

The Business of Tea: British tea companies and  
plantation labor law in India, 1901–1951  
(with special emphasis on James Finlay & Co.)

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**Abstract:**

This dissertation examines the history of British tea companies and tea plantation labor law in South Asia from 1901 to 1951. Within the context of a globalizing market for tea, British companies, such as the Scottish firm, James Finlay & Co., made concrete business decisions that deeply affected the formation of labor policies on their South Asian tea plantations. This dissertation gives an in-depth view of company structure and practice through a case study of Finlay's network of regional tea companies, that stretched from north-east India to southern India to Ceylon (modern-day Sri Lanka). Finlay had a hierarchical structure with managers and assistants who governed life on the tea estates, under the oversight of managing agents in Calcutta and Colombo and a board of directors in Britain. Through an analysis of Finlay's company structure, this dissertation elucidates the nature of the "planter class" and demonstrates how the contracts of (mostly) British company employees were deeply linked to the contracts of the South Asian laborers recruited to work on the estates. The dichotomy between these groups in company policy and practice was reified in both colonial and post-colonial law. This dissertation, then, highlights continuities in the classification of workers, wage stagnation, and welfare policies that extend beyond the pre- and post-independence divide.



**Résumé:**

Cette thèse examine l'histoire des compagnies de thé britanniques et le droit du travail dans les plantations de thé en Asie du Sud de 1901 à 1951. Dans le contexte de la mondialisation du marché du thé, les entreprises britanniques, telles que l'entreprise écossaise James Finlay & Co. ont pris des décisions commerciales concrètes qui ont profondément affecté la formation des politiques du travail dans leurs plantations de thé en Asie du Sud. Cette thèse donne un aperçu approfondi de la structure et des pratiques de l'entreprise à travers une étude de cas du réseau de sociétés de thé régionales de Finlay, qui s'étendait du nord-est de l'Inde au sud de l'Inde jusqu'à Ceylan (l'actuel Sri Lanka). Finlay avait une structure hiérarchique avec des directeurs et des assistants qui régissaient la vie dans les plantations de thé, sous la surveillance d'agents de gestion à Calcutta et Colombo et d'un conseil d'administration en Grande-Bretagne. Grâce à une analyse de la structure de l'entreprise Finlay, cette thèse élucide la nature de la "classe des planteurs" et démontre comment les contrats des employés de l'entreprise (principalement britanniques) étaient profondément liés aux contrats des travailleurs sud-asiatiques recrutés pour travailler dans les plantations. La dichotomie entre ces groupes dans la politique et la pratique des entreprises a été réifiée dans le droit colonial et postcolonial. Cette thèse met donc en évidence des continuités dans la classification des travailleurs, la stagnation des salaires et les politiques d'aide sociale, qui vont au-delà du clivage entre la période pré- et postindépendance.

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## **Terms and Abbreviations:**

### Terms:

*Hazira/h (Haziri)*: daily task and/or rate at which pay for daily task was administered

*Ticca*: extra task and/or pay for extra tasks completed in a day

*Sirdar, Kangany, Maistry*: Intermediary in recruitment and/or overseer

### Abbreviations:

FMC: Finlay, Muir & Co.

UGBA: University of Glasgow Business Archives (University of Glasgow Archives & Special Collections, James Finlay & Co Ltd collection)

FMALIC- Finlay's Managers and Assistants Letterbooks for India and Ceylon

## Introduction:

*The tea-leaf had replaced the laurel-wreath: where the ICS Collector and the Indian Army Colonel had once held sway, there was now only Brooke Bonds and Finlay. Yet they still saluted the flag that was gone. There was something more than commercial, for example, in the way these British tea-buyers would band together as best they could at the fortnightly Cochin tea-sales...*<sup>1</sup>

The quotation above is from the opening pages of a “light political travel book” entitled *Where the Lion Trod*, written in 1960 by British intelligence officer, turned foreign correspondent, Gordon Brook-Shepherd (1918—2004).<sup>2</sup> Brook-Shepherd, who had spent four months traveling around India, noted the transitions that had occurred since Indian independence in 1947, and sought instances of what he considered the lasting impact and “enduring value” of British colonial rule after the departure of the British government (ICS and military). He was particularly impressed by the continued influence of Finlay and Brooke Bond—internationally renowned British tea companies that had first established a presence in India in the nineteenth century.

This dissertation, which focuses primarily on Finlay (also called Finlays), examines how Finlay and other international companies helped to, first, structure South Asia’s tea industry and, second, influence South Asia’s tea plantation labor legislation and policy in the twentieth century. The dissertation centers on tea plantations in India, with comparisons to Sri Lanka (called “Ceylon” in colonial times), over the half century from 1901 to 1951. The latter bookend of this study is marked by a significant piece of labor legislation—the Plantation Labour Act,

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<sup>1</sup> Gordon Shepherd (F.G. Brook-Shepherd), *Where the Lion Trod* (New York: St Martin’s Press, Inc., 1960), 3. <https://archive.org/details/wheretheliontrod010379mbp>.

<sup>2</sup> Gordon Shepherd, *Where the Lion Trod*, vii.

1951—which has continued elements of the colonial tea plantation structure up to the end of the second decade of the twenty-first century. My in-depth study of company archival records provides a novel way to engage with the arguments presented in the relevant historiography.

### *Historiographical Background*

Historians of the international tea industry have emphasized tea's influence as an international commodity and social beverage, and the power of the tea industry in advertising, cultural advocacy, lobbying, and advancing scientific inquiry.<sup>3</sup> One example of this is Erika Rappaport's recent examination of the imperial entanglements associated with tea—particularly its influence on British empire-wide and global advertising, political power, exhibition, and sale.<sup>4</sup> Her work, and that of other scholars, has emphasized the longevity of British trading firms and their banking practices and investments as key aspects of the tea industry—both in South Asia and external to it. These historians also underscore the often-critical influences of external economic and political events, such as global conflicts and the 1930s economic depression, upon the industry's fortunes.<sup>5</sup> Taken together, this large body of scholarship has embraced topics as diverse as the sociological effects of tea-drinking in working-class, middle-class, and elite communities in Britain; the impetus prohibition gave to tea-drinking in the US and Canada; and the development of a large consumer market within South Asia itself.<sup>6</sup> However, analyses of these imperial entanglements often only marginally discuss how business decisions made in

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<sup>3</sup> Jayeeta Sharma, "British science, Chinese skill and Assam tea: Making empire's garden," *The Indian Economic and Social History Review* 43, no. 4 (2006): 429–55; Sven Beckert *Empire of Cotton: A Global History* (New York: Vintage Books, 2014). One could easily refer to Sven Beckert's *Empire of Cotton* as an example of this kind of work concerning the traffic of cotton, which heavily influenced, and was influenced by cultural practice, capital, and horrific labor systems.

<sup>4</sup> Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World* (Princeton University Press, 2017).

<sup>5</sup> Geoffrey Jones, *Merchants to Multinationals: British Trading Companies in the Nineteenth and Twentieth Centuries* (Oxford: Oxford University Press, 2002).

<sup>6</sup> Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World*; Geoffrey Jones, *Merchants to Multinationals*.

response to these global shifts impacted laborers and labor policies at the origin of the supply chain. This dissertation seeks to address this gap.

Some scholars have also explored the imperial origins of tea networks and companies. Scholars like Andrew Mackillop detail Scotland's early engagement in northern European markets for tea prior to the Commutation Act of 1784—which by reducing taxes on tea essentially removed the need for the smuggling of tea from the Continent. The Act further solidified the East India Company's monopoly on tea.<sup>7</sup> Early Scottish interest in continental tea prior to the nineteenth century may have been significant in persuading Scottish MPs like Kirkman Finlay (head of James Finlay & Co. in the early 19<sup>th</sup> century), to advocate for the dissolution of the EIC's monopoly so that others could enter directly into the tea trade. Finlay and Lipton, which both became well-known tea brands, were based in the city of Glasgow.

While the history of Scotland and Scottish peoples in the British imperial project is still a burgeoning field, scholars such as T.M. Devine and Angela McCarthy have focused on the Scottishness of many of the trading companies and businesses operating in connection with the British empire—highlighting the Scottish “ethics” underpinning and shaping business structure and management, and beyond business to the regional enclaves of British rule.<sup>8</sup> Indeed, there is a growing scholarship on the influence of different people groups of the British Isles (Scottish, Irish, Welsh and more) within the British imperial project and how empire was “brought home” to the metropole to build the wealth of cities such as Glasgow, London, and Liverpool. Labor and work are often peripheral to this story, though the impact of these groups—particularly

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<sup>7</sup> Andrew Mackillop, “A North Europe World of Tea: Scotland and the Tea Trade, c.1690–c.1790,” in *Goods from the East, 1600–1800. Trading Eurasia*, eds. Maxine Berg, Felicia Gottman, Hanna Hodacs and Chris Nierstrasz (London: Palgrave Macmillan, 2015), 294-308.

<sup>8</sup> T.M. Devine, *Scotland's Empire: The Origins of the Global Diaspora* (Penguin, 2012); T. M. (Thomas Martin) Devine and Angela McCarthy, eds., *The Scottish Experience in Asia, c.1700 to the Present: Settlers and Sojourners*, Cambridge Imperial and Post-Colonial Studies Series (Cham, Switzerland: Palgrave Macmillan, 2017).



Scots—on slaveholding (in the Caribbean, for example), on plantation management, on British military power, and on colonial administration are also well-recognized.<sup>9</sup>

Several of these Scottish and imperial histories have examined the capitalistic businesses and industries that accompanied colonial development in the British empire and their effect on the physical and economic landscape of the colonies. Some have examined the geo-spatial and social changes to colonial environments through the development of isolated company towns—or plantations the size of towns—which needed to provide housing, medical aid, and other services to dependent workers.<sup>10</sup> Colonial policy facilitated the growth of unique structures of management and labor production that enabled businesses to flourish and develop.<sup>11</sup> The managing agency system, exemplified in Finlay’s Asia branches (FMC) of the company, and discussed more in chapter one, is one important example of the colonial structures of incredible economic power and influence that shaped South Asia’s business and labor dynamics. The creation of tea plantations in the context of South Asia is another colonial structure referenced in detail throughout this dissertation.

Further, labor historians, anthropologists, and social justice activists have highlighted the negative impact of industrial and political colonial structures, dominated by capitalist ideology, upon plantation workers.<sup>12</sup> Focusing primarily on the indenture system that characterized the late

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<sup>9</sup> Angela McCarthy and T. M. Devine, *Tea and Empire: James Taylor in Victorian Ceylon* (Manchester: Manchester University Press, 2017), 204-205; John M. MacKenzie and T. M. Devine, *Scotland and the British Empire*. (Oxford: Oxford University Press, 2011); T. M. (Thomas Martin) Devine, *Recovering Scotland’s Slavery Past: The Caribbean Connection* (Edinburgh: Edinburgh University Press, 2015); Douglas Hamilton, *Scotland, the Caribbean and the Atlantic World, 1750-1820* (Manchester: Manchester University Press, 2005); Jim Tomlinson, *Dundee and the Empire: ‘Juteopolis’ 1850-1939* (Edinburgh, Edinburgh University Press, 2014).

<sup>10</sup> Nandini Bhattacharya, *Contagion and Enclaves: Tropical Medicine in Colonial India* (Liverpool: Liverpool University Press, 2012).

<sup>11</sup> Maria Misra, *Business, race, and politics in British India, c. 1850-1960*. (Oxford: Oxford University Press, 1999); Stephanie Jones, *Merchants of the Raj: British Managing Agency Houses in Calcutta Yesterday and Today* (London: Palgrave MacMillan, 1992), 2.

<sup>12</sup> Piya Chatterjee, *A Time for Tea: Women, Labor, and Post/Colonial Politics on an Indian Plantation* (Durham [N.C.: Duke University Press, 2001]; Mishra, Deepak K., Atul Sarma, and Vandana Upadhyay, “Invisible Chains?

nineteenth-century and early twentieth-century tea industry, these researchers have emphasized the coercive nature of recruitment practices and work contracts for laborers who, once on the estates, enjoyed little freedom, and were subject to legal punishment should they leave the estate without permission. Given the dearth of local magistrates in the remote regions where many plantations were located, and the large size of the estates, provincial governments granted planters extra-legal authority over their plantation workforce.<sup>13</sup> Researchers have tied together the global history of laborers who migrated to cash crop sites and have provided substantial histories of Indian indentured laborers who traveled across the Indian Ocean east to Fiji and Malaysia and west to Mauritius, South Africa and the Caribbean—contrasting elements of freedom and unfreedom in different locales.<sup>14</sup> Recent scholarship has begun to analyze the longer “lifecycle” of these cash crop plantations—how their early workforce structures and forms of control have persisted to form the basis of modern prison complexes, for example, and have contributed to continued systemic inequities based on citizenship and race.<sup>15</sup>

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Crisis in the Tea Industry and the ‘unfreedom’ of Labour in Assam’s Tea Plantations.” *Contemporary South Asia* 19, no. 1 (2011): 75-90.

