITEMS (7)				1213.12
HOUSING AND OTHER UTILITIES				
Rent				650.00
Water Bill				220.00
Electricity Bill				57.53
Cooking Source				221.97
Clothing				388
TOTAL HOUSING AND OTHER UTILITIES (8)				770.60
TRANSPORTATION (WAGE EARNER + OTHER FAMILY MEMBERS)				
Petrol Expense				590
Cycle/Bike/Scooter Maintenance				546.5
Public Transport Fare				560
TOTAL TRANSPORTATION (9)				1696.5
CHILDREN EDUCATION				
School Fees				518.22
Tuition Fees				419.70
Stationary Items				42.45
Supplementary Reading Material				32.19
TOTAL CHILDREN EDUCATION (10)				1012.57
TOTAL HEALTH EXPENSES IN PRIVATE/PUBLIC/ESTATE HOSPITAL (11)				811.10
TOTAL ENTERTAINMENT & INTERNET CHARGES (12)				375.59
TOTAL EXPENDITURE (7+8+9+10+11+12)				6879.50

Note: The figures reported here may not match the figures at the aggregate level due to differences in the recall period. At the aggregate level, the recall period was 30 days and at the disaggregate level, the recall period was the previous week prior to the interview.

ANNEXURE II: QUANTITATIVE INTERVIEW SCHEDULE

A. IDENTIFICATION OF SAMPLE ID	
A.1	IDENTIFICATION ID
A.2	INVESTIGATOR CODE
A.3	TEA ESTATE CODE
A.4	DISTRICT
A.5	BLOCK
A.6	SECTOR (1-RURAL, 2-URBAN)
B. IDENTIFICATION OF SAMPLE ID	
B.1	GENDER (1-FEMALE, 2-MALE, 3-TRANSGENDER/OTHER)
B.2	AGE (IN YEARS)
B.3	SOCIAL GROUPS (1- SCHEDULED TRIBE, 2- SCHEDULED CASTE, 3-OTHER BACKWARD CLASS,4-NT-DNT 9- OTHERS)
B.4	RELIGION: 1- HINDUISM, 2- ISLAM, 3- CHRISTIANITY, 4- SIKHISM, 5- JAINISM, 6- BUDDHISM, 7- ZOROASTRIANISM, 9- OTHERS
B.5	HOUSEHOLD SIZE (NO. OF PERSONS IN A HOUSEHOLD)
B.5.1	FEMALE
B.5.2	MALE
B.5.3	CHILDREN (BELOW 14)
B.5.4	ELDERS (MORE THAN 60 YEARS)
B.6.	PRINCIPAL EARNER IN A HOUSEHOLD
B.6.1	ONLY MALE (1- YES, 2-NO)
B.6.2	ONLY FEMALE (1- YES, 2-NO)
B.6.3	BOTH MALE AND FEMALE (1-YES, 2-NO)
B.6.4	MONTHLY INCOME OF THE FAMILY
B.7.	MEMBERSHIP OF ANY ASSOCIATIONS
B.7.1	LABOUR/TRADE UNIONS (1-YES, 2-NO)
B.7.2	CSO/CBOS/SHGS (1-YES, 2-NO)
B.7.3	ANY LOCAL COLLECTIVES (BIRADARI/CASTE/BHAVAKI/SECTARIAN) (1-YES, 2-NO)
	DO YOU HAVE BPL CARD? (1-YES, 2-NO)
B.8	AGRICULTURE LAND OWNERSHIP (1-YES, 2- NO)
B.8.1	IF YES, WHAT IS THE SIZE OF THE LAND? (IN ACRES)
	DID THE TEA ESTATE MANAGEMENT PROVIDE YOU WITH ANY PIECE OF LAND FOR CULTIVATION/KITCHEN GARDENING?
	IF YES, PLEASE SPECIFY THE SIZE OF THE LAND (IN ACRES)
B.9	DO YOU LIVE IN YOUR HOUSE (1- YES, 2- NO)
	WHAT TYPE OF HOUSE YOU LIVE IN ? (PUCCA/SEMI PUCCA/KUCHHA)
B.9.1	IF NO (1- RENTED, 2- PROVIDED BY EMPLOYER, 3-LAND PROVIDED BY THE EMPLOYER & HOUSE BUILD BY THE WORKER)
B.9.2	IF RENTED- HOW MUCH DO YOU PAY AS A RENT?
B.9.3	IF PROVIDED BY EMPLOYER

