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FORCED LABOUR IN INDIA

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FOREWORD

This booklet gives in brief a picture of 'forced labour' in India. It is said that forced labour prevailed in India under the British Rule, but that it has now been abolished since the establishment of the Republic and the promulgation of the Constitution in January 1950.

It is true that some of the laws and practices that sanctioned forced labour have been repudiated by new legislation. But passing laws is one thing and enforcing them against the powerful vested interests of landlords and owners of mines, plantations, factories holding workers in conditions of 'forced labour', is another thing.

This question came into prominence when the Economic and Social Council of the United Nations discussed this question in 1951 and appointed an Ad-hoc Committee to study the matter, with Sir Ramaswamy Mudaliar of India as its Chairman.

The Ad-hoc Committee invited Governments and private organisations to submit their statements on the questionnaire they had issued.

The I.C.F.T.U. leaders, advised by their friends of the American Federation of Labour and their socialist imitators in India, are reported to have been very eloquent in making slanderous allegations about 'slave-labour camps' in the countries of Socialism and People's Democracies. These slanders were repudiated by the trade union centres of those countries.

But the I.C.F.T.U. and its friends have been discreetly silent about the 'forced labour camps' in India, Africa, the South American countries, Malaya, etc.

This question was again taken up in the Economic and Social Council of the U.N.O. this year. In the list of countries that showed existence of forced labour, the name of India was omitted. The A.I.T.U.C. is not in a position to know whether this was done by the Ad-hoc Committee on its own or on the report of the Government of India.

The summary of the replies sent by the Government of India to the Committee's questionnaire and as published by it shows that the Government admits the existence of compulsory or forced labour in India but only for certain public

purposes. (Pp. 170, 172 and 173 of *Report of the Ad-hoc Committee on Forced Labour*, Geneva 1953.)

The summary nowhere mentions the notorious Gorakhpuri Labour camps placed at the disposal of the mine owners in India.

It nowhere mentions that even till today no access is allowed in the residential areas of plantation workers to members of the public.

The Plantation Labour Act of 1951 had to insert a special clause, 16(F) in order to provide for—

“access to the public to those parts of the plantation wherein the workers are housed”.

This Act, passed in 1951, was suspended due to the violent opposition of the planters. Only when the plantation workers had fought a series of struggles, did the Government agree to enforce the Act from April 1954.

Enforcement of the Act, however, does not mean that the planters will easily allow the plantation workers trade union rights and democratic liberties to liberate themselves from conditions of forced labour.

The agricultural labourers belonging to tribal areas and scheduled castes have still to work in conditions of forced labour despite all laws and the Constitution.

The question of forced labour camps in India arose in a very limited manner at the Tripartite Conference in Mysore in January of this year. It was revealed there that owners and Governmental circles strongly resisted the abolition of forced labour.

Newspapers report that the Uttar Pradesh Government has used large numbers of prison-labour to construct the Chandraprabha Dam in Banaras and a big agricultural farm in the Tarai jungles.

These are the most glaring instances of forced labour in open defiance of the theoretical abolition of forced labour by the Constitution and by other laws.

In India, where semi-feudal landlordism is still strong and where monopoly capitalists force the working class to accept low wages and bad working conditions under threat of unemployment and starvation, millions of workers have to work and live under conditions of forced labour.

This booklet was prepared as a basis for a memorandum to the Economic and Social Council meeting at New York which was again going to consider the question of forced labour, and as an aide to the delegates of the World Federation of Trade Unions, who were to attend the meeting.

This booklet was drafted by Comrade G. V. Chitnis of the A.I.T.U.C. Office and is being published for the information of the trade union movement.

Though it is not very exhaustive in its treatment, it is hoped that it will focus the attention of the working class and the public on this problem.

20th. April 1954.

S. A. DANGE
General Secretary, AITUC.

FORCED LABOUR IN INDIA

The *Indian Labour Year Book* published by the Ministry of Labour, Government of India, defines Forced Labour as 'work or service, whether with or without payment, which is exacted from a person, against his will'.

The same publication classifies forced labour in India in 3 categories. These are: (i) forced labour requisitioned by Government for public purposes *under legal provisions*; (ii) forced labour exacted by landlords or creditors and (iii) customary forced labour exacted by private individuals. (*Indian Labour Year Book* 1948-49, published in 1950, page 267.)

The publication refers next to the forms in which forced labour found expression in India.

Further the *Report of the Agricultural Labour Inquiry* by sample survey conducted by the Government of India in 1951 and published in 1952 says the following on the question of forced labour.

"(viii) Data relating to the existence of begar or involuntary labour in the villages surveyed were collected during the Agricultural Labour Inquiry. 'Forced or compulsory labour' was defined to mean 'all work or service exacted from a person against his will either, or on payment of wages which were not a sufficient inducement to perform the work willingly.' The data collected revealed that while in the sample villages in Assam, Madhya Pradesh, West Bengal, Hyderabad, Mysore, Saurashtra, Travancore-Cochin and the Part C States, no cases of begar were reported, forced labour in some form or other was being exacted in 74 sample villages, spread over different States". (*Agricultural Labour Inquiry Report* — Vol. I, page 47.)

Even if we omit the States mentioned, very big States like Uttar Pradesh, Bihar, Madras which have been traditional strongholds of feudal landlordism and forced labour still continue to have that system, according to this report.

It would be seen thus that even the official publications concede the existence of forced labour in the country in some form or other, at least till recently.

But while the Government have thus to accept certain facts concerning forced labour in the country, they generally contend that it is on a very small—practically negligible scale, that it is already dying out, that its nature and character is far more exaggerated by the trade unions than is warranted by actual conditions, and that the Government are taking vigorous measures to do away with these 'relics of the past'.

Facts are however obstinate and even a superficial examination of conditions of forced labour in India, would show that realities are far different than those advertised by the Government and the other interested elements.

Forced labour is found in India, both in the Agricultural and the Industrial fields, in various forms, the most common form being the Agricultural Serfdom.

FORCED LABOUR IN AGRICULTURE

The agrarian serf labour has been a part of the rural agricultural proletariat since centuries past. It has been rooted deep in our socio-economic structure, and can be come across in practically every corner of the land—so much so that some of the regions have a special name for it, e.g., Hali in Gujarat, Kaimuti in South Bihar, Janouri in North Bihar, Gothi in Orissa, Panal Pathiram in Tamilnad, Gassi-Gullu in Andhra, Bhagla in Hyderabad, Sanwah in Oudh, Harawaha in Madhya Bharat, Jeetha in Karnatak and Barsalia in Madhya Pradesh. In Bombay State we have the Waralis, the Dublas and Kolis, on the East Coast of Madras we have the Padials and in Bihar we have the Kamiahs.

The existence of such labour has been recognised in many Government and other reports, e.g. the *Census Report* of 1921 estimates that out of 84,000 Halis in Bombay State 57,000, i.e. about 67 per cent, were found in Surat District alone. According to Sumant Mehta, who had investigated into this problem, the region of Tapti River in Gujarat has about a lakh of serfs.

The origin of such forced labour can be traced to our land problem, which is the axis of the Indian economy. The landlord who had succeeded in grabbing the bulk of the land in the village, was in a position to dictate his terms to the poor tenants and cultivators, who were left without any means of subsistence, to agree to work free or on

paltry wages, on his estates, and to attend to other jobs of his, in return for a small strip of land, which he would rent out to them at exorbitant rates. Referring to this sort of labour exacted by the landlords, the *Labour Year Book* published by the Ministry of Labour observes— "...tenants are compelled to do some type of agricultural labour in their (landlord's) fields for a number of days in a season or a year either without wages or for some very meagre wages. Sometimes these landlords give house-sites and a plot of land for cultivation to the inhabitants in the village on payment of rent or on a contract of payment of certain share of produce. Usually such a tenant is made to work in the fields of his landlord, or do some domestic work. Sometimes his family members are also made to work for the landlord. Such service may be free in lieu of grant of land, or a payment of very meagre wages. The tenants cannot refuse to work or bargain for wages, because there is a danger of being ousted from the land or house-sites. These are the common characteristics of forced labour exacted by landlords in many rural parts of India where landlordism exists". (*Indian Labour Year Book* 1948-49, published in 1950, page 268.)