<sup>13</sup> Nitin Varma, “Coolie Acts and the Acting Coolies: Coolie, Planter and State in the Late Nineteenth and Early Twentieth Century Colonial Tea Plantations of Assam,” *Social Scientist* 33, no. No. 5/6 (June 2005): 49–72; Nitin Varma, *Coolies of Capitalism* (Berlin/Boston: De Gruyter, 2017); Jayeeta Sharma, “‘Lazy’ Natives, Coolie Labour, and the Assam Tea Industry,” *Modern Asian Studies* 43, no. 6 (2009): 1287–1324; Patrick Peebles, *The Plantation Tamils of Ceylon* (London; New York: Leicester University Press, 2001); Rana P. Behal and Prabhu P. Mohapatra, “‘Tea and money versus human life’: The rise and fall of the indenture system in the Assam tea plantations 1840-1908,” *The Journal of Peasant Studies* 19, no. 3-4 (1992): 142-172; Elizabeth Kolsky, *Colonial Justice in British India: White Violence and the Rule of Law* (Cambridge: Cambridge University Press, 2010); Rana P. Behal, *One Hundred Years of Servitude: Political Economy of Tea Plantation in Colonial Assam* (New Delhi: Tulika Books, 2014).

<sup>14</sup> Marina Carter, *Voices from Indenture: Experiences of Indian Migrants in the British Empire* (London: Leicester University Press, 1996); Gaiutra Bahadur, *Coolie Woman: The Odyssey of Indenture* (Chicago: University of Chicago, 2014); Brij V. Lal, *Chalo Jahaji: on a journey through indenture in Fiji* (Canberra, Australian National University E Press, 2012); Brij V. Lal, “Girmit,” *South Asia: Journal of South Asian Studies* 40, no. 2 (2017), 313-315.

<sup>15</sup> See for example, Deborah A. Thomas, *Political Life in the Wake of the Plantation: Sovereignty, Witnessing, Repair* (Durham: Duke University Press, 2019); Mishra, Deepak K., Atul Sarma, and Vandana Upadhyay, “Invisible Chains? Crisis in the Tea Industry and the ‘unfreedom’ of Labour in Assam’s Tea Plantations.” *Contemporary South Asia* 19, no. 1 (2011): 76, 77, 88.

The debate concerning the nature of indenture from the 1820s to the 1920s is often at the center of this labor historiography. Scholars have vacillated between viewing indentureship as either a “new system of slavery” (following in the footsteps of historian Hugh Tinker), or as a form of migratory labor wherein workers enjoyed some choice.<sup>16</sup> Proponents of the former emphasize coercion in recruitment practices, as well as push factors (e.g., colonial taxes and natural disasters) that moved laborers from their lands of origin to cash-crop sites of production.<sup>17</sup> Scholars who emphasize unfreedom in this context argue that revisionists holding a contrary view tend to downplay the unfree components of the indenture system in favor of emphasizing a mutually beneficial arrangement between employer and laborer.<sup>18</sup>

Still other historians, in viewing the differing plantation economies over the nineteenth century aim to move the debate beyond an “imperial apologia” that dismisses elements of coercion, and an “uncritical reproduction” of nationalist (and abolitionist) discourses.<sup>19</sup> They argue rather for an integrated historical approach that highlights individual experiences within structural frameworks that changed over time and location, and that included both elements of freedom and unfreedom.<sup>20</sup> Much of the labor historiography on the indenture system and Indian

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<sup>16</sup> See Hugh Tinker, *A New System of Slavery: The Export of Indian Labour Overseas, 1830-1920* (London: Oxford University Press, 1974). Hugh Tinker makes the argument that the indentured system exemplified a new form of slavery marked by aggressive policies of restricted mobility, racist ideologies, penal contracts governing labor, and the inheritance of a system favoring the planter as opposed to his laborers. In his studies regarding the initiation of indenture, first in Mauritius and then to other parts of the British empire, Tinker focuses on the legacy of the preceding system of slavery that influenced the way that labor was organized and governed under the new patterns of recruitment and engagement.

<sup>17</sup> For example, refer to Rana P. Behal, “Coolie Drivers Or Benevolent Paternalists? British Tea Planters in Assam and the Indenture Labour System.” *Modern Asian Studies* 44, no. 1 (2010): 33.

<sup>18</sup> Rana P. Behal and Prabhu P. Mohapatra, “‘Tea and money versus human life’: The rise and fall of the indenture system in the Assam tea plantations 1840-1908,” *The Journal of Peasant Studies* 19, no. 3-4 (1992): 142-172.

<sup>19</sup> Crispin Bates, “Some Thoughts on the Representation and Misrepresentation of the Colonial South Asian Labour Diaspora,” *South Asian Studies* 33, no. 1 (January 2, 2017), 7.

<sup>20</sup> Crispin Bates and Marina Carter, “Enslaved Lives, Enslaving Labels: A New Approach to the Colonial Indian Labor Diaspora.” in *New Routes for Diaspora Studies*, eds. Banerjee Sukanya, McGuinness Aims, and McKay Steven C., 67. (Bloomington: Indiana University Press, 2012). Accessed January 24, 2020.

[www.jstor.org/stable/j.ctt16gz73t.7](http://www.jstor.org/stable/j.ctt16gz73t.7). “subaltern networks functioned ostensibly as a vehicle for the subordination of labor, they were, over time and with varying degrees of success, appropriated by the subordinated, becoming both a means of sociocultural reassertion and an economic strategy, linking together forest, field, factory, and plantation.”

plantation laborers has centered on the nineteenth century, with some scholars observing continuities into the first several decades of the twentieth century under colonial rule.

This dissertation interjects a much-needed component to this discussion—shifting the focus from indenture to other structures that were in place at these sites of production. In order to do this, the dissertation integrates labor and business historiographies to address the aforementioned, overlapping, gaps in the literature. It explores global events influencing the decisions of colonial tea businesses in South Asia and how their decision-making directly influenced the living and working conditions of tea plantation laborers (indentured or not) in India and Ceylon.

This dissertation takes a novel approach to the material in four ways. First, it focuses on the twentieth century—examining the structure of estate and labor policies from 1901 until the immediate post-independence era (1951). This time period is bookended by two labor legislation laws, the Assam Labour and Emigration Act of 1901 and the Plantation Labour Act of 1951, that influenced the recruitment of laborers and the provision for their welfare on company estates. Few histories of the tea industry have focused exclusively on the twentieth century (particularly from World War I to Indian independence), but even fewer have examined the colonial practices on tea estates that persisted into the post-independence era, affecting post-colonial plantation legislation.<sup>21</sup> This dissertation challenges conventional histories of modern South Asia by pushing past the temporal divide demarcated by independence in 1947, to explore the many

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<sup>21</sup> B. R. Tomlinson, “Colonial Firms and the Decline of Colonialism in Eastern India, 1914-47” *Modern Asian Studies* 15, No. 3 Power, Profit and Politics: Essays on Imperialism, Nationalism and Change in Twentieth-Century India (1981): 455-486; Percival Griffiths, *The History of the Indian Tea Industry* (United Kingdom: Weidenfeld & Nicolson, 1967); K. Ravi Raman, “Business, Ethnicity, Politics, and Imperial Interests: The United Planters’ Association of Southern India, 1893-1950,” *Business History Review*, 88 (Spring 2014): 73-95; Rana P. Behal, *One Hundred Years of Servitude: Political Economy of Tea Plantation in Colonial Assam* (New Delhi: Tulika Books, 2014).

legal, political, social, and economic continuities that persisted into the post-independence era in the tea industry.

Secondly, this dissertation focuses less on plantation laborers and more on the multilayered business structures, from the local to the global, that influenced their daily lives. I move away from the discourse surrounding indenture to examine what prominent structures, company policies, and laws were implemented that maintained a colonial structure beyond indenture's legal end—but still contributed to laborer restrictions and dependence on the tea plantations. This dissertation doesn't attempt to resurrect the well-known debate on whether the indentured labor regimes operating in India (and Ceylon) on company tea plantations from the late nineteenth century into the twentieth century continued a form of bondage or slavery. However, by focusing on business decisions and structures, it provides insight into how company policies may have reinforced aspects of bondage (e.g., restrictions on mobility and low pay) well into the twentieth century. It also highlights instances in which indenture may not be the best term to explain the form of recruitment and labor used on certain tea plantations in South Asia—even in Assam.

Thirdly, scholars like Amalendu Guha have provided excellent histories of the development of an infamous tea planter class in colonial Bengal and Assam supported by local government councils, regional taxation regimes, and transport infrastructure.<sup>22</sup> However, the business and contractual obligations of tea estate managers, namely how the tea planter class or “planter Raj” was subject to large trading and foreign investment companies, has been less studied. This dissertation explores the content of a business archive which gives another perspective on plantation dynamics from a company employee perspective through the

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<sup>22</sup> Amalendu Guha, *Planter Raj to Swaraj: Freedom Struggle & Electoral Politics in Assam, 1826-1947* (Delhi: Tulika Books, 2014).

individual experiences of direct management staff. This is a much-needed addition to the historiography because intra-company relationships directly impacted plantation structures and regional government policies.

Finally, this dissertation provides insight into how tea companies, in partnership with each other, shaped the standard for estate labor policies, outside of government intervention. The tea companies formed agreements with each other and collaborated to implement extra-governmental policies in the industry during colonial rule. Some of the laws, immediately after independence, were meant to correct or limit the powers of the companies in the post-independence period. This dissertation, then, supplements more conventional business and labor histories relating to the tea industry by explicating the way that international business networks and decisions influenced regional labor policies and the lives of generations of South Asian laborers.<sup>23</sup>

### *Geography*

In this study, the term “South Asia” is used to refer to the countries of the subcontinent (India, Pakistan, Bangladesh) as well as several of the neighboring countries (Nepal, Bhutan, Sri Lanka, the Maldives, and, less frequently, Myanmar and Afghanistan).<sup>24</sup> The delineation of the countries as “South Asian” is contested, as is the term “South Asia” itself. However, this

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<sup>23</sup> For more insight into transitions that these companies made in adapting from trading to MNCs, see Geoffrey Jones, *Merchants to Multinationals: British Trading Companies in the Nineteenth and Twentieth Centuries* (Oxford: Oxford University Press, 2002).

<sup>24</sup> The conceptualization of ‘South Asia’ as a geographical term has roots in colonialism, areas studies, international diplomacy, and economic and political regionalism. For more on this, see: Aminah Mohammad-Arif, “Introduction. Imaginations and Constructions of South Asia: An Enchanting Abstraction?”, *South Asia Multidisciplinary Academic Journal* [Online], 10 (2014). Accessed July 16, 2021. <http://journals.openedition.org/samaj/3800>; DOI: <https://doi.org/10.4000/samaj.3800>

dissertation centers on the specific countries of India, Bangladesh (Bengal), and Sri Lanka (Ceylon)—which are widely recognized as part of South Asia—and terms the people from those countries as South Asians (e.g., South Asian laborers). Where local affiliations are clearer, I refer to those places specifically.

*Map 1: Physical map of South Asia with several tea planting regions demarcated<sup>25</sup>*



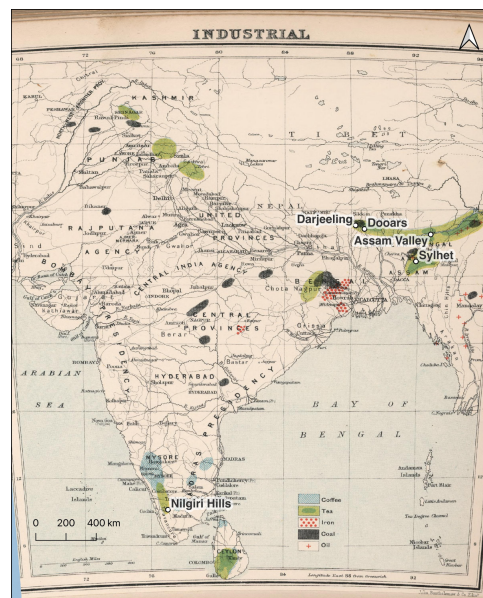
South Asia's climate and geography has made it one of the world's premier tea-producing regions. Most of the tea production in South Asia was concentrated in three distinct regions: north-eastern India, southern India, and Ceylon. The geographical range of South Asia's significant tea plantations is vast—stretching from the Indian province of Assam, in the Himalayan foothills (south of Bhutan) in the north, to Ceylon (Sri Lanka) in the Indian Ocean, 1493 miles to the south. The regions fall under the monsoon system, with heavy rainfall during the Southwest monsoon from June to September.

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<sup>25</sup> Sabrina Szeto, "Regional\_V1" Made with Natural Earth. Free vector and raster map data @ [naturalearthdata.com](http://naturalearthdata.com).

Assam became the first British tea-planting region in South Asia, linked to its geographical location (on similar latitude as tea-growing regions in China) and presence of native tea plants, and has remained South Asia's largest tea-producing region. Tea plantations in South Asia began to expand markedly from the 1840s onwards, and by 1860 boasted 51 gardens.<sup>26</sup> By the turn of the twentieth century, tea was grown in Sylhet, the Dooars, Darjeeling, North Travancore, the Nilgiri Hills, and Ceylon (see Map 1 and 2). Each region had its own labor regime, systems of recruitment, and demography, but the regions influenced each other in policy—in part, because British tea companies operated across these different regions. Finlay, for example, had tea plantations in all three major tea-producing regions in South Asia.

*Map 2: Regional Industrial Map of South Asia (1907) of Tea Planting regions<sup>27</sup>*



<sup>26</sup> Sanat Kumar Bose, *Capital and Labour in the Indian Tea Industry* (Bombay: All India Trade Union Congress, 1954), 5.