Source: Primary data

ANNEXURE II: QUANTITATIVE INTERVIEW SCHEDULE

B.9.3.1	DO YOU HAVE TO PAY SOME MONEY? (1-YES, 2-NO)
	IF YES, HOW MUCH?
	IF NO, WHAT IS THE ARRANGEMENT?
	IF 3, DO YOU GET YEARLY HOUSE REPAIRING ALLOWANCES? HOW MUCH?
	WHAT IS THE MAIN SOURCE OF DRINKING WATER FOR MEMBERS OF YOUR HOUSEHOLD? (PIPED WATER, DUG WELL, WATER FROM SPRING, TUBE WELL OR BOREHOLE, TANKER TRUCK, SURFACE WATER(RIVER/DAM/LAKE/POND/STREAM/CANAL), COMMUNITY RO PLANT)
	DO YOU HAVE TOILET FACILITY AT YOUR HOME? (1-YES, 2-NO)
	DOES YOUR HOUSEHOLD HAVE ELECTRICITY? (1-YES, 2-NO), IF YES, HOW MUCH YOU PAY FOR IT IN A YEAR?
	WHAT IS THE PRIMARY SOURCE OF ENERGY FOR COOKING? (ELECTRICITY/LPG OR NATURAL GAS/BIOGAS/KEROSENE/COAL/WOOD/NO FOOD COOKED IN HOUSE/OTHER)
B.10	DO YOU HAVE AADHAAR CARD? (1-YES, 2-NO)
C.	EMPLOYMENT: BEFORE COVID-19
	FROM HOW MANY YEARS YOU ARE WORKING IN THIS TEA ESTATE
C.1	WHAT IS YOUR JOB SPECIFICATION IN TEA GARDEN FIELD?
C.2	WHAT IS THE NATURE OF WORK? (1-PERMANENT, 2-TEMPORARY)
C.2.1	IF PERMANENT, WHAT IS YOUR INCOME?
C.2.2	IF TEMPORARY, HOW MANY DAYS IN A MONTH YOU GET WORK?
	HOW MANY HOURS YOU WORK DAILY?
	DO YOU GET EXTRA WAGES FOR OVERTIME? (1-YES, 2-NO)
C.2.3	IF TEMPORARY, HOW MUCH DO YOU EARN IS A MONTH?
C.3	WHAT IS THE NATURE OF PAYMENT (1- PIECE RATE/KG/BAG, 2- FIXED AMOUNT)
C.4	HOW OFTEN IS YOUR PAYMENT MADE (1- EVERY DAY, 2- PER WEEK, 3- FORTNIGHTLY, 4- MONTHLY)
C.5	WHAT IS THE MODE OF PAYMENT? (1-CASH, 2- BANK ACCOUNT TRANSFER)
	DO YOU GET DEARNESS ALLOWANCE-(1-YES, 2-NO), SICKNESS ALLOWANCE OR SICK LEAVES-(1-YES, 2-NO), BONUS-(1-YES, 2-NO), PROVIDENT FUND-(1-YES, 2-NO), GRATUITY-(1-YES, 2-NO), MATERNITY BENEFITS-(1-YES, 2-NO), MEDICAL FACILITY FOR SELF-(1-YES, 2-NO) AND FAMILY-(1-YES, 2-NO), EDUCATION FACILITY FOR CHILDREN-(1-YES, 2-NO)
	DO YOU HAVE FOLLOWING FACILITY AT WORK PREMISE? FIRST AID FACILITY-(1-YES, 2-NO), POTABLE DRINKING WATER-(1-YES, 2-NO), HAND WASHING FACILITY-(1-YES, 2-NO), SEPARATE TOILET FOR MALE AND FEMALE WORKERS-(1-YES, 2-NO), CRECHE FOR CHILDREN-(1-YES, 2-NO)
D.	EMPLOYMENT: DURING LOCK-DOWN COVID-19
D.1	WERE YOU WORKING DURING LOCK-DOWN (1-YES, 2-NO)
D.2	IF YES, WHAT WORK WERE YOU DOING?
D.3	HOW MANY DAYS DID YOU WORK?
D.4	HOW MUCH DID YOU EARN DURING THE PERIOD?
D.5	HOW MANY DAYS WERE YOU UNEMPLOYED?
D.6	WHAT WAS THE NATURE OF PAYMENT (1- PIECE RATE/KG/BAG, 2- FIXED AMOUNT)
D.7	HOW OFTEN WAS YOUR PAYMENT MADE (1- EVERY DAY, 2- PER WEEK, 3- FORTNIGHTLY, 4- MONTHLY)
D.8	WHAT IS THE MODE OF PAYMENT? (1-CASH, 2- BANK ACCOUNT TRANSFER)
E.	EMPLOYMENT: DURING UNLOCK PHASE 1
E.1	HOW DID YOU RESUME THE WORK?
E.2	WHAT IS THE NATURE OF WORK? (1-PERMANENT, 2-TEMPORARY)