FORCED LABOUR OUT OF RURAL INDEBTEDNESS

But the forced labour did not arise only out of land relationships, though these constituted the principal source of it. Those landless labourers as well who on any occasion had to resort to any borrowing, had to sell their personal liberty to the very landlord to get a small loan out of him, usually at unconscionable rates of interest. The *Indian Labour Year Book* referred to above terms this relationship as 'debt bondage' and agrees that "landlords sometimes advance loans to their tenants, grant them house-sites and thus bind them to render service for ever. This practice exists in rural parts of India, and is known under different names.... The only legal obligation in debt transactions is to repay the loan with interest thereon. But under this system the debtors have to do manual labour for his creditor, in lieu of the advance or debt or interest thereon till repayment. Although it is usually understood that on repaying the loan with interest the debtor is free to leave his creditor, he is seldom able to repay the loan due to niggardly payments. The debtor-labourer cannot bargain for his wages and has thus to incur further debts. This results in his perpetual bondage and the amount of loan remains unpaid throughout his life. When such a debtor

dies, the son has to inherit the rights and obligations of the father, especially when a small piece of land had been left by him to the servant for cultivation. Many a time, along with the debtor his other family members have to perform domestic work at the masters' house on very low wages".

Usually such petty loans, many times as low as from Rs. 50/- to Rs. 100/- (£3-15-0 to £7-10-0) were required by these labourers on occasions such as the marriage or death of any of their family members. But even such small loans the labourers would not get in the villages, unless they agreed to serve the landlords as bond servants till the loan was repaid. The labourer was then reduced to the position of a serf of the landlord.

CONDITIONS OF SERF LABOUR

This serf labour was no better than slave labour. It used to be attached to the land, and changed ownership, along with it. This is what the *Bombay Census Report 1921* had to say in connection with the Hali labour:

"They are not employed at their own convenience on wages but are maintained as permanent estate servants by the larger landlords—furnished by these with home and food, and not regarded as in a position to resign service and seek any other occupation. There is virtually no difference between the position of these Halis and the slaves of the American Plantations prior to the Civil War, except that the Courts would not recognise the rights of their master as absolute over person and services. But in this country where more probably than in others—the rich have a better chance in the Courts than the poor, this difference diminishes in importance. We might describe this situation by saying that these Halis are free men de jure, but serfs or slaves de facto" (*Census Report of the Bombay Presidency 1921 — Part I, pp. 219-23*).

The serfs, further, could not undertake any other employment, or rent any farm without the consent of his landlord. Desertion—it was just impossible for the serf to even think of it. There are instances on record, when serfs who tried to run away from the horrible conditions that they were subjected to, were caught by the agents of the landlord, brought back and subjected to torture. Severe punishments were meted to those who would show even the slightest resistance to their ferocious exploitation. The serf then had no recourse but to go on drudging from year to year. He could effect an escape from this miserable life,

either by death or by running away to a distant place, where he would not be identified. But then his son would become the landlord's serf.

Further the 'solidarity' among the landlords was such that a serf who would seek to enforce his legal rights and leave his landlord, would get no employment either on land, or as a daily labourer. On top of this the landlords' agents would subject him to every harassment, and make his life miserable. The poor serfs therefore could not even dare to think of an escape.

Thus generations would pass, and the successors of the serf would go on serving the successors of the landlord without any liberation, with the same old debt still outstanding.

"The average agricultural labourer is not infrequently compelled in times of stress to mortgage his personal liberty. In return for a small sum of money which he may happen to need at the moment, he agrees to serve the master from whom he has borrowed. The money is not repaid, nor is it intended to be repaid. But the borrower remains a life long debt slave of his creditor. For his work, he merely receives an inadequate dole of food, and to all intents and purposes is in the position of a medieval serf". (Dinkar Desai — "Agrarian Serfdom in India"—*Indian Sociologist*—July 1942).

M/s. Wadia and Merchant also came very much to the same conclusions after their study of the conditions of work and life of Padial labour in Madras.

"The Padial is a serf who has fallen into hereditary dependence on a landowner from whom he has borrowed money. The money may have been borrowed either for his own marriage or for that of his son or daughter. The borrower undertook to work for the lender until the debt was repaid. Such loans are however never repaid, and the Padials themselves are being attached to the soil, go with the land when it is sold, or the owner dies".

The conditions of the Bihari Kamiahs are not in any way different.

"The Kamiahs are the bond-servants who having borrowed money, bind themselves to whatever manual services are required of them by their masters. These depressed caste labourers who have no land or security, pledge their labour whenever they want a loan; and not only their labour, but that of their wives and dependents". (M/s. Wadia & Merchant — *Our Economic Problem*, 1950 Edition, page 262).

After a study of 14 villages of the Olpad Taluq of Gujarat, Shri. J. B. Shukla substantiates the same findings:

"These Halis serve their creditors from year to year being unable to repay the loan during their life time. The Hali has been called an indentured labourer, free de jure, but a serf de facto".

The appalling conditions of work and life are best reflected in the following castigation by Radhakamal Mukherjee.

"On the lowest rung of the economic ladder in India stand those permanent agricultural labourers who rarely receive cash and whose conditions vary from absolute to mitigated slavery. Such is the custom of the country in many parts of India that the Zamindar, Malguzar or Ordinary cultivator nearly always contrives to get his servant into debt, thus obtaining a hold over him, which extends to even his posterity.

"In the Bombay Presidency there are the Dublas and the Kolis who to a greater or lesser extent are bond slaves. Most of their families are serving for several generations, practically as slaves to their masters' house-holds....

"In the South-West of Madras there are the Izhavas, Cherumas, Pulayas and Holigas, all virtually slaves. On the East Coast, the Brahmin's hold on the agricultural land is strongest and a large proportion of the agricultural labourers are Pariahs, who are often Padials. The Padial is a species of serfs who has fallen into hereditary dependence on a landowner through debt.... Such a loan is never repaid but descends from one generation to another, and the Padials themselves are transferred with the creditor's land when he sells it or dies....

"The lowest depth of serfdom is touched by the Kamiahs of Bihar, bond-servants who in return for a loan received bind themselves to perform whatever menial services are required of them by their masters in lieu of the interest due on the loan" (Radhakamal Mukherjee — *Land Problems of India* — pp. 225-9).

The wages of these labourers are extremely poor. After a survey of some villages in the Bhivandi Taluka, Thana District (Bombay State), Dr. Bhagat points out that the labourers from Warali and Katkari communities borrow money on the occasion of marriages and agree to serve their masters at the rate of Rs. 10/- (15s.) a year.

A. Aiyappan refers in his "Report on the Socio-Economic Conditions of the Aboriginal Tribes of the Province of Madras" to a system known as the 'Paleru', under which 'a

man is bound to work under the creditor as agricultural labourer in lieu of the loan taken. 'Irrespective of the physical capacity of the person thus placed as paleruthanam, the payment for his maintenance is only about six bags of rice per annum which is quite inadequate.'

In the economic survey of the village of Atgam in South Gujarat, undertaken in 1929, Mr. Mukhtyar had an occasion to observe the conditions of Hali labour. The Halis, he found, got their wages in kind, or in some parts in cash. The wives of the Halis served in the houses of the husband's masters, and their sons were employed as herdsman. When translated into money the total amount of wages of a Hali family works out to 6½ annas (about 7d.) per day.

The method of payment was thus a product of custom. Payment in kind was found to be the general rule. But money wages also were paid at some of the centres. Such wages however used to be always far lower than the wages of free farm labourers. Details of wages paid to such serf-labourers are not to be found in the various official committee reports, since it was regarded as a matter 'between the Hali and his employer'. But an idea of these can be had from the wages paid to free workers. According to Radhakamal Mukherjee the wages paid to field labour in 1922 ranged between 4 to 6 annas in areas surrounding the cities. But in the interior, these were much lower. Thus in the United Provinces (now Uttar Pradesh) the *Report of Quinquennial Wage Survey* in 1934 recorded the average wage of 3 annas (3d.) a day. In 326 villages it was found that the wages were only 1½ annas (1½ d.) a day.

The findings of M/s. Wadia & Merchant as well bear out the same story of fierce exploitation.

"In Madras, the Padias' wages are paid in kind equivalent to Rs. 3-12 per month (5s.) in terms of money. In Orissa there are three kinds of hired labourers: (1) The Chakar or Baramasiya labourers engaged for 12 months with board and lodging and Rs. 24 in cash. His ancestor might have obtained a loan from his employer; (2) The Naga Nuliya, who also works as an yearly servant, but receives instead of board and lodging, 4 seers of paddy, and a plot of land to cultivate, free of rent; (3) The Danda Muliya who is employed for a short period on specified wages". (*Our Economic Problem*, 1950 Edition.)

But it was not only the wages alone that made the

life of these labourers miserable. The other conditions of work were equally bad. The hours of work were in no way restricted. The back breaking toil, absence of any rest hours, starvation and maltreatment including physical assaults compelled such labourers to run away to distant places leaving their hearths and homes.