<sup>27</sup> This work Sabrina Szeto, "Regional Industrial Map of South Asia (1907)" is a derivative of J.G. Bartholomew *Agricultural. India*, 1907, David Rumsey Map Collection, David Rumsey Map Center, Stanford Libraries, <https://www.davidrumsey.com/luna/servlet/detail/RUMSEY~8~1~248989~5516382:Agricultural--India-?qvq=w4s:/where%2FIndia%2Fwhen%2F1907%2F;lc:RUMSEY~8~1&mi=3&trs=4>. Accessed July 12, 2021. The original and derivative map is used under CC BY-NC-SA 3.0.



## *Structure*

The dissertation is structured thematically. While the first chapter explores the early development of the South Asian tea industry in the nineteenth century, subsequent chapters cover the period from 1901 to 1951. Through a contextual overview of the rise of the South Asian tea industry, the first chapter describes the geographical origin of the industry in South Asia, as well as the locations in which the tea plant was and is grown. The chapter emphasizes the growth of tea business and company presence—as opposed to private proprietorship—in the tea industry in the late nineteenth century and examines the use of managing agents as in-country representatives with regional expertise who could address complications that arose in transport, communications, and labor recruitment for firms based in Britain. The dissertation focuses particularly on Finlay—which operated as both a major tea company and a managing agency for other companies—and the orchestration of its management system across the several tea companies that constituted its network in India and Ceylon. The chapter further outlines government labor recruitment measures (in which tea companies were favored and instrumental) that were initiated at the end of the nineteenth and the beginning of the twentieth centuries across the different tea-planting regions.<sup>28</sup> The British government in India ensured that tea companies were involved in policy discussions on labor recruitment in 1901, and that they remained at the heart of such discussions in the decades that followed.

Chapter two investigates the major global, imperial, and regional influences affecting the business structure and labor regimes of tea companies and estates in South Asia from about 1900 to the first decade of the post-colonial era (post-1947). Competition in the twentieth century

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<sup>28</sup> Rana P. Behal and Prabhu P. Mohapatra, “‘Tea and money versus human life’: The rise and fall of the indenture system in the Assam tea plantations 1840-1908,” *The Journal of Peasant Studies* 19, no. 3–4 (1992): 152.

between, chiefly, the South Asian tea-producing countries of India and Ceylon, the Dutch East Indies and, to a decreasing extent, China, contributed to market saturation. Shipping complications during World War One contributed to a stockpile of tea that flooded the market after the war. Because of this surplus, the tea companies in India and Ceylon agreed to reduce production. During the Great Depression from 1929–39, a similar, but expanded agreement was arranged between the three major tea-producing regions of India, Ceylon, and the Dutch East Indies, which lasted through World War Two. These agreements, while ensuring profitability for the tea companies, had a deleterious impact on plantation laborers, who experienced high unemployment and stagnant wages in the interwar period. Money wages were, in part, replaced with payment-in-kind welfare services. This was a practice which led to unrest and strikes by laborers in South Asia’s largest tea-planting region (Assam) and that reverberated throughout India. This chapter provides an overview of these events and others which complicated matters further in the tea industry—including the emerging labor movement, and the rise of nationalism in India and Ceylon.

Chapters three and four form the heart of the dissertation. As noted, conventional business and labor histories largely failed to analyze the relationship between company employees, and between employees and laborers within the plantation and company communication structure. Chapter three analyzes company contracts to elucidate the relationship between employees and laborers. The third chapter focuses, primarily, on Finlay employees (rather than “laborers” – see note on terminology at the end of this chapter).<sup>29</sup> The Finlay company archives reveal a multi-layered company hierarchy—from the company’s leadership occupying executive positions in the head office in Britain; to those running its South Asian

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<sup>29</sup> The distinction between laborer and employee is demonstrated on the estates, in legal cases and in company language.

regional offices in Calcutta, Colombo, and Bombay; to employees engaged in everyday management of tea plantations in South Asia. This chapter analyzes the wage structures, employee benefits, restrictions, company ethics, familial ties, and employee complaint and negotiation procedures that underpinned Finlay's business relationships.

Both the employees (who were largely recruited in Britain) and the laborers (Indian plantation workers) were bound by contracts that influenced their behaviors, although employees operated from privileged position. Employees held civil contracts, were not subject to physical violence by authorities, had avenues for redress, possessed opportunities for advancement as well as provisions for post-contract care, and had guaranteed pay. Laborers, who often held contracts which, if not fulfilled, resulted in criminal charges (at least until the 1920s), did not have the same provisions for post-contract care, guaranteed pay, or redress. Rather, tea plantations instead were articulated by planters and colonial officials as final relief options, where laborers might seek relief and welfare in the face of environmental and economic distress.

The fourth chapter constitutes an in-depth focus on this aspect of the system—the pull of plantations as sites of relief for laborers during periods of famine and natural disaster. This chapter uses the idea of the relief camp created in the widespread famines of the late nineteenth century, to demonstrate that plantations were similarly constituted (or framed) to offer relief—and yet confined distressed Indians with their families to remote worksites under British supervision.<sup>30</sup> The number of recruited workers significantly increased during periods of famine. Therefore, early legislation (such as the Madras Planters Act of 1903) was intended to give planters the ability to recoup advances given to laborers (often as relief) before they started work, by implementing a penal clause that prevented laborers from escaping before the contract had

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<sup>30</sup> Aiden Forth, *Barbed Wire Imperialism: Britain's Empire of Camps, 1876-1903* (Oakland: University of California Press, 2017).

ended. But this reference to tea plantations as sites of relief was not limited to the recruitment process, and therefore had implications beyond the period and context of indenture.

Because tea plantations were perceived as famine relief sites by colonial officials, and this perception was reinforced by planter persuasion and lobbying, the ideas of social welfare and relief were further mobilized by planter lobbies to prevent wage increases for laborers and promote recruitment from famine-stricken areas. This included the recruitment of workers who were not bound by an indenture contract initiated at the site of recruitment, but because of the low wages and pay replaced by welfare services, would become dependent upon the tea estate.<sup>31</sup> Plantation managers used the idea of welfare to avoid any increase in wages for laborers by insisting that the provisions offered on the estate, such as food subsidies, housing, and healthcare were payment-in-kind—and thus wage supplements. In periods of global overproduction of tea and economic recession, as in the immediate post-World War One period and the depression years of the late 1920s and early 1930s, tea companies responded to lower tea prices and profits by lowering or refusing to increase the wages of plantation workers (“laborers”).

This practice, though not part of official legislation, was condoned by the Assam Labor Enquiry Commission of 1921–22 and continued into the 1930s and 1940s. Yet, minimal laws to enforce the distribution of benefits were scarce. Legislation existed to ensure that laborers were paid on time (Payment of Wages Act of 1933) and that maternity benefits were offered to female plantation laborers (Maternity Benefits Bill of 1929), but otherwise the colonial government

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<sup>31</sup> For more information on late 19<sup>th</sup> century famines in South Asia and colonial response, refer to Aidan Forth, *Barbed-Wire Imperialism: Britain's Empire of Camps, 1876-1903*. Berkeley Series in British Studies, 12. (Oakland, California: University of California Press, 2017); S. Ambirajan, "Malthusian Population Theory and Indian Famine Policy in the Nineteenth Century," *Population Studies* 30, no. 1 (1976): 5-14; Tim Dyson, "On the Demography of South Asian Famines: Part I," *Population Studies* 45, no. 1 (1991): 5-25; B.M. Bhatia, "Famine and Agricultural Labour in India: A Historical Perspective" *Indian Journal of Industrial Relations*, 10, no. 4 (Apr. 1975): 575-594; Mike Davis, *Late Victorian Holocausts: El Niño Famines and the Making of the Third World*. London: Verso 2002; Georgina Brewis, "'Fill Full the Mouth of Famine': Voluntary Action in Famine Relief in India 1896—1901," *Modern Asian Studies* 44, no. 4 (2010): 887-918.

effected no major change in plantation company policies with regards to laborer welfare. It was the post-colonial government that made particular social welfare provisions law on company plantations through the Plantation Labour Act (1951)—which, incidentally, continued payment-in-kind (wage supplementation) practices into the post-colonial era.

To understand the legislation that was passed and not passed over the period of study, the relationship between the tea companies and both the colonial and postcolonial governments is examined in more detail in chapter five. That chapter analyzes how government and tea company cooperation and disagreement over labor concerns evolved during the colonial period and after independence—particularly in light of the rise of workers’ rights activism, and Indian and Ceylonese nationalism. For example, as agricultural concerns, the tea industry in India received tax breaks in the early part of the twentieth century. This privilege was hotly contested by Indian activists in the interwar period with the result that taxation was ultimately imposed on the tea companies. The companies, nevertheless, continued to receive some tax exemptions unique to the industry that, in the eyes of Indian observers, was proof of collusion between the companies and the colonial government. To influence government policy towards the tea industry, company employees participated in legislative assemblies and lobbies. However, the rise of Indian nationalism and the impending certainty of independence, achieved in 1947, disrupted company-government collusion in a greater way: the British government pressured the British tea companies to create greater partnership with, and representation for, their Indian counterparts in the industry.

However, no legislation was implemented to this end, nor to enforce social welfare measures on the tea plantations. This is perhaps why, immediately after independence, the new Indian government passed several acts that directly affected those British tea companies that

remained in the country after the colonial government departed (1947/8). These acts restricted the use of foreign capital and promoted Indian representation in executive positions of foreign companies. They also increased company responsibility and required company expenditure for the welfare of plantation laborers. The Plantation Labour Act of 1951 (which bookends this dissertation) is one such act; further acts include the Minimum Wages Act of 1948, which gave the government authority to set minimum wages across different industries, and the 1956 Companies Act which brought all companies in India under government oversight. This chapter also explores local perceptions of these company-government relationships prior to independence, particularly as it pertained to tax breaks, exemptions, and legal exceptions. The chapter explores the reaction of plantation laborers, labor activists and the growing influence of international organizations—such as the International Labour Organization (ILO) of the United Nations (UN).

The dissertation concludes with an overview of the tea industry's structure and labor policies in the post-1951 era. It uses the Finlay archives to highlight the continuities and changes in the political landscape, and the relationships between political authorities, tea companies, and plantation workers. The businesses that chose to remain in the region were newly-international and had to adapt to post-colonial realities in new nation-states. Finlay, for example, operated in India until the 1980s, before transferring ownership of the company plantations entirely to Tata Beverages; Finlay continues activities in Ceylon (Sri Lanka) today. The thesis concludes with a summation of twenty-first century plantation policies, the challenges and criticisms voiced in response to international human rights and sustainability debates, and ideas for further study that could elucidate changes to labor laws and policies from 1951 to the present.

## *Sources*

The primary repository consulted for this project is the James Finlay & Co. archives, housed at the University of Glasgow in Scotland. Finlay was founded in 1750 as a trading company before diversifying, in the 1880s, into tea estate management in South Asia where its four large regional companies oversaw many plantations in India and Ceylon. Its vast archives have proved of pivotal importance in revealing the structure and history of tea companies in South Asia, and of tea plantation labor policies. Their manuscript holdings contain company shareholder reports, legal documents, correspondence in the form of letters and telegrams, business and labor agreements and contracts, and visual material—chiefly photographs—that richly enhance our understanding of the dynamic world of tea enterprise.

For this dissertation, I focused primarily on the contracts and correspondence of Finlay-associated managers and assistant managers working on South Asian tea plantations. Information about these employees was also gleaned from letters and reports by doctors who visited the estates, managing agents in the major urban centres of Calcutta and Colombo, and members of the Finlay board in Glasgow. The archival correspondence is contained in roughly 45 large, leather-bound letter books (many of them about 1,000 pages) ordered chronologically. Each of these were paginated, with indexes indicating the names of the employees contained in each letter book and the associated pages. Every letter was hand-copied, although typewritten pages (referenced in the adjoining letters) were sometimes inserted between the handwritten leaves. This correspondence provides great insight into the social workings of the company, and the experiences of many of its employees on estates in India and Ceylon. Further information about the business structure and labor policy of Finlay, and other tea companies that Finlay employees

or agents were in correspondence with, are also detailed. However, the Finlay letter books would provide ample material for several dissertations (Appendix, Image 1).<sup>32</sup>

The British Library contains substantial information pertinent to this dissertation, as well. Their reading rooms provided access to minutes and reports filed by associational bodies—to which Finlay and other tea companies belonged—while lobbying and coalition-building for policies in the industry.<sup>33</sup> Such bodies included the Planters' Association of Ceylon (PAC), established in 1854; Indian Tea Association (ITA), founded in 1881; and United Planters' Association of Southern India (UPASI) which was set up in 1893. The records of the ITA, in particular, proved useful for understanding the relationship between tea companies and the colonial government. The British Library's archives also contain highly informative colonial government-initiated inquiry reports (such as those from the 1906 Assam Labour Enquiry Committee) and labor board reports, as well as tea planter memoirs.<sup>34</sup>

I was able to supplement this information with colonial-era editions of newspapers (such as *The Statesmen*), and diaries and letters from the Cambridge University's South Asian Studies Library and Archive. Through McGill Library, I was also able to access digital newspaper repositories for Indian newspapers published in the period under review, such as *The Hindu* and the *Bombay Chronicle*, in which various government concessions to the tea estates were detailed and debated. Finally, I also researched relevant materials published online by the International

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<sup>32</sup> There have been others that have used this archive in a dissertation. For example: Andrew B. Liu, "The two tea countries: competition, labor, and economic thought in coastal China and eastern India, 1834-1942" (Doctoral Dissertation, Columbia University, 2015).