E.3	WHAT IS YOUR JOB SPECIFICATION IN TEA GARDEN FIELD?
E.4	HOW MUCH WERE YOU OFFERED?
E.5	WHAT IS THE NATURE OF PAYMENT (1- PIECE RATE/KG/BAG, 2- FIXED AMOUNT)
E.6	HOW OFTEN IS YOUR PAYMENT MADE (1- EVERY DAY, 2- PER WEEK, 3- FORTNIGHTLY, 4- MONTHLY)
E.7	WHAT IS THE MODE OF PAYMENT? (1-CASH, 2- BANK ACCOUNT TRANSFER)
F.	CALCULATING LIVING WAGE
F.1	CONSUMPTION OF FOOD ITEMS PER MONTH
F.2	WHEAT
F.3	RICE
F.4	PULSE
F.5	DRY VEGETABLES (MOONG, CHANA, MATAR, SOYABEAN)
F.6	OIL
F.7	DRY SPICES
F.8	MILK
F.9	VEGETABLES
F.10	NON-VEG
F.11	HOW MUCH DO YOU SPEND IN A MONTH ON MONTH
F.12	DO YOU HAVE RATION CARD (1- YES, 2- NO)
F.13	IF YES, WHAT ARE THE ITEMS YOU GET ON THAT CARD AND WHAT QUANTITY?
F.14	HOW OFTEN YOU ADD NON-VEGETARIAN FOOD IN YOUR MEAL IN A MONTH?
F.15	FISH
F.16	CHICKEN
F.17	MUTTON
	PORK
	RICE FLAKES
	PUFFED RICE
	SOYABEANS
	BISCUITS
F.18	OTHERS
F.19	DO EVERYONE IN YOUR FAMILY CONSUME MILK EVERYDAY? (1-YES, 2-NO)
F.20	IF YES, WHO HAVE IT
F.21	IF NO, WHO DO NOT HAVE IT?
G.	TRANSPORT
G.1	HOW FAR IS YOUR WORKPLACE FROM YOUR HOME (IN KMS.)
G.2	HOW DO YOU GO TO WORK? (1- WALK, 2-BICYCLE, 3-BIKE, 4-PUBLIC TRANSPORT, 5-FACILITY PROVIDED BY EMPLOYER)
G.3	IF BIKE – HOW MUCH DO YOU SPEND ON PETROL (PER WEEK- PER MONTH)
G.4	IF PUBLIC TRANSPORT- HOW MUCH DO YOU SPEND ON FARE? PER DAY.... PER MONTH.
	IF FACILITY PROVIDED BY EMPLOYER - IS IT FREE OR PAID, IF PAID, HOW MUCH IS DEDUCTED FROM SALARY?