The reports of the Committees that investigated into the conditions of this labour are full of such instances. Writing about the aboriginal population of the Thana District (Bombay State) an officer reports:

"All jungle tract tenants who cultivate by Khad (i.e. those who pay fixed rent in kind and not a crop share) are liable to be called upon to work for their landlords. If they refuse they are liable to assaults or beatings.... I was told on creditable authority of men being tied up to posts and whipped. Such occurrences I can vouch for. There are also rumours of men in the past having been killed". Quoting this officer M/s. Wadia and Merchant conclude "This system of exacting forced labour from cultivating tenants exists in almost all Provinces". (*Our Economic Problem*, 1950 Edition, p. 262).

Further a large part of this labour came from certain backward castes, known as the scheduled castes, and from aboriginal tribes, which are subjected to a number of social disabilities, on top of this harsh exploitation.

According to M/s. Wadia & Merchant this labour "is most prevalent in those parts of India, where the lower and the depressed classes are numerous. Thus in Bombay, Madras, Malabar, Cochin, Central Provinces (now Madhya Pradesh State), Central India and Chota Nagpur, where we have a large aboriginal population, the condition of the agricultural labour is very much like that of a slave." (*Our Economic Problem* — 1950 Edition — page 260).

These scheduled castes that composed a large part of this labour are regarded as untouchable and are required to build their huts on the outskirts of the villages. They were denied all access to the village tanks, rivers, or any source of water, public buildings, hotels, shops and houses owned by the Caste Hindus. Even on the burial ground they had to bury their dead at a place different than the one reserved for the Caste Hindus.

All these social disabilities made the whole life of those that were subjected to it, miserable.

FORCED LABOUR IN FOREST AREAS

The agrarian serfdom is however not the only form the forced labour takes. In forest areas this system takes a slightly different form. There big contractors take contracts from the Government to saw and to supply timber. Such contractors employ many of the aboriginal tribes that live on the outskirts of these areas, to fell the trees, and to cut them.

Here again the contractors make some paltry advances to these labourers, with a view to subject them to the same 'debt bondage' as holds the agricultural serfs to their landlord masters. Once the labourer is bound by this bond, he loses his right to accept any other employment, and has to serve the contractor till the whole advance with interest thereon, is repaid.

There is hardly any comparison to the ferocious exploitation resorted to by the forest contractors of these labourers. A. Aiyappan notes in his "Report on the Socio-Economic Conditions of the Aboriginal Tribes of the Province of Madras" as follows:

"It is said that the rapacity of the forest contractors and their agents was so great in the Parumtapalli area a few years ago that some of the Konda Reddis had to flee to other places".

No writ of law runs in these places situated many times in the heart of forests and the only law is the contractors' word. Physical assaults and corporal punishment are common enough in these areas. What is paid in the name of wages is mere pittance. It need not be added that these labourers are required to do all the household jobs of the contractors, and of course without receiving anything in return.

K. G. Sivaswamy refers in his *Forced Labour in Agriculture* to a number of instances of compulsory labour exacted by forest contractors. The forest contractors he notes, "arrogate the same status to themselves as that of Government officers and landlords and claim the unpaid labour of aboriginals for gathering minor produce". In various areas of Madhya Pradesh, he observes, "contractors give advances of money to the aborigines on condition that a specified quantity of harra is collected within a fixed period of time, in default of which double the quantity must be supplied". "Also no aboriginal is allowed to sell his own harra except through a contractor".

"In some parts of the country" the writer observes,

“especially in Madhya Pradesh, forest contractors illegally collect fees from the aborigines for use of fruits and flowers of forest trees; when they combine shopkeeping, the aboriginal slaves supply valuable produce to contractors in exchange for trinkets. There are terrible sanctions, fear of which makes the labourers and aboriginals render free service, such as carrying loads free, or at nominal prices”. (quoted by I.L.O. Publication — *Indigenous People*, published 1953 — p. 395).

MANY FORMS — BUT THE SAME EXPLOITATION

There is yet another form in which the agrarian forced labour found expression. In Zamindari areas (areas where land was owned by very big landlords, who would rent their land to peasants to cultivate it) the cultivators, though not in any way indebted to the Zamindar (the Feudal Chief) had to render certain services to him by established custom. “The workers”, notes K. G. Sivaswamy in his *Forced Labour in Agriculture*, published in ‘Asian Labour Quarterly,’ July 1949, “today supply in the interior villages free labour, services and articles in demand by landlords. Straw for milk cattle and storing grains, vegetable for festivals, fruits, timber, fuel, free bullock cart service for Diwali and other festivals are the common articles and services supplied to landlords by tenants-at-will and labourers.... It is customary for the ryots in Zamindari villages to give free labour of themselves and their bullocks for certain number of days for ploughing the home farms of Zamindars”.

These zamindars in many cases were invested with magisterial rights, which they freely used to ‘discipline’ any of the peasants that made bold to question this right to exact such services.

One other special form of forced labour needs a special mention. It expresses itself in bringing illegal exactions on the cultivators, and is come across notably in Bengal.

This form which virtually reduced the cultivators to semi-serfdom, is referred to by M/s. Wadia & Merchant as follows:

“Sometimes these exactions take the form of marriage fees, sometimes they are fines for social offences, sometimes they are taxes for carrying on certain trades. These exactions deprive the peasantry of a large portion of their already meagre incomes. The ‘abwahi’ (illegal exaction) is employed not only as an engine of financial extortion, but of physical oppression. ‘In Rajshahi’ according to a settle-

ment report, 'landlords wield a sort of sovereign power dispensing justice and imposing taxes'. According to another report "in some of the remoter parts of Patna, the Zamindar's agents still assume summary but unauthorised magisterial functions, fining and at times, imprisoning those whom they convict'. Agrarian serfdom thus is there in India—a relic of the middle ages which might well be regarded as one of the darkest blemishes in the economic life of present-day India" (*Our Economic Problem*, 1950 Edition. — p. 263).

The existence of the forced labour can also be found in our industries, particularly in plantations in Assam and in mines in Bihar, Bengal and Hyderabad.

FORCED LABOUR UNDER STATE LAWS AND REGULATIONS

But it is not that only the unscrupulous landlords exacted any such free labour out of their tenants. Indeed the interesting thing is that the various State Governments exact such free services from the down-trodden sections of the population. And these services are not exacted in any unofficial way, but under various Acts and Regulations.

The *Indian Labour Year Book* 1948-49, published in 1950, concedes that "certain enactments contain some provisions which allow or facilitate use of forced labour for certain purposes". Such services are exacted for the upkeep of public property, sanitation, fighting fires in forests etc. and for a number of other purposes. According to the rules governing the administration of the Forest areas, the peasants and the villagers residing on the outskirts of the forests and the labourers employed by the forest contractors for felling trees, or cutting them are required to go to fight fire, if one breaks out in or around these forests. Such regulations exist in Gujarat, in Madhya Pradesh, as also in other States. The Indian Forest Act makes specific provision in this behalf. Section 79 of the Act reads—

"Every person who exercises any right in a reserved or a protected forest, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle in such forest, and every person who is employed by any such person in such forest, and every person in any village contiguous to such forest, who is employed by the crown, or who receives emoluments from the crown for service to be performed to the community shall be bound to furnish without unnecessary delay to the nearest forest officer any information that he may possess respecting the commission of, or intention to commit any forest-offence,

and shall forthwith take steps, whether so required by any forest officer, or police officer or not (a) to extinguish any forest fire in such forest of which he has knowledge or information (b) to prevent by any lawful means in his power any fire in the vicinity of such forest of which he has knowledge or information from spreading to such forest, and shall assist any forest officer or police officer demanding his aid, (c) in preventing the commission in such forest of any forest offence and (d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender”.

The sub-section (2) of the section prescribes a penalty of 'imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both' for 'any person who, being bound so to do, without lawful excuse (the burden of proving which shall lie upon such person) fails' to render such compulsory service.

And who are the persons bound to render such service? The sub-section (I) quoted above specifies them as those who enjoy any right or privilege in the forest area. The sub-section also cites these privileges such as the one to collect minor forest-produce, a limited quantity of dead-wood and the one relating to cattle-grazing etc.

It is easy to see that the real victims of this provision were the backward tribes and the landless labourers who resided on the outskirts of these forests. Having no other source of living these followed the only occupation open to them, viz. collection of minor forest produce and dead-wood in the forest areas, and selling it in the nearby villages. And it is on these people that the Act imposes an obligation to render free service.

There are also instances where such labour is exacted for the maintenance of the rail track, repairs to the high-ways and roads, cleaning the village tanks etc. and is popularly known as 'begar' or 'veth' meaning 'compulsory free labour'.