<sup>33</sup> I was able to briefly examine some of the early material of Lipton's tea enterprise, housed at the University of Glasgow, however Lipton's archives housed at Unilever in Port Sunlight were under construction during my period of research. A further project would include company comparisons in the region.

<sup>34</sup> Assam Labour Board Reports 1922-23 & 1930/1 British Library IOR/V/24/2298; D.V. Rege (Chairman, Labour Investigative Committee), "Report on an Enquiry into Conditions of Labour in Plantations in India" (Delhi: Manager of Publications, 1946) British Library IOL V 1680; Walter Smith Sutherland Mackay, "Biographical Notes" *Memories of India Oral Archives Scheme, Travancore* (London: British Library India Office, Library and Records, February 7, 1984), British Library IOLR/A/26/3 MSS Eur. D 1063.



Labour Organization (ILO) of the United Nations. In 1928, the ILO opened an office in India, as India was one of the early signatories to international labor regulations. ILO reports include a wide variety of observations about plantation labor, unionization, and social welfare on South Asian tea estates that helped contextualize tea company reports and strategies, and government intervention.

Because the company that I focus on in this dissertation is still extant, and a number of its employees who worked in India and Ceylon are still alive, I have had to take precautions as to how the material that I researched is publicly presented. This dissertation does, however, aim to present a reading of the archives and other primary material within their historical context; it is not specifically a company history, nor does it offer an especially harsh critique of company practices. It simply offers the opportunity to reflect on the legacies of companies in the colonies and the potential for future change. I recognize that much of the archival material referenced here is colonial in character, and reflects predominantly privileged, male British perspectives.

Although several of the employees discussed were married and women were active employees in the head office of Finlay in Glasgow in the interwar period, much detail about female employees or wives and children of employees on the plantations was not discussed at length in the company sources I referenced (the letter books), except in significant instances asking for company intervention or leniency—such as pension for a widow after an employee’s death. I recognize the limitations of fully understanding the employee-employer context of the plantations without considering company women (wives, employees, female children) more rigorously, and I hope to expand the dissertation project in the future to include more to this end.

The role of female laborers, and the policies implemented by companies towards them, is a bit clearer. As a chairman of the Assam Labour Board and Tea Commissioner for India

mentioned in 1918, in regards to famine relief and migration to tea plantations in Assam (more detail given in chapter four), “Many industries, of course, do not employ women and children...I can say from personal experience that the great bulk of the emigrants going to Assam consist of women and children.”<sup>35</sup> It is clear that colonial and business archives are shaped by the narratives that the company executives, high government officials, and heads of leading business organizations wanted to record. These are undoubtedly very different from the perspectives of Indian plantation workers, whose voices went largely unrecorded except for in cases of agitation or social unrest.<sup>36</sup> Even then, the voices and opinions of laborers (when asked for) are mediated through colonial writings—both British terminology and the English language. The historian’s task, then, is made more difficult, as the agency of marginalized workers, one of the core concerns of labor histories, is often limited to significant moments, or repeated instances of resistance such as during strikes, protests, riots, violence, go-slows.<sup>37</sup> Women and children were doubly marginalized, yet not passive—though others attempted to reduce or confine their agency in significant ways.<sup>38</sup> For both women and children, their labor could be signed away by another person: a guardian. According to labour recruitment legislation, women could not go to a plantation without the guardian’s consent—and yet they found ways to do so, indicating the limits of reading certain documents superficially. I would point again to the work of prior

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<sup>35</sup> Indian Tea Association, *Proceedings of the Thirty-Eight Annual General Meeting of Members of the Association* (13<sup>th</sup> March 1919), x. <https://archive.org/details/in.ernet.dli.2015.23129/page/n11/mode/2up>.

<sup>36</sup> Durba Ghosh, “National Narratives and the Politics of Miscegenation: Britain and India,” *Archive Stories: Facts, Fictions and the Writing of History*, ed. Antoinette Burton (Durham: Duke University Press, 2005), 27-44. Durba Ghosh’s archive stories describe the different national and communal narratives concerning the colonial period that shaped how the archive was formed, what was kept and omitted, and for the historian, what is deemed an acceptable topic of research.

<sup>37</sup> Douglas E. Haynes and Gyan Prakash, “Introduction: The Entanglement of Power and Resistance,” in *Contesting Power: Resistance and Everyday Social Relations in South Asia*, eds. Douglas E Haynes and Gyan Prakash (Berkeley: University of California Press, 1992), 1-22. Haynes and Prakash push for a deeper understanding of everyday resistance.

<sup>38</sup> Douglas E. Haynes and Gyan Prakash, “Introduction,” 13.

historians who have attempted to locate the voices of laborers in the interstices of local and colonial archives—where the laborers have been, and remain, outsiders—and to those of the labor diaspora who have attempted to reclaim narratives and terminology for themselves.<sup>39</sup>

### *Terminology*

This section provides a brief overview of the definitions and terminology used in this dissertation.

*Indenture.* Here, “indenture” refers to the system of unfree labor practices used on tea plantations from the mid-nineteenth century until 1917—specifically to a contractual form of legally-enforced labor recruitment that required a number of years or days of work. For example, the indenture contract specified that it constituted a crime, rather than a civil misdemeanor, for laborers to leave their work sites unauthorized, or without fulfilling the terms of their contract. Such actions were thus subject to legal penalty—such as imprisonment or extension of the contract. The indenture system was implemented across British colonies, governing the work regimes of people of many ethnic origins and was significantly linked to transport and migration. However, most scholars of indenture have concentrated on South Asians, notably Indians, who were recruited under the system and shipped to locations as far apart as Fiji in the Pacific, Mauritius in the western Indian Ocean, and regions in the Caribbean—such as Trinidad and British Guiana. Indentured workers were often given advances on arrival which they were expected to repay from wages. This placed them in a debt bondage that required years to pay off; sometimes it was never paid off due to fines imposed by planters for various “offenses”

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<sup>39</sup> See for example, Gaiutra Bahadur, *Coolie Woman: The Odyssey of Indenture* (London: Hurst & Company, 2013).

committed by the laborer on the estate. My engagement with the issue of indenture is limited to the context of South Asian tea plantations, twentieth-century company recruitment patterns, and labor disputes and laws related to tea company policies.

*Companies.* The term “companies” is here used in reference to British tea companies (operating in pound sterling currency) with head offices in cities like London and Glasgow, and that operated within a global network of trade and production. In the case of Finlay, this means the four tea companies that were integrated into the structure of the larger trading firm of Finlay based in Glasgow (explained more in chapter one) and to a lesser extent the companies that they managed on behalf of other Britain-based firms. Company officials and employees were bound by British law in their operations, while the laborers who companies contracted to work on tea plantations were bound by South Asian laws. Employees could contest some aspects of their contract based on anti-compulsion rhetoric in post-abolition law in Britain, but South Asian laborers didn’t have the same rights under colonial law. Labor activism and labor debates during the twentieth century attest to this.

*Laborer.* The term “laborer” is used in this dissertation to refer to workers recruited in India for menial work on Indian and Ceylonese tea plantations. Historically, Europeans and American contemporaries systematically called such workers “coolies”, and the colonial archives refer to these laborers in the same way. I limit my use of that term to quotations from the colonial documents directly. I acknowledge and celebrate the active movement to reclaim the terms “coolie” and “coolitude” in the cultural conversations of those whose ancestors were recruited for, and labored across, work sites of European colonial empires.<sup>40</sup> However, as I am not part of

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<sup>40</sup> Marina Carter and Khal Torabully, *Coolitude: An Anthology of the Indian Labour Diaspora* (London: Anthem, 2002), <http://dx.doi.org/10.7135/UPO9781843313670>; Gaiutra Bahadur, *Coolie Woman: The Odyssey of Indenture* (London: Hurst & Company, 2013).

that global diaspora and because this dissertation examines labor from the limited perspective of business, I therefore refrain from using the term “coolie” except when quoting directly from primary source documents. Nevertheless, I recognize the limitations of my approach, and would point to the work of scholars such as Rana P. Behal, Prabhu Mohapatra, Nitin Varma, Subho Basu, and Jayeeta Sharma for their more comprehensive and nuanced work in regional archives that enhance insight into these laborers’ narratives.<sup>41</sup>

*Employee.* The term “employee” in this project applies, primarily, to European workers employed by tea companies in managerial positions, under binding contracts that were recorded in Britain. One defining element of being an “employee” was the privilege of being named individually in the company records. From the 1930s, South Asian were also increasingly hired as employees and were recorded by name in company records, along with details of their biographical information, contracts, conditions of work, and pay. Such individuals are here also considered to be “employees.” By contrast, such information was seldom recorded for laborers, which has presented yet another obstacle for historians seeking to understand this history.<sup>42</sup>

*Plantation.* The term “plantation” is here used interchangeably with “estate” and “garden”, although in the historiography, these terms sometimes carry different historical connotations. Beatrice Turner (b. 1926), daughter of Arthur Turner (Secretary of the Planters’ Association of Ceylon from 1926–1944), highlights some of the differences in her memoir about growing up on a Ceylon tea estate. She notes how later, at school in Britain, her use of tea *estate* with reference to a Ceylon plantation led to a disagreement with a classmate who referred to the

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<sup>41</sup> Subho Basu, *Does Class Matter?: Colonial Capital and Workers’ Resistance in Bengal, 1890-1937*, SOAS Studies on South Asia Series (Oxford University Press, 2004); Rana P. Behal and Prabhu P. Mohapatra, “‘Tea and money versus human life’: The rise and fall of the indenture system in the Assam tea plantations 1840-1908,” *The Journal of Peasant Studies* 19, no. 3-4 (1992): 142-172; Jayeeta Sharma “‘Lazy’ Natives, Coolie Labour, and the Assam Tea Industry,” *Modern Asian Studies* 43, no. 6 (2009): 1319; Nitin Varma, *Coolies of Capitalism*, 1st ed. (Berlin/Boston: De Gruyter, 2017).

<sup>42</sup> Rana P. Behal, *One Hundred Years*. Behal acknowledges this difficulty within his text.

plantation on which she grew up in Shillong, in northeast India, as a tea *garden*.<sup>43</sup> The term *garden* hints at the agricultural and colonial aspects of “taming” a wild, even primeval landscape, through land clearance and cultivation; estate brings to mind the extensive grounds of the landed aristocracy.<sup>44</sup> However, the archival material seems to indicate much interchangeability with the terms “plantation”, “estate” and “garden” in archival material; I therefore do the same. Regardless of the terminology used, all such areas of land used by major companies to cultivate tea had common features: they were large estates, encompassing many acres, on which hundreds of laborers lived and worked.

There are other, less widely used words that may require definition, which will be done as the dissertation proceeds.

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<sup>43</sup> Beatrice Turner, *Life was Like That: The Anguish of a Colonial-Born Child* (1981), 60. Cambridge University Archives.

<sup>44</sup> There is a large historiography about the role of colonial gardens, botanical transfers, and agricultural development in settler colonialism and empire. Within this context relating to labor and the tea plantations, refer to Jayeeta Sharma, *Empire's Garden: Assam and the Making of India* (Durham: Duke University Press, 2011), 40-43.

## Chapter 1: The Rise of the South Asian Tea Industry, Managing Agencies, and Labor

Though some argue that the practice of boiling tea leaves in water to drink dates back thousands of years, the first clear textual reference to the consumption of tea (*Camellia sinensis*) as a beverage is in 59 BCE, during the Western Han Dynasty in China.<sup>1</sup> It was primarily valued as a medicine until the Tang Dynasty (618-907 CE), and then gained wide popularity as a drink amongst the northern Chinese and people to the west—such as the Uighur people group. Tea was traded along the silk routes into Tibet and across central Asia and further east to Japan and Korea. Tea was most likely introduced to Europe via a Dutch trading vessel in the early seventeenth century.<sup>2</sup> However, following the opening of direct maritime trade between Europe and Canton in 1713, the gradual end of the Little Ice Age (which had caused agricultural and economic disruption), and sustained increases in tea’s agricultural and industrial production, tea became a popular beverage among the wealthier classes of Britain (who called it “tea”). In the nineteenth century mass consumption of tea by the British working class (who tended to call it “cha”) also took off.<sup>3</sup>

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<sup>1</sup> Houyuan Lu, Jianping Zhang, Yimin Yang et al., “Earliest tea as evidence for one branch of the Silk Road across the Tibetan Plateau,” *Scientific Reports* 6.18955 (2016): 1

<sup>2</sup> Maguelonne Toussaint-Samat, *A History of Food* (2<sup>nd</sup> edition) (Chichester: Wiley-Blackwell, 2009), 536; Solomon Bard, “Tea and Opium” *Journal of the Hong Kong Branch of the Royal Asiatic Society* 40 (2000): 3.

<sup>3</sup> Timothy J. Bond, “The Origins of Tea, Coffee and Cocoa as Beverages” in *Teas, Cocoa and Coffee: Plant Secondary Metabolites and Health*, eds. Alan Crozier, Hiroshi Ashihara, and Francisco Tomás-Barbérán (Chichester, West Sussex: Wiley-Blackwell, 2012), 9; Chris Nierstrasz, “The Popularization of Tea: East India Companies, Private Traders, Smugglers and the Consumption of Tea in Western Europe, 1700–1760” in *Goods from the East, 1600–1800. Trading Eurasia*, eds. Maxine Berg, Felicia Gottman, Hanna Hodacs and Chris Nierstrasz (London: Palgrave Macmillan, 2015), 263-76; Chris Nierstrasz *Rivalry for Trade in Tea and Textiles: The English and Dutch East India companies (1700–1800)* (London: Palgrave Macmillan, 2015).

