



EXECUTIVE SUMMARY



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The tea tribes in Assam are economically backward and have low literacy rates. The Plantations Labour Act, 1951 (PLA) was enacted to ensure improved working conditions and other facilities for the plantation workers and the Minimum Wages Act, 1948 (MWA) was enacted to ensure that the workers do not get less than the minimum wages fixed by the appropriate authority. Besides, Government of Assam (GoA) has also taken certain measures for welfare of tea tribes.



GoA has been implementing various welfare schemes for the socio-economic development of the tea tribes through different departments. Amongst these, the Tea Tribes Welfare Department (TTWD) and the Labour & Welfare Department are the key departments.

Due to poor socio-economic, health, and education indicators in Tea Estates (TEs), a Performance Audit (PA) on *Implementation of Schemes for Welfare of Tea Tribes* was undertaken. The welfare of tea tribes is a shared responsibility between the State Government and the Plantation Management under the Plantations Labour Act, 1951. The State Government has introduced various welfare measures, such as wages during pregnancy and motherhood, mobile medical units for tea gardens, free medicines, and financial assistance for students pursuing higher studies. The PA also examined the implementation of the Plantation Labour Act, 1951 and the Minimum Wages Act, 1948, and their enforcement by the Labour and Welfare Department in tea plantation areas. Additionally, the Labour and Welfare Department manages various welfare

activities for tea tribes with the assistance of the Assam Tea Employees Welfare Board (ATEWB).

The PA was conducted for five years' period from 2015-16 to 2019-20. Accordingly, this Report discusses the audit findings for the aforementioned period. However, the status of funds received and utilised by TTWD and ATEWB, applicable wage rates for tea workers as prevailed in 2020-21 and 2021-22 have suitably been incorporated in the Report.

For this PA, 30 *per cent* of the zones grouped into three geographical strata of Assam - Upper Assam, Lower Assam and Barak Valley were selected. The selected zones were Cachar, Dibrugarh, Nagaon and Sonitpur. There are 390 tea estates in the four sampled zones of which 40 tea estates (10 *per cent*) were selected for audit based on the size of the plantations and number of workers employed therein. Apart from scrutiny of records, audit also interviewed 590 workers in the 40 test-checked TEs. Director, TTWD implements welfare schemes at district/sub-divisional level through Sub-Divisional Welfare Officers. Audit also test-checked 10 schemes implemented by Director, TTWD and the selection of schemes was made based on the volume of expenditure.

Audit Findings

The tea workers in Assam have faced poor social and economic conditions. Their low income and lack of education have been major barriers to their overall development. TTWD tried to address these issues, but without basic socio-economic data, their initiatives were implemented haphazardly. As a result, the schemes did not significantly improve the well-being of the tea garden workers. Many workers were unaware of the Department and its activities, indicating a failure to reach its intended beneficiaries. Moreover, there was a lack of internal control, monitoring, and assessment of the impact of these schemes. Overall, the efforts to uplift the tea workers' lives have fallen short of making a substantial positive change.

The implementation of PLA, 1951 and the MWA, 1948 in tea estates was found to be deficient. In terms of healthcare, not all tea estates had garden hospitals, and the ones that did, suffer from lack of infrastructure and manpower. In the education sector, inadequate infrastructure, shortage of teachers, and absence of free uniforms for children in Tea Garden Managed (TGM) schools were major issues, leading to a decreasing trend in student enrolment. Housing facilities for tea workers were inadequate, with poorly maintained houses, lack of proper drinking water, sanitation, and basic amenities in labour houses/lines. The availability and management of *crèches*, canteens, and recreational facilities in tea estates were also lacking.

Regarding the Minimum Wage Act, the State Government's intervention in fixing minimum wages for tea workers was insufficient. The practice of partially paying wages in kind continued without authorisation and 'in-kind' benefits were not confirmed to determine the cash value of wages. Some cases of short payment of wages in comparison to the agreed amount by planters' associations were also

observed. Furthermore, provisions for ration/firewood or compensation in lieu were deficient or absent in some tea estates. Overall, the implementation of labour laws and worker welfare provisions in tea estates showed several shortcomings and areas of concern.

Chapter-wise highlights of audit findings are summarised in following paragraphs.

Chapter II: Planning and Financial Management

TTWD did not have basic information on total population of tea tribes, their educational status, household size, income status, etc. Besides, the Department did not prepare annual action plans/perspective plans while the planned welfare schemes were implemented in a haphazard manner.

(Paragraphs 2.2-2.3)

During 2015-16 to 2020-21, the Director, TTWD had planned 187 welfare schemes with budget of ₹ 600.19 crore for implementation. Actual implementation was, however, carried out only for 82 schemes, at a cost of ₹ 210.65 crore against the budget allotment of ₹ 365.60 crore.

(Paragraph 2.4)

During 2015-16 to 2019-20, unspent budget grant of ₹ 96.44 crore pertaining to 10 test-checked schemes including scholarships to students, financial grants for treatment of TB and cancer, distribution of pick-up vans, etc. could not be utilised and was surrendered mainly due to failure to finalise the list of beneficiaries.

(Paragraph 2.7)

Chapter III: Implementation of Welfare Schemes

In the budget speeches of GoA for the years 2015-16 to 2019-20, 44 welfare schemes were announced for welfare of tea tribes. Out of these, 25 schemes pertained to TTWD. Of these, nine schemes were not implemented due to non-receipt of funds while significant deficiencies were noticed in implementation of other schemes.