“Forced labour in the agency areas of the Madras Province falls under two distinct heads: (1) Vethi and (2) Gothi. . . . The muttadars (a proprietor designated by the State as a collector of revenue) as a matter of right, are entitled to vetti from the village folk in their jurisdiction at the rate of one person for each hut. The number of villages under a muttadar ranges from ten to twenty. The labourer must work for the muttadar, whenever he needs assistance, but the number of days on which he has to

work for him in a year, does not appear to have been fixed. The muttadar, in return, gives the labourer some food, but no wages". (A. Aiyappan — "Report on the Socio-Economic Conditions of the Aboriginal Tribes of the Province of Madras" — quoted by ILO publication — *Indigenous People*, published in 1953 — p. 393).

A. Aiyappan's report was the product of the findings of a Government Committee set up in 1948 to investigate into the Socio-Economic Conditions of the aboriginal tribes of the Madras State. The Committee found that "the muttadars compel the ryots (their subjects) to plough their lands free. They also exact jatti work, i.e. carrying loads without wages. Each ryot has to work for the muttadar for about a week to ten days in a year, both men and women. Sometimes meals are given. Wages are never given".

Christoph Von Furer-Haimendorf in his *Tribal Hyderabad* refers to the Gond Region in Hyderabad State, where the aborigines "have been forced to work ten days in every year in teak plantations and to bring with them their own ploughs and bullocks; they say that they have never yet received any payment for the work, but were forcibly recruited, by the Chowkidars (Village guards) (quoted by I.L.O. Publication — *Indigenous People*, published in 1953 — p. 394).

The living conditions of these labourers employed in the forest areas are horrible. In Melghat and in other forest areas in Madhya Pradesh, at several centres, even drinking water is not available, and the labourers have to go to the putrid pools, miles away, dug in the banks of the river. There are such swarms of mosquitos on the water surface, as to cover it completely, and water can be had, it is reported, only after brushing away the layers of mosquitos. The result is that acute Malaria infests these areas, thus cutting the short life of these labourers to a still shorter span.

STRUGGLE OF THE EXPLOITED

The exploited labourers however could not agree to such subjection to inhuman conditions of work and life indefinitely. Their subjection en-mass to similar conditions of exploitation and to the same class of exploiters, could not fail to generate in them class consciousness and a feeling of class solidarity. And indeed the nineteenth century saw a number of united heroic struggles of the peasantry, in which even these aboriginal tribes had hurled themselves.

Police forces were stationed in Thana District (Bombay State) — the land of Waralis. — for months together, and every effort was made to crush their organisations and militant leadership. In Telangana, the Government failed to suppress the struggle with the normal police force and the armed constabulary, and special emergency measures were therefore taken for this. Large detachments of troops were stationed in the District, and a military regime was set up. Entire villages (viz. of the Koya tribals) were forcibly herded off together, and detained in 'camps' and 'settlements' for months on end.

The united struggles however, could not be without their effects. The Government of Bombay had to take up the grievances of the Waralis. A new arrangement was arrived at in 1947 under which the minimum rates of wages to be paid by the jungle contractors to their Warali labourers, were fixed. A scheme was also announced to eliminate the contractor, and replace him by the agency of a co-operative organisation of the forest labourers to work "the coupes". The object underlying this arrangement was declared to be "to secure the profits of the forest industry to those who live and work in forests" (*Report on the Working of the Backward Class Department for the Year 1950-51* — p. 40).

Further after this struggle it has become extremely difficult for any contractor to exact any free labour from the Waralis. The new confidence that the Waralis have acquired today makes any such claim on them just impossible.

In Telangana, apart from the fact that the struggle shook the very foundation of the autocratic Nizam Rule, it posed sharply the grievances of the peasantry, which the new State Government that succeeded the old Nizam Government had to take up immediately. It is not for nothing that the recent Land Act of Hyderabad contains certain features, favourable to the peasantry, which are not found in the land legislation of many other States. The Telangana struggle has definitely contributed to the shaping of these features.

The struggle of the Tanjore peasants led to the promulgation of a special Act for the District banning evictions, and providing for other relief to the peasantry. The continued agitation in the neighbouring districts has led the Government to extend the application of the Act to a neighbouring District as well.

Mention must be made in this connection of the Santhal Insurrection of 1855-56, and the Indigo Cultivators' strike of 1860. The Peasant insurrections of 1872-73 in Pabna and Bogra Districts of Bengal, the Maratha Uprising of 1875, and the many Mopla struggles that broke out in the Madras Presidency with amazing recurrence during the period 1836-96, are the other outstanding examples of such struggles. Of these, the strike of the Indigo workers of Bengal against their forcible cultivation of indigo, by the British Planters, on pain of ferocious punishments, is most noteworthy.

The struggle of 1860 ended in a complete victory for the indigo cultivators. The Government had to concede the absolute right of the tenant to sow any crop on his land. The proclamation in the form of instructions issued in this behalf by the Chief Magistrate at Barasat to the Deputy Magistrate at Kalawah Sub-Division, reads— "You will perceive that the course laid down for the police in indigo disputes is to protect the ryot in the possession of his lands, on which he is at liberty to sow any crop he likes, without any interference from the Planters or any one else. . . ." (L. Natarajan—*Peasant Uprisings in India*—p. 42).

As a result of this victory, indigo cultivation was largely forced out of Bengal, to Bihar and Uttar Pradesh.

The indigo cultivators' struggle however did not die out. Because their victory, important though it was, did not put an end to their exploitation in many other forms. The struggle for betterment of living conditions, therefore continued, sometimes in the open, and at other times under cover, till it flared up again in 1917-18, when Mahatma Gandhi led it.

The outstanding struggles of this century which were fought with bitter determination, include the Warali struggle of 1948 (Bombay Province), the Telengana Struggle of 1947-50 (Hyderabad State) and the Tanjore and Malabar Peasants' struggles of 1948-52 (Madras State). The exploited peasantry flung itself in these struggles with a determination characteristic of its own. The fight was long drawn and developed after some time into a struggle as much against the Government as against the exploiting class. In these struggles the Government came out openly as the defender of the existing vested interests. The violence unleashed by the Government to break these struggles spoke of its fear, and the fear of those whose interests it strove to defend, for the growing unity in the ranks of the exploited and their determination to change the conditions of their life, which they held as untenable. Special

The united actions of the Malabar peasants realised for them, this year, a moratorium on their debts.

Whenever unity of action was thus achieved, the peasants succeeded in winning concessions from the landlords, and the Government.

The united struggles not only helped the peasants to realise their urgent demands; but it also increased their confidence to refuse any free services to the landlords. In fact wherever such struggles were fought, forced labour as a system, saw its end.

STATE ACTION AGAINST FORCED LABOUR

The activity of the Union as also of the State Governments against the use of forced labour is mostly of an unreal character. In 1931 the Government of India accepted the international convention concerning forced or compulsory labour 1930, but stated "that it could not be ratified until article 2 had been modified, so as to exclude labour exacted under the Criminal Tribes Act, the Good Conduct Prisoner's Probational Release Act, and other similar legislation in force in India. The Government was recommended, however, to take appropriate action to give effect to the other provisions of the Convention as soon as possible. This recommendation was accepted by the Government which in turn requested provincial Government to take steps to abolish at the earliest possible opportunity forced or compulsory labour for the benefit of private individuals, Companies or Associations, and to modify any enactment of the local legislations which permitted the use of forced or compulsory labour for public purposes within the transitional period of five years allowed by Article I of the Constitution". (I.L.O. Publication — *Indigenous People* — published in 1953 — p. 391.)

In what way the Convention was implemented will be apparent from the many instances and references from official and non-official publications quoted above.

The Constitution of India has now formally banned forced labour. Article 23 of the Constitution provides that "Traffic in human beings and begar and other forms of forced labour are prohibited and, any contravention of this provision shall be an offence punishable in accordance with law".

But on the eve of the day on which the Constitution came into force—26th January 1951 there stood on the

statute Book the following legislations which permitted the use of forced labour:

- 1) The Bengal Regulations XI of 1806 & VI of 1825
- 2) The Madras Compulsory Labour Act 1858
- 3) The Orissa Compulsory Labour Act, 1948
- 4) The Angrel Laws Regulation 1936
- 5) Khondmals Laws Regulation 1936.

Despite the constitutional abolition of the forced labour the Governments of Bengal and Assam could not agree to the repeal of the Bengal Regulations, whereas the Government of Madras agreed to appropriate amendments of the Madras Compulsory Labour Act but not to its total repeal.

Further progress in this behalf is not known.

Also it is interesting to note that the very article of the Constitution that bans Forced Labour, has in its very next clause—clause 2:— “Nothing in this section shall prevent the State from imposing compulsory service for public purposes, and in imposing such service the State shall not make any discrimination on grounds only of religion, race, caste or class or any of them”. (*Constitution of India—Article 23.*)

It was not an accident that this provision was made at a time when the ruling Congress party was preparing to launch its Five Year Development Plan. It was feared then that this provision would enable the ruling classes of the country, to continue to subject the exploited classes to conditions of labour which were regarded by them as untenable, in the name of “Service for public purposes”, and thus reintroduce by the back-door the very forced labour that was so avowedly declared as abolished for ever. For the main burdens of the introduction any such “compulsory service” was bound to fall, as could be expected, on the classes that were so far subjected to this sort of labour.