Until the mid-nineteenth century, Europe obtained its tea from China. The East India Company (EIC), founded in 1600, was granted by English government charter a monopoly on trade with the East for Britain, and thus, a monopoly on Chinese tea. However, it faced competition from other European monopoly companies, such as the Dutch East India Company (*Vereenigde Nederlandsche Oost Indische Compagnie*, or VOC), and private interlopers; Scotland, for example, also received tea from continental Europe through northern European trade networks.<sup>4</sup> Indeed, the attempt by London's parliament, through the Tea Act of 1773, to extend the EIC monopoly to supply tea to its American colonies led, on 16 December 1773, to the Boston Tea Party. Aggrieved colonists emptied tea from visiting British ships into the Boston harbor, thus helping to foment unrest that resulted in the American colonies' independence from Britain.<sup>5</sup> Nevertheless, until the mid-nineteenth century, the bulk of tea shipped to Europe went via the British Isles.<sup>6</sup> Tea became a common beverage that both wealthy and working-class British families consumed.

The rise in consumption in Britain inadvertently led to the rise of the tea industry in South Asia. This chapter provides a contextual overview of that history. It depicts the development of the significant tea-producing regions of South Asia and the communication and transport networks that were necessary for the sale of tea and for the proliferation of the tea trade across the British empire. By the late nineteenth century, the business of tea involved the use of

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<sup>4</sup> K.N. Chaudhuri, *The Trading World of Asia and the English East India Company: 1660-1760* (Cambridge: Cambridge University Press, 2006), 391-395; Chris Nierstrasz, "The Popularization of Tea," 268; Andrew Mackillop, "A North Europe World of Tea: Scotland and the Tea Trade, c. 1690—c. 1790" in *Goods from the East, 1600–1800: Trading Eurasia*, eds. Maxine Berg, Felicia Gottmann, Hanna Hodacs, and Chris Nierstrasz (London: Palgrave Macmillan UK, 2015), 294–308.

<sup>5</sup> Chris Nierstrasz, *Rivalry for Trade in Tea and Textiles*, 100–105.

<sup>6</sup> D. R. MacGregor, "Some Early British Tea-Clippers" *Mariner's Mirror* 34.2 (1948), 67; Liam Drew, "The growth of Tea" *Nature* 566, no. 7742 (2019); Timothy J. Bond, "The Origins of Tea, Coffee and Cocoa as Beverages" in *Teas, Cocoa and Coffee: Plant Secondary Metabolites and Health*, eds. Alan Crozier, Hiroshi Ashihara, and Francisco Tomás-Barbérán (Chichester, West Sussex: Wiley-Blackwell, 2012), 21. This was excepting the transport of tea to Russia.



managing agencies (who managed tea interests on behalf of investors in Britain)—like that of the Scottish firm, Finlay. It also involved the recruitment and management of laborers on the large cash crop sites that developed as tea began to be cultivated on large-scale plantations. Overall, this chapter provides the nineteenth-century framework necessary to explore the twentieth-century context discussed in the remaining chapters of the dissertation.

### *The Emergence of the South Asian Tea Industry*

The history of the large-scale tea industry in South Asia begins with the demise of the trading monopoly of the East India Company in the early nineteenth century. Other British trading enterprises wanted to engage in private trade with the east and petitioned Parliament to remove the EIC's trading monopolies. Importantly, Kirkman Finlay (1773–1842), son of the founder of James Finlay & Co., James Finlay (1727–1790), was a Member of Parliament and was instrumental in advocating for the end of the EIC's monopoly on trade in the east, so that James Finlay & Co. could enter the trade.<sup>7</sup> In 1813, the British parliament made the EIC a purely administrative body of British rule on the shores of India (where it had been operating for years), and ended its commercial monopoly—except for the opium and tea trade with China which continued up to 1833. The trade in tea had led to incredible expenses for the EIC; they began to use opium grown in India as a commodity for export to China so as to diminish its expenses paid in silver. This led to the so-called Opium Wars, as the Chinese government sought to limit the opium dependency of its subjects by stemming the trade.<sup>8</sup>

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<sup>7</sup> Duncan Gilmour "Tea-volution" *Tea/Opinion* (14 April 2020) Accessed July 20, 2021. <https://www.finlays.net/tea/tea-volution/>; Roger Jeffery, "Merchant Capital and the End of Empire: James Finlay, Merchant Adventurers" *Economic and Political Weekly* 17, no. 7 (1982): 241.

<sup>8</sup> Solomon Bard, "Tea and Opium" *Journal of the Hong Kong Branch of the Royal Asiatic Society* 40 (2000), 1-19.

From 1813, the EIC further sought to diminish its reliance on China while retaining power in the illustrious tea trade, and looked for alternative sources of tea within its South Asian territories—first cultivating tea within botanical gardens in Calcutta and government tea nurseries.<sup>9</sup> Assam, in the north-east of India was one of the first regions considered for the creation of tea nurseries and plantations when districts of it came under British control in 1826; it was fully annexed in 1838. Assam is situated in the Himalayan foothills, lies in the monsoon zone and generally receives heavy rainfall during the South-west monsoon from June to September. Assam emerged as the first, and largest, British tea-planting region in South Asia, largely due to its geographical location and presence of native tea plants.

Scottish brothers and soldiers Robert (1789-1824) and Charles Bruce (1793-1871) are credited with being the first British men to learn about the indigenous Assamese tea plant. In 1823, Robert learned from chief Bessa Guam of the Singpho people of the Ahom Kingdom in Upper Assam, of the existence of an indigenous tea that his people harvested and consumed.<sup>10</sup> The Assam tea (*Camellia sinensis* var. *Assamica*) was different than the Chinese variety (*Camellia sinensis* var. *sinensis*) with larger leaves and an optimum growth temperature of 18 - 30°C.<sup>11</sup> Because the plant had larger leaves than the Chinese tea with which he was familiar, Robert was unsure whether it was a genuine tea. Robert Bruce died the following year, but his brother, Charles Alexander Bruce (1793-1871), was in 1835 charged by the British East India

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<sup>9</sup> Adrian P. Thomas, "The Establishment of Calcutta Botanic Garden: Plant Transfer, Science and the East India Company, 1786-1806," *Journal of the Royal Asiatic Society* 16, no. 2 (2006): 165–77; J. Forbes Royle, "Report on the Progress of the Culture of the China Tea Plant in the Himalayas, from 1835 to 1847," *The Journal of the Royal Asiatic Society of Great Britain and Ireland* 12 (1850): 142.

<sup>10</sup> Erika Rappaport *A Thirst for Empire: How Tea Shaped the Modern World* (Princeton: Princeton University Press, 2018), 88, 99–102.

<sup>11</sup> J.M.A. Duncan, S.D. Saikia, N. Gupta, and E.M. Biggs, "Observing climate impacts on tea yield in Assam, India" *Applied Geography* 77 (2016), 64-71; Anjan Hazra et. al. "Insight to the Ancestral Relations and Varietal Diversity of Indian Tea [*Camellia Sinensis* (L.) Kuntze] through Plastid and Nuclear Phylogenetic Markers" *Genetic Resources and Crop Evolution* 68, no. 2 (2021): 773–83.

Company to start tea plantations in Assam, and in 1838 successfully marketed the product in London.<sup>12</sup>

Hostilities in China, the first opium war, from 1839 greatly increased British interest in the prospects of Indian tea—especially after Assam tea had been favorably received in London.<sup>13</sup> Consequently, the EIC offered extended leases of land at remarkably low prices to British investors who wished to lease 100 acres or more to produce tea in Assam.<sup>14</sup> The Assam Company, a joint-stock company comprising London- and Calcutta-based merchants was the first to take advantage of the opportunity. Other buyers, resident in Britain, speculatively purchased un-surveyed tracts of land, sight unseen; many resold the tracts of land at exorbitant prices. This speculation sparked off a “tea mania” that lasted until the mid-1860s, when the speculative bubble burst, prices collapsed, and many small investors were ruined.<sup>15</sup> Nevertheless, by 1869, almost £1 million worth of Indian tea was exported to Europe, representing close to 2 per cent of the combined value of Indian exports.<sup>16</sup> Tea began to be mass produced in South Asia, and tea companies cultivated markets in Europe and North America, selling low- to high-grade quality teas and blends.

The financial speculation and collapse of the 1860s laid the foundation for the growth of companies in the tea industry as opposed to private proprietors.<sup>17</sup> Larger agencies and businesses that already had significant presence and connections in major cities like Calcutta and Bombay,

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<sup>12</sup> Jayeeta Sharma, *Empire's Garden: Assam and the Making of India* (Durham: Duke University Press, 2011), 31–32.

<sup>13</sup> Erika Rappaport, *A Thirst for Empire*, 89.

<sup>14</sup> Jayeeta Sharma, *Empire's Garden*, 34.

<sup>15</sup> Andrew B Liu, *Tea War: A History of Capitalism in China and India* (New Haven: Yale University Press, 2020), 121.

<sup>16</sup> Michael Aldous, “Avoiding negligence and profusion: the failure of the joint-stock form in the Anglo-Indian tea trade, 1840–1870” *Enterprise & Society* 16, no. 3 (2015), 654.

<sup>17</sup> Andrew B Liu, *Tea War: A History of Capitalism in China and India* (New Haven: Yale University Press, 2020), 120–122.

took advantage of the collapse to cheaply buy vast tracts of potentially productive terrain from bankrupt investors. Some agencies had lent money to speculative tea companies prior to 1860, and as the companies went bankrupt, the agencies acquired ownership of their assets—the companies and their acres of land.<sup>18</sup> For these large agencies and businesses, tea was only one of their investments; they usually had security in the form of other trade investments in Asia. They used their trusted names and established reputations to acquire the management of land for other companies or to secure investors to buy land themselves.<sup>19</sup> Consequently, under the managing agency system, tea cultivation expanded greatly from the 1880s, though the tea industry was hit by a recession from 1897.<sup>20</sup>

#### *Finlay-Managing Agents and Tea Companies*

The difficulties of communication (both between Britain and India, and within India itself), the capital requirements of establishing and maintaining a tea business in South Asia, and the complexities of managing the labor required, made it vital that Britain-based investors had someone in the region they could trust to run their South Asian affairs. British investors formed joint-stock companies and then turned to managing agents, in the big cities of South Asia, to make decisions on behalf of their company. These agents often were representatives of established trading companies who had extensive expertise in India or Ceylon.<sup>21</sup> New agents formed partnerships, sharing all profits between a small number of (often) related people.

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<sup>18</sup> Maria Misra, *Business, Race, and Politics in British India, C.1850-1960*. Oxford Historical Monographs. (Oxford: Clarendon Press, 1999), 21–24.

<sup>19</sup> Geoffrey Jones, *Merchants to multinationals: British trading companies in the nineteenth and twentieth centuries* (Oxford: Oxford University Press, 2009).

<sup>20</sup> John F. Gruning, *Jalpaiguri District Gazetteers* (Allahabad: Pioneer Press, 1911), 103–5.

<sup>21</sup> Michael Aldous, “Avoiding negligence and profusion,” 657.

The managing agencies combined the features of two recognizable business structures: the partnership (in which business profits/losses were usually divided between the partners) and joint-stock concerns (wherein company ownership or stock is divided into shares that can be bought or sold by shareholders).<sup>22</sup> The agents in the large cities of South Asia were often partnerships and they wielded immense influence in their control of a significant number of joint-stock companies who wanted their expertise.<sup>23</sup> This form of management became very popular in tea, especially after the failures of the ‘tea mania’ period of the 1850s and 1860s. By 1868, almost two-thirds of established tea companies had managing agents.<sup>24</sup> In the late 1800s, some of the larger agencies expanded vertically, managing everything from the preparation of the plantations to the marketing of tea.

The decision-making power of the managing agents was protected from shareholders through long-term legal contracts with the directors of the joint-stock companies.<sup>25</sup> These contracts guaranteed payment (set rates, a percentage of profits, and a commission on sales and company purchases) for their management expertise, investments and in-country connections. Agencies could maintain their influence with the board of directors by keeping one of its partners as the chairman of the company’s board of directors. They could also retain control in a number of other ways—including proxy votes and purchasing shares (and holding control stock).<sup>26</sup> This arrangement angered some shareholders of companies thus managed as, unlike shareholders, the

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<sup>22</sup> Michael Aldous, “Avoiding negligence and profusion.”

<sup>23</sup> Maria Misra, *Business, race, and politics in British India*, 6.

<sup>24</sup> Michael Aldous, “Avoiding negligence and profusion,” 658.

<sup>25</sup> Maria Misra, *Business, Race, and Politics in British India*, 23, 25.

<sup>26</sup> Maria Misra, *Business, race, and politics in British India*, 70.

agents gained financially whether or not the company turned a profit.<sup>27</sup> Decisions made, therefore, posed little risk for agents.

As their influence expanded, managing agents accumulated companies under their control and formed them into a network—though that wasn't without issue. Agents sometimes managed companies in the same industry because of expected expertise. However, shareholders found this problematic as company differences could be exploited to the agents', but not necessarily the shareholders', advantage. Agencies also managed companies in different industries which could provide support to each other at different stages of the supply chain (e.g.- warehousing businesses and shipping businesses). Agents also created tax-exempt joint reserves that they used to support companies that were undergoing financial difficulty—in part, so that those companies had enough to pay managing fees.<sup>28</sup> The tax exemption on these reserves was removed in 1918 and the presence of 'hidden reserves' made illegal in 1937, but prior to these dates these reserves had also served as a secure source of potential investment funding. Many agents were able to accumulate considerable wealth, as their investments were secured.