ANNEXURE II: QUANTITATIVE INTERVIEW SCHEDULE

G.5	HOW MANY FROM THE FAMILY GO TO WORK ON BIKE?
G.6	HOW MANY FROM THE FAMILY GO TO WORK IN PUBLIC TRANSPORT?
G.7	HOW MUCH DO YOU SPEND ON REPAIRING BICYCLE IN A MONTH?
G.8	HOW MUCH DO YOU SPEND ON REPAIRING BIKE IN A MONTH?
G.9	DO YOUR CHILDREN GO TO SCHOOL? (1-YES, 2-NO)
G.10	IF YES, HOW DO THEY GO TO SCHOOL? (1-YOU DROP THEM ON YOUR CYCLE, 2-YOU DROP THEM ON YOUR BIKE, 3-THEY GO BY USING PUBLIC TRANSPORT, 4- THEY GO BY SCHOOL AUTO/BUS/RICKSHAW, 5- THEY WALK TO SCHOOL
G.11	IF THEY GO BY USING PUBLIC TRANSPORT, HOW MUCH DO THEY SPEND ON FARE PER MONTH?
G.12	IF THEY GO BY USING SCHOOL AUTO/BUS/RICKSHAW, HOW MUCH DO YOU PAY PER MONTH?
G.13	HOW MUCH DOES YOUR FAMILY SPEND ON TRANSPORTATION IN A MONTH APPROXIMATELY?
H.	CLOTHES
H.1	HOW OFTEN DO YOU BUY CLOTHES FOR YOURSELF? (1- ONCE IN A YEAR, 2- TWICE IN A YEAR)
H.2	HOW OFTEN DO YOU BUY CLOTHES FOR CHILDREN? (1- ONCE IN A YEAR, 2- TWICE IN A YEAR)
H.3	HOW MUCH DO YOU SPEND ON CLOTHES IN A YEAR? (APPROX.)
H.4	WHERE DO YOU BUY YOUR CLOTHES FROM? (1- STREET MARKET, 2-SHOPS IN VILLAGES, 3-SHOPS IN NEARBY TOWN)
I.	EDUCATION [SUGGESTION: PLEASE TAKE REVERSE MIGRATION INTO CONSIDERATION DUE TO COVID-19 PANDEMIC. CARE SHOULD BE TAKEN TO INTERVIEW REGULAR TENANTS OF HOUSHOLD ONLY.]
I.1	HOW MANY OF YOUR KIDS GO TO SCHOOL?
I.2	WHICH TYPE SCHOOL IS THIS? (1- PRIVATE, 2- GOVERNMENT, 3- ESTATE SCHOOL)
I.3	HOW MUCH DO YOU PAY AS SCHOOL FEES?
I.4	DO YOU SEND YOUR CHILDREN TO TUITION AS WELL? (1- YES, 2-NO)
I.5	IF YES, HOW MUCH DO YOU PAY AS TUITION FEES?
I.6	DO YOUR CHILDREN HAVE ACCESS TO STATIONERY MATERIALS? (1- YES, 2-NO)
	IF YES, HOW MUCH DO YOU PAY FOR STATIONERY MATERIALS?
	DO YOUR CHILDREN HAVE ACCESS TO SUPPLEMENTARY READING MATERIALS SUCH AS, MAGAZINES, GUIDES, ETC? (OTHER THAN TEXT BOOKS, RELIGIOUS BOOKS) (1- YES, 2-NO)
	IF YES, HOW MUCH DO YOU PAY FOR SUPPLEMENTARY READING MATERIALS?
J.	HEALTHCARE
J.1	WHERE DO YOU GO IN CASE OF HEALTH EMERGENCY? (1- PRIVATE HOSPITAL, 2- GOVERNMENT HOSPITAL, 3-HEALTH CENTRE PROVIDED BY ESTATE, 4-OTHER)
J.2	WHEN DID YOU VISIT THE PRIVATE HOSPITAL LAST?
J.3	WHAT WAS THE PROBLEM?
J.4	WHAT WAS YOUR TOTAL EXPENSE?
J.5	WHEN DID YOU VISIT THE GOVERNMENT HOSPITAL LAST?
J.6	WHAT WAS THE PROBLEM?
J.7	WHAT WAS YOUR TOTAL EXPENSE?
J.8	WHEN DID YOU VISIT TO THE HEALTH CENTRE PROVIDED BY ESTATE?
J.9	WHAT WAS THE PROBLEM?
J.10	HOW MANY OF YOUR FAMILY MEMBERS CAN GET TREATED THERE?
J.11	WHAT ARE VARIOUS TYPES OF TREATMENTS ONE CAN GET THERE?
J.12	IN WHAT CIRCUMSTANCES ONE IS REFERRED TO OUTSIDE ESTATE HEALTH FACILITY?