Suggestions have been made since then, many times, by the spokesmen of the ruling party in the Press, on the Platform and also on the floors of the Assemblies that the State Governments introduce such a system of “compulsory service” to help stepping up the pace of development, under the Five Year Plan.

And events today confirm that their activity in this behalf has not been without result.

The Government of Uttar Pradesh have taken the lead in this behalf. The recent Bill introduced in the U.P. State Legislature to amend the “Panchayat Raj” Act, it is understood, provides for the exaction of such ‘compulsory service’

from anybody upto sixty years of age. It is further reported that even minors are not left out of the purview of the Bill.

The penalty provided for failure to render such service is a fine upto Re. 1-2 as. per day.

After the above provision in the Constitution, however, the State Government had to undertake some revision of the Statutory provisions concerning the exaction of such compulsory free labour.

But even today we find in the Forest Manuals of the various State Governments directives to the forest officials such as the one quoted below:

"If forest fires are frequent in a village, and if the Patil does not lend his personal aid, or require the villagers to assist in extinguishing them, he should be regarded as having neglected the duty incumbent upon him of protecting Government property, and should be punished under Sec. 58 of the Watan Act III of 1874, with fine, suspension or dismissal as the case demands" (*Bombay Forest Manual*, 1950 Edition—page 177).

The Manual does not mince matters when referring to the Government policy in this regard. "Government however, consider that while adopting the system of individual rewards and punishments by the keeping of lists of persons who help in fire protection it would be desirable to keep the power of enforcing communal responsibility in reserve, to be enforced where there has been a wide-spread absence of assistance" (page 180).

While thus the Manual speaks of the adoption of a system of awards etc. for encouraging voluntary co-operation in this connection, it is easy to see, that the bureaucratic Forest administration would not be anxious to forgo its established right to exact such services free from the labourers — particularly when the right was specifically safeguarded even in the new set-up. And actual experience confirmed this in a striking manner.

But once this right of the forest officials and the contractors to exact such compulsory labour for 'public purposes' was conceded, they could be hardly expected to limit such exaction to 'public purposes', alone. And in practice such labour was freely exacted for other forest work, as also for the private work of the contractors.

It would have been too much however, on the part of the Government to permit expressly the exaction of such labour in the name of law. The *Bombay Forest Manual* therefore, provides that any such labour, except where it

is rendered in return for privileges enjoyed, should be remunerated. What these privileges are, has been already referred to above. Thus the Rules seem to have no objection to the exaction of such labour at least from those that made their living by collecting the minor forest produce and selling it in nearby villages.

Since the constitutional abolition of forced labour however there have been no references to it in the official publications. But it would be wrong to conclude on this basis that forced labour had indeed ceased to exist, because the landlords, the bureaucratic officials, and those that had a privilege to its benefit, would be overnight giving away their hold on this labour merely because the constitutional position in this behalf, had changed. Further the Constitution that proclaimed restoration of full citizenship rights on these labourers, did not create conditions as could enable these exploited classes to exercise these rights. As has been stated above the source of the forced labour was primarily the deprivation of the peasantry of its land and every other source of livelihood. The terrible feudal exploitation that rendered agriculture an uneconomic profession, and the non-availability of cheap rural credit, which forced the peasant to depend exclusively on the greedy money-lender were some of the other factors. And neither the Constitution nor the Government took any effective steps to end these difficulties of the peasantry. The rights enshrined in the Constitution stand thus reduced to no better than pious wishes, in the absence of creation of conditions guaranteeing their exercise.

Various news-items that from time to time flash in the Press, also support this conclusion. For instance on February 16th, 1954 the press reported that on February 15th, 1954 a mass rally of Hali of Surat District (Bombay State) met at Surat, under the auspices of the Surat District Kisan Sabha. The rally, it is reported, demanded the immediate abolition of the Hali system, which it noted, had continued despite the legal ban.

Events such as these lend support to the conclusion, that forced labour continues to be exacted in the districts, despite the legal ban on it.

The experience of the trade unions and the peasants' organisations as well, in this behalf, confirms this in a striking measure.

The hard experience that brought out the inefficacy of the ban to the peasants, also showed them that only their united struggle in the defence of their rights, that helped

them so far to win certain concessions, would further create conditions that could make the ban effective, and help them enjoy the full rights that were de jure bestowed on them by the constitution.

It is this realisation that has been one of the main factors stimulating the peasant struggles today, all over the country.

This much for the activity of the Union and the State Governments to put an end to agrarian serfdom, and forced labour connected with it.

FORCED LABOUR IN INDUSTRIES

As stated above, agricultural serfdom is not the only form in which forced labour finds expression in India. The existence of such labour can be found even in our industries, where the harsh exploitation of workers, their subjection to subhuman standards of work and life and the restriction of their democratic rights reduces them to the position of virtual agricultural serfs.

Such is the position in our plantation and the mining industries — the two leading industries of the country.

PLANTATIONS

The conditions of one million labourers employed on the Tea Plantations in the north, owned as to 80 percent by British Companies, resemble closely to those of the agrarian serfs. A large portion of the labour force is recruited from outside, from the landless labour and aboriginal tribes of Bengal, Bihar, Orissa, and Madhya Pradesh. "Recruitment of labour is done through the agency of the Tea District Labour Association as far as the European Managed Estates are concerned.

"Indian Estates generally recruit their labour through paid agents. Labour is recruited both on short term and long term basis. Short term labour is recruited for 6 months only during the busy season, while the long term labour forms the permanent labour force of the tea estates". (*Indian Labour Gazette*, June 1952).

A substantial portion of the industrial labour comes from Santhal, Tharu, Bhoksa, Mazhwar, Kharwar, Korwa (Bengal, Uttar Pradesh, Bihar and Orissa), Kolam and Gond (Madhya Pradesh) aboriginal tribes. This is confirmed even by the I.L.O. *Report on Indigenous People*. "Over half a million adult workers and the same number of children are employed in the plantation estates in Assam.

About half this population is aboriginal (Gond, Kond, Santhal etc.) and much of it comes from other States of Southern and Central India, by recruitment under the Tea Districts Emigrant Labour Act (XXII of 1932). During the year 1949-50 over 25,000 persons were recruited outside Assam, over 10,000 from Bihar, 9,670 from Orissa and over 4,500 from Madhya Pradesh. The number repatriated in the same period was close to 30,000. (*Indigenous People* — ILO Publication 1953 — page.279).

The working and living conditions of the tea workers reflect the harsh exploitation that they are subjected to.

The following details relating to the wages of the tea workers would be found to be revealing. In Assam Valley as late as 1939, the tea labourer used to be paid at the following rates:

Male	—	—	Re. 0-4-0 daily
Female	—	—	" 0-3-0 "
Child	—	—	" 0-2-0 "

(1 anna equivalent to nearly 1 penny)

During the war period the rates were revised as follows:

Male	—	—	Re. 0-6-0 daily
Female	—	—	" 0-4-0 "
Child	—	—	" 0-3-0 "

In addition rice used to be sold to them at Rs. 5/- per maund.

After this the discontent and the struggle of the tea workers led the Planters to concede them some dearness allowance. But even as late as 30-3-1952 the wages of the tea labourers were miserably low, as would be revealed by the following details:

	Daily Wage.	D. Allowance.	Total
Male	Re. 0-8-0	Re. 0-6-0	Re. 0-14-0
Female	" 0-6-0	" 0-6-0	" 0-12-0
Child	" 0-4-0	" 0-3-0	" 0- 7-0

The above figures speak of the sub-human standard of life imposed by the monopolists on the one million of plantation labourers.

The housing facilities that were and today are provided to these tea workers also merit a mention. The Labour Investigation Committee appointed by the Government of India in 1946 had the following to say regarding the housing facilities provided to Darjeeling tea workers.

"In Darjeeling the houses are built of wooden plank walls and corrugated iron sheet roof, but the houses built since 1939 are of bamboo and mud walls with thatched roof as on the plains, because wooden planks have become very expensive, and iron sheets are scarcely available, since the out-break of the war. The workers prefer the latter type of houses which are more comfortable in winter but the management seem to prefer the wooden houses which do not require repairing charges as the thatched houses do. The floor is invariably kutchha". The housing provided by planters, in other gardens in Bengal to their workers are again best described in the Committee's own words. "The houses are constructed with a bamboo or iron frame, have wall of bamboo matting plastered over with mud, and have generally thatched roofs. The mud plaster falls apart after the lapse of a short time, and many labourers complained that it was difficult to keep themselves warm in the winter months. In several places walls of the houses were made of pieces of plywood sheets from old discarded tea chests or rejected tin sheets nailed haphazardly on to the bamboo skeleton structure".