The influence of these managing agents lasted late into the twentieth century, though the British Indian government sought to curb that influence from the 1930s onwards because their economic power extended into politics. These agents attempted to hold onto their power, through

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<sup>27</sup> "Smyth v. Muir". (Date unclear) Finlay's magazine Historical File II General Information UGD 91/1/9/2/10; "Smyth v. Muir and others" Scottish Court of Session Decisions, <https://www.bailii.org/scot/cases/ScotCS/1891/29SLR0094.html>. A shareholder of the North Sylhet and South Sylhet Tea Companies (Bengal and Assam-based companies that later became part of Finlay's Consolidated Tea & Lands Co. Ltd. group of plantations) brought the partners of James Finlay & Co. and Messrs. P.R. Buchanan & Co. to court over the former's purchase of the latter's tea plantations—a cost that the Sylhet tea companies were made to pay: "The pursuer contends that the directors were bound to act only in the interests of the companies, and were not entitled to purchase any property without full knowledge of its value, and without independent valuation, and were specially not entitled to enter into any such transaction for the purpose of benefiting any particular directors or firm of which they were partners." For more on transition from Sylhet companies to Consolidated Tea & Lands Co. see UGBA UGD 91/1/3/1/1, 8.

<sup>28</sup> Maria Misra, *Business, race, and politics in British India*, 69, 73–74.

racially-motivated, moral arguments based on “character,” in the face of political changes and government calls for the “Indianization” of executive roles in management companies. They used ideas centered around necessary freedoms, Europeaness and prestige for the continuation of their business interests in the region.<sup>29</sup> The inability of many of these managing agencies to adapt to the changing nature of business in a drastically reforming political and social economy made the system extreme susceptible to devolution. Though it lasted for decades more, the power of the managing agency was greatly reduced by the Companies Act of 1956 and outlawed completely by 1970.<sup>30</sup>

A leader amongst the managing agencies from the late nineteenth century was the Scottish firm, James Finlay & Co. (hereafter referred to as Finlay). Finlay, which forms a major case study for this dissertation, was originally established as a trading company in Glasgow in 1750 by James Finlay (1727-1790), and had interests in cotton, jute, warehousing and shipping.<sup>31</sup> The company opened a branch in Calcutta in 1870 and in Colombo (Ceylon) in 1893. The company’s Indian branch (Finlay, Muir & Co.) oversaw their business interests in the east and was a legal partnership that acted as a managing agency for several joint-stock companies, while, at the same time operating its own concerns.

Finlay expanded rapidly in the 1880s—adding hemp, tobacco, rape-seed, linseed, saltpetre, sugar, poppy seed, castor oil, shellac, hides, indigo, and ginger to its trading

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<sup>29</sup> Maria Misra, *Business, race, and politics in British India*, 7–8, 10.

<sup>30</sup> Maria Misra, *Business, race, and politics in British India*, 188–190.

<sup>31</sup> *James Finlay & Company Limited: Manufacturers and East India Merchants, 1750-1950* (Glasgow: Jackson Son & Company, 1951); James Finlay & Co Ltd (textile manufacturers, tea planters and merchants: 1909-c1990s: Glasgow, Scotland), Records of James Finlay & Co Ltd, textile manufacturers, tea planters and merchants, Glasgow, Scotland, 1789-2010. University of Glasgow Archive Services. GB 248 UGD 091/1.

inventory.<sup>32</sup> It invested in tea plantations and managed them for other companies, as well.<sup>33</sup>

Finlay invested some £5 million in tea estates in South Asia where, by 1901, it possessed 270,000 acres of land—approximately 77,000 acres of which were planted with tea—and had a 70,000-strong South Asian labor force that worked on the plantations of its own four regional tea companies.<sup>34</sup> Finlay, Muir, & Co. oversaw the four tea companies in South Asia known as the Finlay Group. Three of these were founded in 1896, namely Consolidated Tea & Lands Co. of Edinburgh, Amalgamated Tea Estates Co. of Glasgow, Kanan Devan Hills Produce Co. of Glasgow, and the fourth, the Anglo-American Direct Tea Trading Co. of Edinburgh, in 1898—and were the largest tea companies at the turn of the century.<sup>35</sup> These four tea companies held many extensive plantations across northern India, southern India, and Ceylon, acquiring the management of tea plantations through partnerships, familial connections, and sometimes questionable means (including acquisition through company defaults on loans).

Other, absentee, British trading companies hired FMC to act as managing agents for their investments in the region. For example, in 1879, FMC became the Calcutta representatives of the C. W. Cayzer & Co. steamship lines that established services to India via Suez, and which in

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<sup>32</sup> “Administrative/Biographical History” *Records of Finlay, Muir & Co, Calcutta, Archives Hub: Glasgow University Archive Services GB 248 UGD 091/11*. Accessed July 19, 2021. <https://archiveshub.jisc.ac.uk/glaas/archives/06028a6a-646c-3b74-bb76-5634796c42fc?terms=%22Finlay%2C%20Muir%20%26%20Co%20Ltd%22>

<sup>33</sup> Roger Jeffery, “Merchant Capital and the End of Empire: James Finlay, Merchant Adventurers,” *Economic and Political Weekly* 17, no. 7 (1982): 241-48; *James Finlay & Company Limited: Manufacturers and East India Merchants, 1750-1950* (Glasgow: Jackson Son & Company, 1951); James Finlay & Co Ltd (textile manufacturers, tea planters and merchants: 1909-c1990s: Glasgow, Scotland), Records of James Finlay & Co Ltd, textile manufacturers, tea planters and merchants, Glasgow, Scotland, 1789-2010. UGBA GB 248 UGD 091/1.

<sup>34</sup> “A few dates, facts and figures in the history of James Finlay & Co., Limited.” Finlay’s magazine Historical File II General Information UGBA UGD 91/1/9/2/10; Andrew B Liu, *Tea War: A History of Capitalism in China and India* (New Haven: Yale University Press, 2020), 120.

<sup>35</sup> Roger Jeffery, “Merchant Capital and the End of Empire: James Finlay, Merchant Adventurers” *Economic and Political Weekly* 17, no. 7 (1982), 241–3 and 245–8.



1881 became the Clan Line.<sup>36</sup> By 1881, FMC held agency for 16 companies.<sup>37</sup> In 1892, FMC also became the Calcutta agents for the Bengal Dooars Railway Co., founded in 1891 to service an important group of tea plantations in the Duars (also spelled Dwars or Dooars) on the Bhutan border.<sup>38</sup> Once Finlay entered the tea industry, the managed companies of the Finlay Group were an integrated network of multiple interests which served to support tea production, transport, storage, and retail.<sup>39</sup>

In concert with the Finlay board in Glasgow, FMC managing agents, located in the main provincial centres such as Calcutta and Bombay, decided which companies in South Asia they would acquire, or agree to manage as agents or corporate secretaries.<sup>40</sup> An example of this agency in practice is as follows. In 1913, FMC were agents for the Mahawale Tea & Rubber Co. Limited; Palmadulla Rubber Company, Limited; Opata Tea & Rubber Company Limited; and Beranawa Estate. Agency fees for these companies included percentages like 1-2.5% on stores and 1-1.5% on sales. In addition, the handling charges for each company ranged from 20-25 cts per 100lbs of tea, and 2.5 cts per lb of rubber.<sup>41</sup> By the early twentieth century, Finlay had purchased many regional tea companies and plantations, consolidated them, and floated them on

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<sup>36</sup> “Administrative/ Biographical History” Records of Finlay, Muir & Co, Calcutta, *Archives Hub: Glasgow University Archive Services* GB 248 UGD 091/11. Accessed July 19, 2021. <https://archiveshub.jisc.ac.uk/search/archives/06028a6a-646c-3b74-bb76-5634796c42fc>

<sup>37</sup> Duncan Gilmour “Tea-volution” *Tea/Opinion* (14 April 2020) Accessed July 20, 2021. <https://www.finlays.net/tea/tea-volution/>

<sup>38</sup> “Administrative/ Biographical History” Records of Finlay, Muir & Co, Calcutta, *Archives Hub: Glasgow University Archive Services* GB 248 UGD 091/11. Accessed July 19, 2021. <https://archiveshub.jisc.ac.uk/search/archives/06028a6a-646c-3b74-bb76-5634796c42fc>

<sup>39</sup> Geoffrey Jones, *Merchants to multinationals: British trading companies in the nineteenth and twentieth centuries* (Indonesia: Oxford University Press, 2000), 172–191.

<sup>40</sup> From my understanding of the secretary role, this would involve providing legal and investment advice to the board of directors of companies, making sure the company was compliant with laws, keeping company records, and attending to other management concerns related to contracts, shareholders, and dividends.

<sup>41</sup> “Memo showing Agency Fees and Handling Charges payable by Companies for which James Finlay & Co. Limited, Colombo act as Agents” (Colombo: 12<sup>th</sup> June 1913), 54. UGBA UGD 091/1/3/1/2.

the market. During the interwar period, they controlled nearly 13 percent of the acreage under tea in India.<sup>42</sup>

In 1909, FMC became a limited liability company (LLC) and started again to use the name James Finlay & Co. The change to LLC positioned it to respond well to both local pressure for Indian representation within the executive ranks of the companies (though this didn't happen immediately), as well as the ability to raise capital from shareholders in financially difficult times. However, the transition to LLC also seemed to mean relinquishment of some of the control that they carried as they were brought under wider company management and further integrated into the Finlay company structure.<sup>43</sup> This meant that the Finlay agents acted as intermediaries between the managers and assistants on the estates and the board back in Glasgow.

Finlay agents built international connections through which they facilitated the transport and storage of materials abroad and the expansion of markets for the products produced on the plantation, but they also helped with the management of the tea plantations. They sent inspectors and assigned employees (managers and assistants) to the tea estates and helped to recruit and place plantation laborers. They were largely responsible, albeit often in concert with the board in Glasgow, for authorizing European employees to leave estates, for the payment of salary increases and bonuses, and for ensuring employee compliance with company policy. The employees of the Finlay companies that were hired to work on the tea estates themselves, were in managerial positions and implemented company policy while overseeing the work of South Asian laborers. Because of this structure and the vastness of their companies, Finlay had

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<sup>42</sup> Roger Jeffery, "Merchant Capital and the End of Empire: James Finlay, Merchant Adventurers" *Economic and Political Weekly* 17.7 (1982), 243.

<sup>43</sup> Maria Misra, *Business, race, and politics in British India, c. 1850-1960*. (Oxford: Oxford University Press, 1999), 75

extensive influence on the development of policy in the tea industry across its regions of significant presence: Assam, Cachar, Madras, Kerala (Munnar/Travancore), and Ceylon.<sup>44</sup> That influence on industry standards will be discussed in the subsequent chapters of this dissertation.

### *Geography, Communications and Transport*

As the tea industry grew from the 1860s onwards, with company influence, the regions in which the tea plantations were located, also expanded. Originally starting in Assam and expanding to Bengal, before moving to the south of India and Ceylon, the tea industry blossomed—and rather quickly. One of the largest concerns with the expansion of the tea industry was the plantations’ inaccessibility, which required new methods of transport and the building of necessary infrastructure for those communication and transport networks. This was especially the case for the transport of laborers to the plantations, which will be discussed at the end of this chapter.

The principal tea-producing areas of the northeast of India were in the Assam Valley and the Surma Valley, but also stretched east to Cachar, south to Tripura and in northwest Bengal to Darjeeling, the Duars, and Terai. Of these, Darjeeling tea from the high hills bordering Sikkim at altitude between 300 and 1800 metres, acquired a good reputation for a luxury tea. By 1866, Darjeeling had 39 tea gardens in the region, amassing 10,000 acres.<sup>45</sup> Seven districts in the Assam Valley from the late nineteenth century were notable for their tea, as well: Darrang,

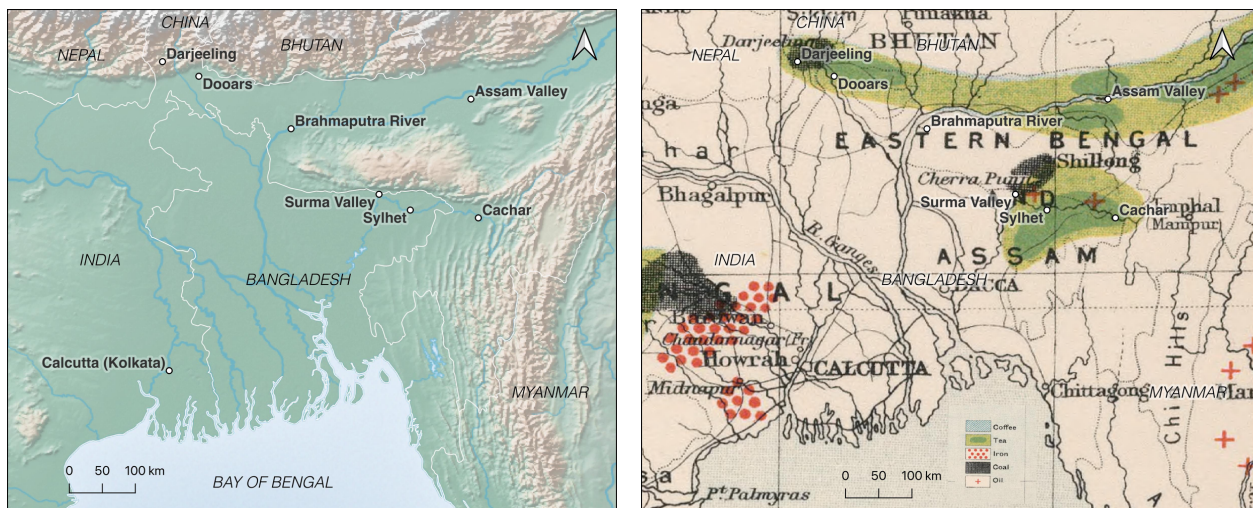
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<sup>44</sup> Roger Jeffery, “Merchant Capital and the End of Empire: James Finlay, Merchant Adventurers” *Economic and Political Weekly* 17.7 (1982), 243, 246.