(Paragraph 3.1)

The tea garden workers were unaware about the schemes being implemented for tea tribes. The educational level of workers was also found to be alarmingly low, with 41 per cent of workers being illiterate.

(Paragraphs 3.4 & 4.3.3)

Chapter IV: Compliance to Plantations Labour Act, 1951

Out of 40 test-checked Tea Estates (TEs), 26 TEs had Tea Garden Hospitals (TGHs), 10 TEs had facility of dispensaries and the remaining four TEs did not have any medical facilities for workers. The buildings of 16 out of 36 hospitals/dispensaries were in poor condition. Drinking water facility was not available in 15 TEs. Provision

of attached lavatory in in-patient wards was absent in all the test-checked hospitals. Full-time medical practitioner was available in only 15 TGHs and the remaining hospitals/dispensaries were running with part-time doctors or were without doctors.

(Paragraph 4.6)

In 40 test-checked TEs, only 18 Tea Garden Managed Schools (TGMS) (37 per cent) had adequate number of teachers as per the provisions of the RTE Act, 2009 and the remaining 31 schools had shortage of teachers ranging between 17 to 67 per cent. Out of 145 teachers available in the test-checked schools, only 12 teachers possessed educational qualifications as per the prescribed norms. There were gaps in infrastructure facilities in schools of TEs on various parameters with reference to the infrastructure norms prescribed under RTE Act. Free uniforms were not provided to a number of students of TGM schools.

(Paragraph 4.7)

Pucca houses for tea garden workers in 11 TEs were found to be in dilapidated condition. In 20 TEs, the houses constructed were not as per the prescribed standard. Drainage system in labour lines was not available in any of the test-checked TEs. Testing of water from different sources available in the labour lines was not carried out in 30 out of 39 TEs.

(Paragraph 4.8)

Though the facility of canteen was available in 35 per cent, recreational facility in 86 per cent, and crèche for children of workers in 76 per cent of the tea estates, these facilities were lacking amenities as required to be provided therein.

(Paragraph 4.10)

During interview, 87 per cent of workers were found to be landless and not owning their own homes. Only 46 per cent of the workers had received gas connections under Ujjwala scheme despite being priority beneficiaries as per the scheme guidelines while 76 per cent workers had health cards under Atal Amrit Abhiyan. None of the workers had Pradhan Mantri Jan Arogya Yojana health card mainly due to lack of awareness.

(Paragraph 4.13)

Chapter V: Compliance to Minimum Wages Act, 1948

The State Government's participation and involvement was insignificant in ensuring minimum wages for plantation workers since the last 62 years as wages are still being decided in an ad-hoc manner giving rise to disparity in wage rates. Audit noticed that 11 tea estates were paying cash wage to the workers which was less than the amount of wages prescribed.

(Paragraphs 5.3-5.10.1)

Summary of recommendations

Recommendation 1: TTWD needs to carry out survey/census of tea tribes for basic data in order to formulate realistic policies.

Recommendation 2: TTWD may prepare annual action plan/ perspective plans for selection and implementation of schemes for the welfare of tea tribes in an organised manner.

Recommendation 3: TTWD needs to formulate strategy to extend the coverage of Centrally Sponsored/ Central Sector Schemes to the Tea Tribes.

Recommendation 4: TTWD should identify the root cause for low utilization of the budget for welfare schemes and take steps to effectively implement the schemes for welfare of tea tribes.

Recommendation 5:

a. All DBT schemes should follow the standard DBT protocol of maintaining a centralised repository of beneficiaries, that is verified and de-duplicated.

b. Beneficiary account wise payment confirmation should invariably be taken from the banks.

c. DBT scheme beneficiaries should give an undertaking to the bank/Government, that excess payment would be recovered from their bank accounts.

Recommendation 6: Health and Family Welfare Department and Tea Garden Managements should review the manpower position in all Tea Garden Hospitals and ensure that essential human resources are available.

Recommendation 7: TTWD should prepare beneficiaries list prior to launch of schemes with details of personal information like Banking details and verify it before implementing the schemes. TTWD may timely reconcile the payment details with bank in order to minimise the defaults on subsequent instalments.

Recommendation 8: Labour and Welfare Department should adhere to CSS guidelines and the mandate it derives under APL Rules 1956, while implementing it in Tea Gardens.

Recommendation 9: TTWD should take action to operationalise Information Technology based monitoring system of all welfare schemes for Tea Tribes in a time bound manner.

Recommendation 10: Labour and Welfare Department should enforce the APLR strictly to ensure manpower and infrastructure as per Indian Public Health Standards to all TGHs by the tea garden managements.

Recommendation 11: Efforts should be made to implement Right to Education Act, 2009 in all Tea Estates schools and ensure availability of requisite infrastructure and manpower.

Recommendation 12: *Labour and Welfare Department should implement the basic housing facilities as enshrined in the Plantations Labour Act, 1951 and Assam Plantations Labour Rules and on par with similar schemes being implemented in Assam.*

Recommendation 13: *Government should review inclusion of statutory items under wages and review the actual implementation of benefits in kind.*

Recommendation 14: *The Labour Department needs to ensure that all the provisions of the Assam Minimum Wages Rules, 1952 and Assam Plantation Labour Rules, 1956 are implemented in an efficient manner across all the tea estates of the State, so that the tea plantation workers are not deprived of their just wages and there is no disparity both across the regions in Assam (Brahmaputra Valley/Barak Valley) and across the nature of employment (Tea Estate workers/Other than Tea Estate workers).*