No 'luxuries' such as the latrine facilities were provided in any garden, and the workers have to go to the jungle to answer the calls of nature.

But the helpless workers could not even organise to improve the sub-human standards to which they were subjected. The planters were very vigilant to suppress every trade union activity of these labourers. And the heterogeneous character of the mass of the tea workers that was recruited from the several tribes from several States, that spoke different dialects and were illiterates, helped them to prevent growth of trade union activities of their members. Further the Planters subjected the labourers to such brutal treatment, that a sort of terror reigned in the plantations. Instances of physical assaults and corporal punishment were most common. The Planters restricted the movements of their labourers, and never allowed any out-sider to approach the residential areas of the labourers, or their places of work, nor allowed them to meet any outsider. Trade Union activity of every sort was sought to be ruthlessly suppressed. There are several instances when outside persons found using the private roads in the plantations for approaching workers' quarters have been prosecuted by the Planters. At other places the Planters did not think that a recourse to the Courts was at all necessary and themselves proceeded to levy the fines and recover them.

Such are the conditions of the tea labourers who are reduced to the virtual position of semi-serfs.

The Trade Union movement in India has always protested against this deprivation of the one million plantation labour of its trade union rights and all democratic liberties. This question was discussed in the various Tripartite meetings on Plantations, and the Government had to agree with the representatives of the workers, that the Plantation workers could not be subjected to such prison-like conditions. But the planters would not heed any advice in this behalf, even from the Government. The weak-kneed and half-hearted approach by the Government in this behalf is reflected in the following extract quoted from the letter by the Deputy Secretary of the Ministry of Labour, Government of India [No. PL 104 (297) of July 27th, 1953] to the two leading Associations of tea planters, viz. The Indian Tea Association, Calcutta and United Planters' Association, Nilgiris.

"...It has become necessary to draw your attention to the immediate need for securing free access to those parts of the plantations wherein the workers are housed. I might mention that complaints are made that even the relatives of workers have found it difficult to get access, and in some cases even a wife has been precluded from meeting a husband and vice-versa. I would therefore suggest that even though rules have not yet been brought into effect, you may kindly advise your members that they may ensure that there is free access to workers' houses. Their voluntary co-operation to achieve the above purpose would be greatly appreciated and it would remove one of the standing causes of unpleasantness among workers and employers. It is hoped that your Association would be able to persuade its members to implement this suggestion".

The planters treated the request with what it was worth for, and the position continued to be the same.

The workers' representatives had therefore to pursue the matter further. On September 4th, 1953, Com. S. N. Mazumdar raised this subject on the floor of the Council of States. The questions, and answers that passed between Com. Mazumdar and the Dy. Minister for Labour, Shri. Abid Ali Jafferbhoy, on the occasion, are interesting.

Com. Mazumdar: "Will the Minister for Labour be pleased to state:

(a) Whether it is a fact that the different Planters' Associations in India have been requested by Government to allow free access to the public to the labourers' quarters in plantations, and

(b) if so, what has been the response of these Associations to the above request?

Answer; *Shri. Abid Ali* (Dy. Minister for Labour):

(a) The two principal organisations of planters, viz. The Indian Tea Association, and the United Planters' Association of Southern India were addressed on July 27th, 1953 requesting them to advise their members to allow free access to the residential areas of workers in plantations.

(b) In their reply the Indian Tea Association have stated that it has long been the policy in all gardens in their membership to allow full freedom of access to those parts of the plantations wherein workers are housed. The Association however, considers that the managements should retain the right to exclude from the gardens persons who seek entrance to the gardens with the intention of causing disturbances. The Secretary, United Planters' Association of Southern India has promised to place the matter before their Council.

Shri. Govinda Reddy: Is it not a fact that those who are proceeding by the private roads to the labourers' quarters have been found guilty of trespass by these planters, and these planters are in the habit of collecting fines from them for trespass?

Shri. Abid Ali: Formerly there were some prosecutions, but recently no such case has come to our notice, but we are at it, and we know that the workers have a very genuine grievance in this particular matter.

Shri. Govinda Reddy: Is it not a fact that apart from prosecutions in Law Courts the planters are in the habit of collecting fines from them without resorting to prosecution, and are the Government aware of this fact?

Shri. Abid Ali: It has not been brought to our notice.

Com. Mazumdar: It has been brought to the Government's notice. However, Sir, I have another question to put. Is it not a fact that these two planters' organisations are objecting to their workers having access to their trade unions?

Shri. Abid Ali: Under the cloak of peace, the tea planters, at least some of them, are objecting to that."

But despite this clear admission of the violation of the trade union rights of the plantation workers, and their subjection to slave-like conditions, the Government have not so far forced the planters to respect the rights of the plantation labour.

Such is the activity of the Government against forced labour on plantations.

Taking advantage of the absence of strong class organisations of the plantation workers, as could defend their rights and interests; the plantation owners, powerfully organised in their class organisations, repeatedly attack the working and living conditions of their workers, with a view to shift the burden of their difficulties on to the backs of the workers and ensure the maintenance of their monopoly profits. The last time they launched their offensive, when the Tea Industry was experiencing some difficulties on account of the refusal of the British Market to absorb its produce, unless the prices of Indian Tea were reduced, and the profits of the British monopolists increased. It is significant to note here that the British monopolists own practically 80% of the Tea estates in India, and the percentage of British capital to the total capital in the industry ranks as high as 86%. Further the control, the transport and the finance of the export trade of the commodity are also in the hands of British Houses. Exploiting this absolute grip over the industry the British monopolists staged in 1952, a 'crisis' in the industry, and threw out tens of thousands of workers out of jobs, in a bid to impose a wage cut on them. In an effort to save the situation all the organisations of tea workers came together, irrespective of the ideological and other differences, in the name of which they had so far allowed themselves to be kept divided, and demanded that the Government grant certain concessions to the industry in the form of reduction of excise duties, and cheap credits etc. to help it tide over difficulties. The Estate owners agreed under the pressure of the workers' organisations, not to close any more gardens, or to reduce wages, if these concessions were granted to them. But the Government turned down this unanimous demand, and permitted the tea owners to raise the prices of food-grains supplied to the tea labourers under the terms of employment, from Rs. 5/- per maund to Rs. 17/8 per maund, and thus impose a wage cut on them to the extent of 30%. Further the Government postponed the enforcement of the Plantation Labour Act which provided for certain amenities to the tea labourers and which was already adopted by the Parliament.

Immediately after this wage cut was imposed, conditions in the industry brightened and the industry started looking up. There was a virtual spurt in the prices, and the industry enjoyed an unprecedented prosperity, which is reflected in the high profits earned by the Tea Companies in 1953.

The Year 1953 saw big battles of the plantation labour-

ers to get the wage cut restored, and secure compensation for the period they were laid off by the Planters in 1952, in their bid to subject them to the wage cut. 50,000 workers employed in plantations in Jalpaiguri District (West Bengal), 65,000 employed in Plantations in Mangaldai Circle of Darang District (Assam), and 30,000 employed in the Kannan-Devan estates of Travancore-Cochin moved in action in August 1953 to demand a guaranteed minimum wage and wage increases, guarantee of service, fixation of work loads, enforcement of standing orders, compensation for the period of lay-off etc. The measures taken by the Government to suppress these actions, speak of their solicitude for the Planters' interests.

The united character of the demands of the plantation workers, their growing rallying round these, and their determination to realise these ultimately forced the Planters and the Government to concede some of these. Thus in the meeting of the Industrial Committee on Plantations, which met at Calcutta in January 1954, the owners and the Government agreed to apply the Industrial Disputes (Amendment) Act 1953, which provided for certain compensation to laid off workers to plantations as from 1-4-1954 and enforce the Plantation Labour Act as also from that date. Certain other concessions were also conceded to the tea labourers.

The united struggle of the plantation workers thus enabled them to win decisive concessions, and bring about a change in their conditions of work and life, which they regarded as untenable.

It is understood that the rules made under the Plantations Labour Act, now also provide for free access to the workers' quarters. It is however yet to be seen how these rules are enforced in practice.

MINES

Existence of forced labour can also be witnessed in the Mines, where again a substantial portion of the capital invested is British.