<sup>45</sup> Sarah Besky, *The Darjeeling Distinction: Labor and Justice on Fair-Trade Tea Plantations in India* (Berkeley: University of California Press, 2013), 26, 83.

Goalpara, Kamrup, Lakhimpur, Dibrugarh, Nowgong and Sibsagar.<sup>46</sup> They lie in a lowland valley through which the braided Brahmaputra river flows slowly from the Himalayas to the Bay of Bengal. In Assam, the total acreage of tea estates grew from 93,802 in 1881 to 204,682 in 1901-02, representing a significant growth in investment.<sup>47</sup> Tea plantations in Assam, were often remotely situated and large—forming enclaves reminiscent of company towns.

Map 3: Northeastern Region with tea planting areas<sup>48</sup>



Tea production in South India was concentrated on western slopes of the Cardamom, Anaimali and Nilgiri Hills (Munnar and Travancore) of the Western Ghat mountain range.<sup>49</sup> The weather systems over southern India ensured South Indian estates, at elevation, the possibility of

<sup>46</sup> Amalendu Guha, “A Big Push Without a Take-off: A Case-Study of Assam, 1871-1901” *Indian Economic & Social History Review* 3 (1968), 199; D.V. Rege, *Report on an enquiry into conditions of labour in plantations in India: Main Report* Labour Investigation Committee (Delhi: Manager of Publications, 1946), 12. British Library IOL V1680.

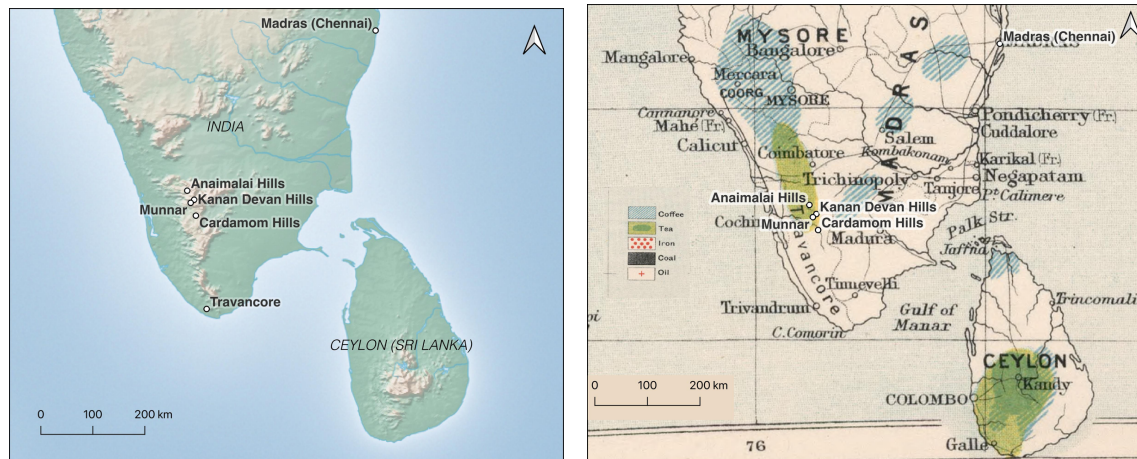
<sup>47</sup> Amalendu Guha, “A Big Push Without a Take-off: A Case-Study of Assam, 1871-1901” *Indian Economic & Social History Review* 3 (1968), 203.

<sup>48</sup> Sabrina Szeto, “Northeastern region map” (July 19, 2021). Made with Natural Earth. Free vector and raster map data @ [naturalearthdata.com](https://www.naturalearthdata.com); This work Sabrina Szeto, “Northeastern Regional Industrial Map of South Asia (1907)” made for this dissertation is a derivative of J.G. Bartholomew *Agricultural. India*, 1907, David Rumsey Map Collection, David Rumsey Map Center, Stanford Libraries, Accessed July 12, 2020. <https://www.davidrumsey.com/luna/servlet/detail/RUMSEY~8~1~248989~5516382:Agricultural--India-?qvq=w4s:/where%2FIndia%2Fwhen%2F1907%2F;lc:RUMSEY~8~1&mi=3&trs=4>. The original and derivative map is used under CC BY-NC-SA 3.0.

<sup>49</sup> Glenn T. Trewartha, “The Tea Crop” *Journal of Geography* 28, no. 1(1929): 5–6.

all-year-round picking, putting the region at a distinct advantage over the regions of northern India.<sup>50</sup>

Map 4: Southern India Tea Planting Regions<sup>51</sup>



In Ceylon, tea production started about 1870 after the fungus *Hemileia vastatrix*, which caused leaf rust, devastated the island's coffee industry from 1869.<sup>52</sup> Ceylon planters developed extensive tea gardens with the nineteenth-century coffee plantations as the model for production and labor.<sup>53</sup> Tea cultivation was concentrated in the elevated regions of the south-central part of the island (Kandy, Uva, Dimbula, Nuwara Eliya), and tea was transported down to the port via rail and boat for shipping through Colombo.<sup>54</sup> As in India, the monsoons play the most critical

<sup>50</sup> Glenn T. Trewartha, "The Tea Crop" *Journal of Geography* 28, no. 1(1929): 7.

<sup>51</sup> Sabrina Szeto, "Southern India region map" (July 19, 2021). Made with Natural Earth. Free vector and raster map data @ [naturalearthdata.com](https://www.naturalearthdata.com); This work Sabrina Szeto, "Southern India Regional Industrial Map of South Asia (1907)" made for this dissertation is a derivative of J.G. Bartholomew *Agricultural. India, 1907*, David Rumsey Map Collection, David Rumsey Map Center, Stanford Libraries, Accessed July 12, 2021. <https://www.davidrumsey.com/luna/servlet/detail/RUMSEY~8~1~248989~5516382:Agricultural--India-?qvq=w4s:/where%2FIndia%2Fwhen%2F1907%2F;lc:RUMSEY~8~1&mi=3&trs=4>.

<sup>52</sup> Pedro Talhinas et al., "The coffee leaf rust pathogen *Hemileia vastatrix*: one and a half centuries around the tropics" *Molecular Plant Pathology* 18, no. 8 (2017): 1039–1051.

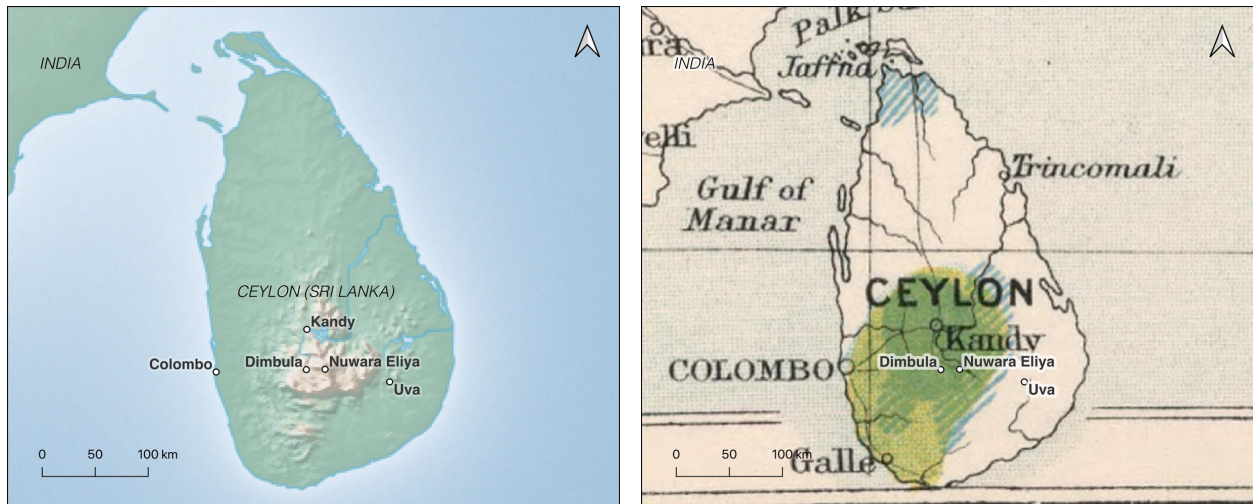
<sup>53</sup> The growth of large-scale tea plantations in Ceylon, is often attributed to James Taylor's early cultivation of tea alongside coffee prior to the coffee blight devastation. For more info on the development of the tea industry in Ceylon, read D. M. Forrest *A Hundred Years of Ceylon Tea: 1867-1967* (London: Chatto & Windus, 1967).

<sup>54</sup> Glenn T. Trewartha, "The Tea Crop" *Journal of Geography* 28, no. 1(1929): 6, 13.



role in precipitation, with most tea growing regions depending on the south-west monsoon between May and September.

Map 5: Ceylon Tea Planting Regions<sup>55</sup>



In the early 1820s, the trip by East India Company sailing ship from Britain to Bengal took an average of 125 days, and non-company ships around 153 days.<sup>56</sup> In 1832, the fastest time from London to Madras was 83 days and from London to Calcutta 98 days.<sup>57</sup> However, communication cycles between company agents in India and those in London took much longer; duplicates of letters were sent via ships and also on overland routes to ensure that important

<sup>55</sup> Sabrina Szeto, “Ceylon region map” (July 19, 2021) Made with Natural Earth. Free vector and raster map data @ [naturalearthdata.com](https://naturalearthdata.com); This work Sabrina Szeto, “Ceylon Regional Industrial Map of South Asia (1907)”, made for this dissertation is a derivative of J.G. Bartholomew, *Agricultural. India*, 1907, David Rumsey Map Collection, David Rumsey Map Center, Stanford Libraries. Accessed July 12, 2021. <https://www.davidrumsey.com/luna/servlet/detail/RUMSEY~8~1~248989~5516382:Agricultural--India-?qvq=w4s:/where%2FIndia%2Fwhen%2F1907%2F;lc:RUMSEY~8~1&mi=3&trs=4>.

<sup>56</sup> Peter M. Solar, “Opening to the East: Shipping Between Europe and Asia, 1770–1830” *Journal of Economic History* 73, no. 3 (2013): 637.

<sup>57</sup> Seija-Riitta Laakso, *Across the Oceans Development of Overseas Business Information Transmission, 1815-1875* (Helsinki: Helsinki University Printing House, 2016), 320.

messages reached the recipient.<sup>58</sup> Tea clippers in the 1860s and 1870s increased the speed of communications between company officials and the speed of cargo transport. The opening of the Suez Canal in 1869 led to the more regular use of steamships, which could navigate the canal more easily than sailing vessels, and also to the opening of a telegraph line connecting Calcutta and Bombay to London via Aden and Suez.<sup>59</sup> The canal also led to speedier voyages eliminating thousands of miles of travel. However, the triumph of steam over sailing ships was not assured until the end of the century; sailing ships remained highly competitive, carrying much of the traffic to the Bay of Bengal, the East Indies and Australia.<sup>60</sup>

Difficulties in transport and communications were not limited to the connections between South Asia and Britain—but also concerned communications within South Asia. For example, a telegraph network, started in Calcutta in 1850, gradually extended across India. It was hindered by its expense and, initially, by EIC bureaucracy, but its importance was realized during the 1857 Indian Rebellion.<sup>61</sup> The telegraph was gradually extended into more remote regions, but in the tea-producing areas, the major improvement was from the 1880s. Telegraph signaling offices in Assam increased from 10 in 1870-74 to 114 in 1897-98.<sup>62</sup>

Movement of freight and passengers to and from the tea plantations was highly problematic given that the plantations were overwhelmingly in remote hilly and generally forested regions, particularly inaccessible in the monsoon season. That was certainly the case with Assam, the first major tea-producing region of India. It was initially easiest to access by

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<sup>58</sup> Seija-Riitta Laakso, *Across the Oceans*, 331. This book gives an account of the changes in communication routes and transport from the EIC until the 1870s.

<sup>59</sup> Seija-Riitta Laakso, *Across the Oceans*, 393.

<sup>60</sup> Gerald S. Graham, "The Ascendancy of the Sailing Ship 1850-85" *Economic History Review* 9, no. 1 (1956), 74-88.

<sup>61</sup> Mel Gorman, "Sir William O'Shaughnessy, Lord Dalhousie, and the Establishment of the Telegraph System in India" *Technology and Culture* 12, no. 4 (1971): 598-599.

<sup>62</sup> Amalendu Guha, "A Big Push Without a Take-off: A Case-Study of Assam, 1871-1901" *Indian Economic & Social History Review* 3 (1968), 204.

river and in 1847 a private steamer service started on the Brahmaputra river, shipping chiefly tea, rubber, gum and silk downstream from Assam, and rice, salt, cloth, plantation stores, and indentured labor upstream.<sup>63</sup> In Assam, the first tea estates were generally far not only from Calcutta, the major export centre, but even from each other. Company inspectors supervising a number of gardens, carved out of the forest, were obliged to spend considerable time in arduous travel, by boat or canoe along interior waterways, or along tracks on elephant back (Appendix 3, Image 1).