J.13	DO YOU GET MATERNITY BENEFIT? WHAT ARE THOSE?
J.14	DO YOU HAVE HEALTH CARD?
J.15	DOES ANY USUAL RESIDENT OF YOUR HOUSEHOLD INCLUDING YOU HAVE ANY DISABILITY? IF YES, WHAT TYPE OF DISABILITY (HEARING, SPEECH, VISUAL, MENTAL, LOCOMOTOR, OTHERS)
	IS ANY USUAL MEMBER OF THIS HOUSEHOLD COVERED BY A HEALTH SCHEME OR HEALTH INSURANCE? (1- YES, 2-NO)
	IF YES, WHICH? (EMPLOYEE STATE INSURANCE SCHEME/CENTRAL GOVERNMENT HEALTH SCHEME/STATE HEALTH INSURANCE SCHEME/RASHTRIYA SWASTHYA BIMA YOJNA/COMMUNITY HEALTH INSURANCE PROGRAMME/OTHER HEALTH INSURANCE THROUGH EMPLOYER/MEDICAL REIMBURSEMENT FROM EMPLOYER/OTHER PRIVATELY PURCHASED COMMERCIAL HEALTH INSURANCE)

ANNEXURE II: QUA ANNEXURE III: QUALITATIVE FOCUS GROUP DISCUSSION
TOOL NTITATIVE INTERVIEW SCHEDULE

Date: Name of Field Investigator:

SECTION A: BASIC INFORMATION

- 1) NAME OF THE RESPONDENT:
- 2) NAME OF THE TEA ESTATE AND DISTRICT:
- 3) AGE:
- 4) GENDER:
- 5) EDUCATIONAL BACKGROUND:
- 6) CASTE/ TRIBE/ETHNICITY:
- 7) DESIGNATION OF WORK:
- 8) TEMPORARY OR PERMANENT OR CASUAL:
- 9) SINCE WHEN ARE YOU WORKING IN THIS TEA GARDEN:

SECTION A: BASIC INFORMATION

- 1. Can you tell us what your present wage is? How often do you receive it? How is it paid-cash/kind/bank transfer?
- 2. Is there any change in the wage in last two years? If yes, by how much? How did it happen? If no then when was the last rise in wage?
- 3. What was your earning before lock down? Was that sufficient to run the family? What are the various difficulties you face in order to run the family in your current wage?
- 4. What were the difficulties you faced during the lock down?
- 5. How did you manage your expenditure on food during lock down? Did you take loan to run the family during lock down?
- 6. What type of financial support you got from your employer during the lockdown?
- 7. What is your wage during unlock phase I? Has there been any change in the wage? Is it more than what you were receiving before lock down?
- 8. How much do you save by the end of the month?
- 9. Can you give us tentative estimate of your expenses breakup?
- 10. Do you get your wages on time? If you don't get that on time how do you approach to your employer?
- 11. Is there tea garden workers union in the tea estate you are employed? On what occasions do you all come together? What are the main issues taken up by the Trade Union?