As in plantations a sizeable portion of the mine labour also comes from the aboriginal tribes. Shri. B. R. Seth observes in his study on labour in Coal Industry. In 1921 aborigines and 'semi-aborigines' including the Santhal, Munda and Bauri made up 32% of the workers in the Bihar Coal Fields (a total of 100,000 in round figures). In Bengal where the proportion was 50 percent out of a total of some 130,000 workers, there has been no important change in the composition of labour force between 1921 and 1940, except for

an increase in the number of labourers from Madhya Pradesh and Uttar Pradesh. (B. R. Seth — *Labour in the Indian Coal Industry*, p. 27). Shri S. R. Deshpande who conducted a Government enquiry in 1946 into the conditions of colliery labour in India also reaches the same conclusions.

According to him the main collieries in Bengal and Bihar lying in or near the areas inhabited by the tribes draw their main supply of labour force from the tribes. In Madhya Pradesh also he found that the bulk of the coal mining labour belonged to the Gond, Mawasi and Mahar tribes.

The Main Report of the Labour Investigation Committee reveals that in the Manganese ore mines in Madhya Pradesh, some fifty percent of the labour employed in 1946 was aboriginal. A communication from the Government of India, May 1950, puts that almost the entire unskilled labour force in the mines and quarries of the Tata Iron & Steel Co. (about 17,000) is aboriginal. The same I.L.O. publication which quotes the above instances also quotes from C. M. Rajgarhia's *Mining, Processing and Uses of Indian Mica* stating that in Bihar Mica industry "some 250,000 aborigines find employment. The Mines are principally located in deep forest and draw their man-power from the local population. Before the war 70% of the workers in mica mines were Santals; this proportion has now been reduced to 25% mainly on account of migration to the tea plantations of Assam". (I.L.O. Publication — *Indigenous People*, p. 279).

The peculiarity about the labour from the aboriginal tribes is that its bargaining power is weaker than the other sections of the working class. Because many of these tribes are subjected under various legislations such as the criminal tribes Act, to various disabilities. Such labour, therefore, when it comes to industry, suffers from further disabilities in its bargaining power, thus affording an opportunity to the employer to beat down the working conditions of the entire labour in the industry.

The aboriginal labour as also the other labour recruited in the mines is drawn from the landless agricultural proletariat from the adjoining areas.

OTHER INDUSTRIES

Employment of aboriginal tribes, and tribes declared as criminal, is not however restricted to only these two sectors of organised industry. In fact, the ease with which the labourers from these tribes could be subjected to harsh exploitation, on account of their being deprived of all

normal civil and democratic rights, encourages the employers to look out for such labour. And the industries located in areas contiguous to the settlements of such tribes always choose to recruit their labour from these settlements. In the State of Bombay for instance, there were such settlements at Sholapur, Ambernath and Indi in the central circle, Hubli, Gadag, Bijapur, Kolhapur, and Bagalkot in the Southern circle, Ahmedabad, Dhulia and Jalgaon in the Northern circle and Mundwa in the Home Circle. And all factories in the vicinity of these settlements, always tried to recruit their labour from the inhabitants of these settlements.

Shri. A. Noronha, the Backward Class Officer of the Bombay State (then a Province) observes in his Annual Report to the State Government — "The main sources of skilled labour for Settlement and Free Colony workers are textile mills, factories like the Paper Mill at Mundwa, and Metal Factory at Ambernath, and workshops like the Railway Workshop at Hubli. One thousand and one men and 653 women from the settlements and Free Colonies were working in the textile mills at different centres like Sholapur, Barsi, Hubli, Gadag and Ahmedabad. Three hundred and thirty men and 167 women were working in other factories and workshops like the Deccan Paper Mill, Mundwa, the Western India Match factory at Ambernath and the Railway Workshops at Hubli. Eight hundred and ten men, and 478 women were employed during the year on stone quarries and road work. Other able-bodied persons were absorbed in coupe-cutting works, municipal works, field work, bunding work, and other casual labour". Again, "The Barsi Spg. & Wvg. Mills. and the N. C. Mills at Gadag provided regular employment to members of the Barsi Free Colony and Gadag settlement and Free Colony. The Deccan Paper Mills, Mundwa, the Western India Match Factory, Ambernath, and Hubli Railway Workshop also continued to employ a large number of settlers and free colonists at Mundwa, Ambernath and Hubli respectively". (*Annual Administration Report on the Working of the Criminal Tribes Act in the Province of Bombay for the Year Ending 31st., March 1946* — published 1947 — part I — pages 4 & 5).

The preference for the labour from these tribes is explained by the conditions of these labourers in these settlements. These settlements were nothing short of concentration camps, wherein the members of the tribes used to be herded. Nobody was allowed to remain out, after day time, and the presence of the inhabitants which were re-

gistered at their respective settlements used to be checked up every night. Desertion was a punishable offence.

The same Annual Administration Report states in a section styled 'Escapes and Arrests': — "The year opened with 181 registered settlers at large, as against 177 in the beginning of the previous year. During the year 138 registered settlers absconded from the settlements and free colonies, as against 107 during the previous year and 114 registered absconders (new and old) were traced during the year as against 103 during the previous year. Thus at the end of the year under report, 205 absconders remained at large, or against 181 absconders at the end of the previous year. With these 205 principal members, their dependents numbering 81 were also at large during the year as against 83 of the last year... Search parties have however been organised and it is expected that many of the absconders will be traced early". (Pages 2-3 of the Report).

And what were these Criminal Tribes that were forever branded as Criminal and treated as such all through their life?

After the advent and the rise of the British power, and the economic forces it sought to defend, broke up the old economy and the social order based on custom, many categories of workers usually employed in village services and administration and miscellaneous small occupations were rendered unemployed. Being left without any land, or gainful employment, and deprived of all sources of livelihood, sections of them tried to assert their right to livelihood against those whom they regarded as the source of all their woes. The British Imperialism that had to face these communities in the process of stabilising their aggressive rule, soon found that it had to deal with a tough set of people. In its bid to suppress their resistance it branded these entire communities as Criminal and proceeded to deal with them on that basis.

Since the members of these communities were not permitted to leave their camps, the authorities had to show some concern for providing employment to them. This problem was solved by the factories and the workshops in the vicinity, which gladly offered to absorb all such labour. No wonder then that the Government not only permitted such recruitment by the factories, but actually encouraged it. The gratitude of the administration to these factory owners, for having relieved it of one of its headaches, is clearly reflected in the following:

"The Department is indebted to all employers of labour

who have helped in finding remunerative work for Criminal tribe members. Thanks of the Government are due to the Managements of the textile mills, at Sholapur, Ahmedabad, Barsi, Gadag and Hubli and Belapur Sugar Company who have continued to provide regular employment for the settlers and the free colonists.... Special thanks are due to Mr. F. D. Pudamjee and the Managing-Director of the Decan Paper Mills, Mundwa, in absorbing practically the whole able-bodied population of the settlement in their employment...." (*Annual Administration Report on the Working of Criminal Tribes Act in the Province of Bombay for the Year Ending 31st, March 1946* — part I — page 11).

It could be understood that these labourers suffering under various disabilities, deprived of all their democratic liberties, prevented under law from migrating to any other place to seek better conditions of employment, and having to have to depend on the only factory in the area for their livelihood, should offer an unique opportunity to the profit-hunting masters of industry to exact maximum return out of them, by subjecting them to particularly harsh conditions of exploitation. But this ruthless exploitation of these militant tribesmen, was not the concern of the Government.

Things could not of course continue in the same shape after the advent of independence. Under pressure of public opinion, the Government of Bombay had to take steps to end the continuance of such camps. How far this led to improving the conditions of work and life of the inhabitants of these settlements, is however not known. But it is difficult to believe that the employers would change overnight, their treatment of such labourers, only because the law had now declared them as free citizens, on par with others.

GORAKHPURI LABOUR

A particular section of this landless labour from Gorakhpur District in Uttar Pradesh, a state in the North has come to be known as Gorakhpuri Labour. Under the burdens of feudal exploitation and the interest payments on agricultural loans, this district has been particularly groaning. The landless labour in this District unable to draw any sustenance from the land is obliged to move to distant places in search of employment. Being illiterate and without any technical education this labour constitutes a source of unskilled labour to many industries.

This source was first tapped in an organised way by the Government of India in 1942. To meet the urgent demand for labour by the requirements of the war, Government of India set up an official organisation to recruit the landless labour in this District and arrange its despatch to several centres for work in connection with various defence projects. The organisation soon spread, and the Recruiting Depot, set up directly under the then Labour Department, began recruiting the labour from all Eastern Districts of Uttar Pradesh. In a very short time the Depot began handling 50,000 workers a year.

In 1944, when the war effort encouraged the collieries to maximise their production, they faced a big shortage of labour to work in the mines. To relieve them of this difficulty the Government diverted a portion of this Gorakhpuri Labour to the mines.

After the end of the war the Government demand for Gorakhpuri labour, which was mainly in connection with work on defence projects came to an end. And the Government began to consider winding up the Gorakhpur labour organisation. But the colliery owners who in the meanwhile had become familiar with the 'merits' of the Gorakhpuri labour, resisted this move, and prevailed upon the Government not only to continue the organisation, but to supply the entire Gorakhpuri labour to the colliery industry. An agreement was reached between the Government of India, the Government of Uttar Pradesh (a State in the North, wherefrom this labour was recruited) and the Indian Mining Association, Indian Mining Federation, and the Indian Colliery Owners' Association who led the representation of the industry, to continue the organisation, under the administrative control of the U.P. State Government and at the cost of the Coal-fields Recruiting Organisation—a United Organisation which the three Federations of Colliery Owners set up to act as the sole indenting agency for the supply of Gorakhpur labour to collieries.

But what made the colliery owners so fond of this Gorakhpuri labour, that they gave it such a preference as to bear all costs of recruitment and transport of this labour to coal fields and back to the local labour which was available in abundance? The conditions under which the labour was recruited would explain this mystery.

The Gorakhpuri labour is recruited for a period of one year only at the end of which it is repatriated. Such labourers are not allowed to take their wives or children or

any of the family members with them, and have to go alone to the mines, to which they are allotted. In the mine areas such labour is housed separately and at a distance from the other local labour. The housing provided is of a dormitory type, in which many workers are huddled together in one barrack. The labourers are not allowed to mix freely with local workers at the places of work, join their unions, or in any way to participate in their actions. The understanding is that this labour will never go on any strike etc. As such the employers freely use this labour as their strike-breaking agency. In return the Gorakhpuri labour is paid a 'separation allowance' over and above its normal wages, and to and fro passage. The employers thus strive to sow discord and division in the ranks of labour, and seek to put one section of labour against the other, with a view to weaken the unions.

The Gorakhpuri labour is further strictly subjected to a life as in a concentration camp. Such labourers are not allowed to go outside their camps, which are fenced and guarded. If on special permission anybody is allowed to go out, he is always shadowed by an agent of the Coal Fields Recruiting Organisation.

There are further reasons to believe that the labourers are forced to work at a much higher speed than the local labour. From a report of the Coal Commissioner of the Government of India, it is found that whereas the all-India average production per man-shift of non-Gorakhpuri labour was 0.33 tons in respect of hand-cut coal, that of Gorakhpuri labour was 0.98 tons. In respect of blasted coal it is stated that the average production per man-shift of Gorakhpuri labour was as high as 1.90 tons. Whereas the Gorakhpuri labour formed only 3% of the total colliery labour force, its share of total coal production was not less than 10%. This 'efficiency and enterprise' of the Gorakhpuri labour explains the preference of the Colliery owners for the Gorakhpuri labour.

But how far this 'efficiency' is voluntary or is a product of forced labour can be seen from the hundreds of labourers that escape from these camps. A statement of the Ministry of Labour, Government of India, contains the following interesting details:

The figures reveal beyond any shadow of doubt that due to unbearable workload, rigours of the camp life, and harassment by the colliery officials every month as many as from

		Number Recruited.	Number Absconded.	Number employed.	Number repatriated.
Novr.	1952	2047	540	12022	1318
Decr.	1952	2605	1027	12746	854
Jany.	1953	1450	431	12982)
Febv.	1953	939	374	13000) Not
Mar.	1953	1126	385	12591)
Apr.	1953	1121	396	12595) avai-
May	1953	1121	377	12714)
June	1953	1162	491	12587) lable.
July	1953	1096	545	12667)
Aug.	1953	1170	528	12732)
Sept.	1953	1011	474	11937)

25% to 50% of the newly recruited, ran away from the camps. The spokesmen of the Coal-fields Recruiting Organisation admit that the labourers are subjected to certain restrictions, but maintain that these are necessary for maintaining 'discipline' in the camp. And curiously enough the representatives of the U.P. Government as well, maintain that such 'discipline' is necessary in the 'interest of the labourers themselves' who in its absence, would be a 'victim of all temptations and vices'.

A Memorandum by the Ministry of Labour speaks eloquently of the nature of the Gorakhpuri Labour Scheme. The memorandum reads—"The Gorakhpur Labour is a kind of regimented labour, and is maintained on a community basis. Only males are recruited in the force, and the labourers do not take their wives with them. They are housed in homogeneous camps and have to abide by the rules of camp life. It is reported that they have not much freedom of movement, and there are complaints that they are shadowed by employees of the Coal Fields Recruiting organisation whenever they are permitted to move out. They have no unions of their own, and it is reported that they are not allowed by the Coal-fields Recruiting Organisation to join any trade unions.... It has been reported that in some of the camps the dhowrahs (huts) are overcrowded, water supply is inadequate and the standard of sanitation is generally low".

"It has been alleged (in complaints made in Parliament and outside) that the employers give preference to these labourers because they can do whatever they like with them and that these workers are ill-treated by the employers and frequently beaten for even trivial offences".

All trade union organisations, irrespective of their political and organisational affiliations demand that the Gorakhpuri system of labour be done away with, and recruitment of labour be done through labour exchange in the administration of which labour should be closely associated, that such labour should not be kept separate from the local labour, and the democratic and trade union rights of the labourers recruited should be effectively ensured. But these proposals are flatly rejected by the Colliery Owners as also by the Government of Uttar Pradesh.

The Colliery owners even suggest that if the organisation is wound up arbitrarily, the colliery owners would have to consider setting up their own organisation to recruit such labour.

The State and the Central Government in league with the colliery owners are unwilling to stop this system of blatant forced labour.

The question was also discussed on the floor of Parliament on December 24th, 1953 when Shri. Mohana Rao, one of the members of House of the People (Lower House of Parliament) put a short notice question to elicit information on this point. In the answer given to it, Shri. V. V. Giri, the Minister for Labour, revealed that "the total number of workers recruited by the Gorakhpuri Labour Organisation during the year 1952 was 18,024" and that "during 1953, upto 1st December, 1953 it was 17,139". A statement showing the number of workers sent to different States industrywise was also laid on the table of the House. The statement gave the following details:

		1952	1953
Coal fields:	Bengal ..	8473	7770
	Bihar ..	1791	1220
	Madhya Pradesh	2566	2640
	Vindhya Pradesh	775	950
	Hyderabad ..	1299	1300
Iron ore & Lime stone quarries:	Orissa ..	1414	914
Group Employment Scheme:	Uttar Pradesh	1706	2345
	Total ..	<u>18024</u>	<u>17139</u>

The pointed question of Shri. Mohana Rao as to "whether it is in the contemplation of the Government to close down this Organisation" brought forth only an evasive answer from the Labour Minister that "the future of the Organisation will be discussed at the next meeting of the Indian Labour Conference being held in January 1954".

At the Labour Conference, the Government and the Employers refused to put an end to the system and relegated the matter to a Committee of Inquiry.

The crux of the issue is that the U.P. Government who do not want to abolish landlordism in the State, by giving land to the tillers, want that the evergrowing force of the landless peasantry in the State be diverted to the industries in other States, where the monopolists subject this cheap labour to particularly harsh exploitation and use it to beat down the resistance of the free workers. By thus diverting their landless peasantry to other States, the U.P. Government hope to keep down the rising peasants' movement in the State and defend the interests of the big landlords. This was clearly revealed in the discussions in Parliament on one occasion, when the Labour Minister, it is learnt, informed the House that in view of the exploitation of the Gorakhpuri Labour the Government of India had proposed to wind up the Gorakhpur Labour Recruiting Organisation, but then the intervention of the Chief Minister of Uttar Pradesh Shri Govind Ballabh Pant, who urged that discontinuance of the Organisation would create a problem of 'law and order' in the State, led the Government of India to agree to the continuance of the system.

Such is the activity of the Union and the State Governments against the continuance of forced labour.

This instance of Gorakhpuri forced labour shows how the interests of the working class are vividly and directly linked with the peasants' demand for land and abolition of landlordism, which alone can stop the creation of such a landless reserve army of forced labour from the expropriated forest tribals or evicted and ruined peasants to be put at the disposal of the monopolists.

The miners' unions have kept on their agitation for the abolition of this forced labour. The abolition of the system had been one of the demands, in the strike of 12,000 miners of Kothagudium (Hyderabad) in 1953, which lasted for over three weeks.

At other places also the united opposition of the working class to these policies of its exploiters is growing ever broader and determined, and new sections of the workers,

so far outside their actions, are being drawn in them. The trade unions also are striving to consolidate further this urge displayed by the working class for unity and action in defence of its rights and interests and give it a still bolder direction for the future, so as to put an end to all forced labour, and other forms of exploitation and realise betterment of its conditions of work and life.

The pre-condition of success in this struggle is of course the unity of action.