ANNEXURE II: QUA ANNEXURE III: QUALITATIVE FOCUS GROUP DISCUSSION
TOOL NTITATIVE INTERVIEW SCHEDULE

SECTION B: HEALTH

- 1. What are the main health problems faced by workers of your profile in your tea garden?
- 2. What do you do in case of an illness-access health care, forego medical care, visit the traditional health provider?
- 3. What are the health related facilities available to you and provided by your employers?
- 4. Does your employer organise health camps for workers?
- 5. Are you covered under any type of medical insurance such as PMJAY or any other medical insurance scheme? Do you have any health card?
- 6. Have you accessed medical care under insurance scheme and what difficulties you faced?
- 7. Do you get maternity benefits? What are those?
- 8. How far is the health centre from your living place/workplace? What are the challenges you face in reaching there?
- 9. How do you manage finances in case of health emergency or marriage or child birth?
- 10. On an average, how much money do you spend on health expenditure for your household?
(OPD Consultation in the last one month, Hospitalisation in the last one year)

SECTION C: CHILDREN'S EDUCATION

- 1. How many children do you have? How many of them go to school/college? Why not others?
- 2. How much do you spend on their education in a month?
- 3. Does your employer give any financial support for your children's education?
- 4. What is your opinion on children's education?
- 5. What do you want your children to become after gaining higher education?
- 6. How did you manage the education of children during lock-down? -for online classes-purchase of mobile or data pack.
- 7. What types of expenditure you made for your children's education during lock down?

SECTION D: CONSUMPTION/EXPENDITURE

- 1) Can you discuss in detail the wages you receive in kind-particularly how is the food rations calculated/ distributed?
- 2) How often do you receive the food rations from the employer? What food items are provided and how is the quality of the food.
- 3) Is the ration provided by the employer sufficient for a month?
- 4) What are the food items you purchase from open market and how often?
- 5) What are the main problems you faced while buying food items for the household?
- 6) How do you arrange money for purchasing food items-borrow, spend from savings, credit from shopkeeper.
- 7) How much money do you spend in a month on alcohol, bidi and on tobacco related products?

ANNEXURE II: QUA ANNEXURE III: QUALITATIVE FOCUS GROUP DISCUSSION
TOOL NTITATIVE INTERVIEW SCHEDULE

SECTION E: HOUSING

- 1. Are you living in the housing facility provided by the teas estate?
- 2. If Yes, what are the facilities inside the house?
- 3. If No, where do you stay? What is the condition of that house?
- 4. What type of house is this (Kuccha/Pucca)
- 5. How many rooms are there?
- 6. How many people stay in one house?
- 7. Is there a separate kitchen?
- 8. Is there water facility inside the house or you have to walk to fetch the water?
- 9. Is there toilet facility inside the house?
- 10. Is there electricity inside the house? Who bears the electricity charges? (Employer/renter)

INTERVIEW GUIDE FOR KEY INFORMANTS

Date: Name of Field Investigator:

- 1. Name and Designation:
- 2. Tea Garden and District:
- 3. Educational Qualification:
- 4. Gender:
- 5. Caste/Tribe/Ethnicity
- 6. What is your opinion about the present wages paid to the workers in tea gardens?
- 7. Do you know how is it calculated, how is it paid and has there been any revision in the past?
- 8. According to you what are the main problems workers face with respect to their wages-are they sufficient, regularly paid,
- 9. Can you tell us how is wage paid? How it is calculated and distributed amongst the workers?
- 10. What are the main challenges involved in providing wages in kind-food items?
- 11. Has there been any problem between the workers and the tea garden owners on the question of wages in the recent pages? How are they resolved?
- 12. What are the main reasons for delay or non-payment of wages to the workers on time?
- 13. Is there is trade union of workers in the tea gardens and what are the main challenges faced by the trade union?





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