The insufficient number of local labor populations willing to work on the tea plantations led to the development of transport networks to bring labor in from distant regions. This proved difficult and costly. For example, Bengali labor recruited for the Assam tea plantations had to be sent long distances upriver by boat.<sup>64</sup> Yet, the times and places where the rivers were navigable limited some of the transport to overland routes—which initially comprised rugged tracks or roads. In the 1860s, the Bengal Public Works Department started to build roads in Assam,<sup>65</sup> but much of the region was still inaccessible and relied on ox carts on rugged trails. Monsoon rains turned these trails to mud, making them nearly impassable.<sup>66</sup>

Some improvement occurred from the 1880s with pebbled roads.<sup>67</sup> However, the major impetus to transport came with railways. Up to 1900, tea from Brahmaputra Valley estates was transported by narrow-gauge rail to steamship locations such as Dibrugarh and from Dibrugarh some 1,600 km by river to Calcutta. Until after the Second World War, districts to the north of

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<sup>63</sup> Amalendu Guha, “A Big Push Without a Take-off: A Case-Study of Assam, 1871-1901” *Indian Economic & Social History Review* 3 (1968), 201.

<sup>64</sup> Rana P. Behal, “Coolie Drivers or Benevolent Paternalists? British Tea Planters in Assam and the Indenture Labour System.” *Modern Asian Studies* 44, no. 1 (2010), 33–4.

<sup>65</sup> Amalendu Guha, “A Big Push Without a Take-off: A Case-Study of Assam, 1871-1901” *Indian Economic & Social History Review* 3 (1968), 201.

<sup>66</sup> Glenn T. Trewartha, “The Tea Crop” *Journal of Geography* 28, no. 1(1929): 9.

<sup>67</sup> Amalendu Guha, “A Big Push Without a Take-off: A Case-Study of Assam, 1871-1901” *Indian Economic & Social History Review* 3 (1968), 204.



the Brahmaputra River continued to depend on steamers as far as Guwahati (Appendix 3, Image 2).<sup>68</sup> After 1911, many tea plantations south of the Brahmaputra river were serviced by the Assam-Bengal Railway.<sup>69</sup> Still, more local transport in the tea regions was by truck when the roads were in decent condition, and by ox-cart during the monsoons (Appendix 3, Image 3).<sup>70</sup>

From 1845-75, some £95 million was invested in railways in India, helping to stimulate linkages with the interior and promote from 1870-1914 a five-fold increase in the value of Indian exports.<sup>71</sup> Again, the remote and hilly tea-producing regions were slow to benefit from such innovations. For example, construction on a railway linking Calcutta to Assam only started in 1881, but still by 1901, Assam was not thoroughly connected with the rest of India.<sup>72</sup> The construction of narrow-gauge railways in hilly areas was complicated, and expensive. The Indian government placed a cap on its investment in such projects. The Assam-Bengal train line was only effective from 1911.<sup>73</sup>

The lack of an adequate transport infrastructure in the form of inland waterways and roads to the tea plantations in the hills of the Western Ghats was a problem for the south Indian tea industry, as well. Finlay was instrumental in developing a ropeway system to transport goods and tea between tea gardens at higher elevations and lowland towns, particularly when the company acquired management over extensive lands in the High Range of Travancore. Their Kanan Devan Hills Produce Co. managed about 30,000 acres in the south of India.<sup>74</sup> Rail

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<sup>68</sup> Glenn T. Trewartha, "The Tea Crop" *Journal of Geography* 28, no. 1(1929): 9.

<sup>69</sup> Jayeeta Sharma, *Empire's Garden: Assam and the Making of India*, 81, Glenn T. Trewartha, "The Tea Crop," 9.

<sup>70</sup> Glenn T. Trewartha, "The Tea Crop" *Journal of Geography* 28, no. 1(1929): 9.

<sup>71</sup> P. J. Cain and A. G. Hopkins, *British Imperialism: Crisis and Deconstruction, 1914-1990* (London: Longman, 1993), 333; A. G. Kenwood and A. L. Lougheed, *The Growth of the International Economy 1820-1990* (London: Routledge, 1992), 31.

<sup>72</sup> Amalendu Guha, "A Big Push Without a Take-off: A Case-Study of Assam, 1871-1901" *Indian Economic & Social History Review* 3 (1968), 203-4.

<sup>73</sup> Jayeeta Sharma, *Empire's Garden: Assam and the Making of India*, 81.

<sup>74</sup> Roger Jeffery, "Merchant Capital and the End of Empire: James Finlay, Merchant Adventurers" *Economic and Political Weekly* 17.7 (1982), 243.

systems were also used for transport in the region but were more susceptible to destruction by flooding and mudslides. A disastrous flood in Travancore in 1924, for example, caused by 150 inches of rain in 10 days during the South West monsoon, killed 42 laborers and one kangany on just one estate. Other estates also suffered considerably. The flood also destroyed a light railway line and railway bridges between Munnar and Top Station (a transshipment location), such that it was instead replaced with an aerial ropeway system.<sup>75</sup>

### *Labor in the Tea Planting Regions*

Considerable capital was required to finance the production and export of tea, yet the recruitment, transport, and management of the substantial number of laborers that were needed for the clearing of land, planting of tea, cultivation, and the picking and processing of tea leaves was arguably one of the tea industry's largest expenditures. The transport networks established between the tea planting regions and the major cities or depots was used significantly for the import of labor. While people from communities indigenous to the areas where tea plantations were established, would sometimes take on temporary jobs on those plantations—such as land clearing during the agricultural off-seasons—the laborers who planted, tended, plucked, rolled, and processed the tea were recruited from other regions of India. They often became residents of, and fully dependent upon, the tea estates.

The early history of tea plantation labor in South Asia is complicated—in part because labor regimes that developed in the plantations were often built upon or adapted from pre-existing regional forms of serfdom or bondage. This was compounded with the often-coercive

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<sup>75</sup> “Kanniamallay” University of Glasgow Archives & Special Collections, James Finlay & Co Ltd collection, GB248 UGD 091/1/9/3/5; Croly Boyd “Floods. High Range, 1924.” University of Glasgow Archives & Special Collections, James Finlay & Co Ltd collection, GB248 UGD 091/1/9/3/5.

measures of colonial cash crop production sites, which in the case of South Asian tea plantations, were developed shortly after the abolition of slavery in most of the British empire.<sup>76</sup> Hence, indentured labor was an early mode of securing labor for tea plantations in Assam, and for other global sites like British sugar plantations in the Caribbean and southern Indian Ocean islands in the post-British abolition period. Each region in South Asia had particular exigencies that made their late nineteenth-century labor recruitment systems unique.

### North India

Out of the tea planting regions, Assam employed the majority of laborers in the tea industry and set the precedent for labor recruitment and management laws in India from the late nineteenth century. From the 1860s until independence, it is estimated that over three million people migrated to Assam to work on the tea plantations.<sup>77</sup> Assam was also the centre of labor abuses in the industry. While a rigorous indenture system of recruitment was not necessary to secure labor in some other regions of South Asia, “Assam [was] committed to a system of its own.”<sup>78</sup> This system, included punishment, often jail time, for leaving the tea plantation without permission or for absconding from work—a penal contract that continued in practice, though not legislation, until the 1920s.

The idea of Assam exceptionalism (linked to geographic isolation) was used by tea plantation managers to advocate for considerable power and authority in controlling their labor forces.<sup>79</sup> In the nineteenth century, tea plantation managers could act as magistrates—arresting

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<sup>76</sup> East India Company territories and Ceylon were initially exempted from the 1833 Act. An Indian Slavery Act was passed in 1843.

<sup>77</sup> Erika Rappaport, *A Thirst for Empire*, 106.

<sup>78</sup> J.C. Arbuthnott, “Report on the Conditions of Tea Garden Labour in the Duars of Bengal, in Madras, and Ceylon.” Assam Commission. (Shillong: Assam Secretariat Printing Office, 1904), 27.

<sup>79</sup> Nitin Varma, *Coolies of Capitalism*, 64.

absconding workers and administering strict punishments.<sup>80</sup> The Assam Labor and Emigration Act of 1901 extended the ability of planters to arrest their laborers into the twentieth century.

In addition to force, and the threat of punishment or violence, debt often kept laborers on the estates long after their initial agreement was supposed to have ended. High mortality rates during transport and once on the gardens, more difficult conditions than advertised, and the low number of laborers that returned from Assam to the recruiting districts, gave Assam a terrible reputation with potential laborers.<sup>81</sup> Migrants often only became laborers in Assam when they were in dire situations (discussed more in chapter four). The difficulty that companies in the region of Assam had in securing and retaining labor led to the development of policies and legislation (discussed more in chapter five) that influenced other regions in South Asia, as the tea industry expanded.<sup>82</sup>

Other sites in the northeast of India, also had to source labor, but didn't have the same system as Assam. The Duars for example, was (by 1904) considered a "free labour district, and the coolies' services [were] not secured by any form of agreement."<sup>83</sup> Planters attempted to introduce a contract with a penal code (which made it a crime to leave the estate during certain times), but it was never enforced. Unlike in Assam, there was much more movement between home villages and tea estates by laborers in the Duars. On one hand, this made the Duars a

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<sup>80</sup> Erika Rappaport, *A Thirst for Empire*, 110.

<sup>81</sup> Jayeeta Sharma, *Empire's Garden: Assam and the Making of India*, 81.

<sup>82</sup> For a more extensive examination of the labor issues in the tea industry from the late nineteenth century in Assam and other tea-planting regions, see: Rana P. Behal, "Coolie Drivers Or Benevolent Paternalists? British Tea Planters in Assam and the Indenture Labour System," *Modern Asian Studies* 44, no. 1 (2010); Nitin Varma, "Coolie Acts and the Acting Coolies: Coolie, Planter and State in the Late Nineteenth and Early Twentieth Century Colonial Tea Plantations of Assam," *Social Scientist* 33, no. 5/6 (June 2005): 49–72; Nitin Varma, *Coolies of Capitalism*, 1st ed. (Berlin/Boston: De Gruyter, 2017); Jayeeta Sharma, "'Lazy' Natives, Coolie Labour, and the Assam Tea Industry," *Modern Asian Studies* 43, no. 6 (2009): 1287–1324; Patrick Peebles, *The Plantation Tamils of Ceylon* (London; New York: Leicester University Press, 2001); Rana P. Behal, *One Hundred Year of Servitude: Political Economy of Tea Plantations in Colonial Assam*. (New Delhi: Tulika Books, 2014).

<sup>83</sup> J.C. Arbuthnott, "Report on the Conditions of Tea Garden Labour in the Duars of Bengal, in Madras, and Ceylon." Assam Commission (Shillong: Assam Secretariat Printing Office, 1904), 4.

trusted region for laborers renting out labor (as opposed to Assam, where people seldom returned); but on the other, many tea planters sought a more permanent and self-reproducing labor force for their estates and wanted to establish policies to secure it.<sup>84</sup>

Laborers in the Duars often settled into the countryside surrounding the tea estates after finishing their work terms and receiving their wages. However, this did not mean that workers maintained a long-term working relationship with the estates. Instead, some ex-tea garden laborers opted to cultivate their own crops on “jote land.” The jotedari system (similar to a sharecropping system) predated the introduction of tea plantations in the region, but could be utilized by tea planters to tie local communities to the plantations, if they leased land to laborers.<sup>85</sup> For example, a jotedari contract might include clauses for laborers to work in the neighbouring tea garden at intervals during the planting or plucking seasons.<sup>86</sup> Other tea garden laborers returned to their home villages, and to their own lands and crops.

Recruitment in the Duars, located near the foothills of the Himalayas, involved the travel of recruiters or *sirdars*, who recruited laborers for the estates by traveling back to their home villages or districts and escorting them back to the tea estates. Sometimes the sirdars would send a trusted worker (who had a family or ties on the estates) to the recruiting districts with money for advances or the necessary costs of transporting hired laborers. The sirdar would often be the overseer of the laborers’ work when they were on the plantation. The sirdar or recruiter gained a

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<sup>84</sup> Subhajyoti Ray, *Transformations on the Bengal Frontier: Jalpaiguri 1765-1948* (London: Taylor & Francis Group, 2003), 85–87.

<sup>85</sup> For more information on the jotedari system or agrarian labor systems in Bengal refer to Adrienne Cooper, *Sharecropping And Sharecropper's Struggles In Bengal, 1930-1950*. (Calcutta: K.P. Bagchi & Co., 1988); Ranajit Das Gupta, "Sharecroppers' Movement in Bengal." *Economic and Political Weekly* 27, no. 22 (1992): 1137–139. Accessed January 13, 2021. <http://www.jstor.org/stable/4398442>; Sugata Bose, *Agrarian Bengal: Economy, Social Structure and Politics* (Cambridge, UK: Cambridge University Press, 1986).

<sup>86</sup> Anirban Bhattacharya, "In the Shadow of Tea: Agrarian Relations in Duars, 1870–1940." *Social Scientist* 46, no. 3–4 (538–539) (2018): 85–106; Arbuthnott, J.C. “Report on the Conditions of Tea Garden Labour in the Duars of Bengal, in Madras, and Ceylon.” Assam Commission. (Shillong: Assam Secretariat Printing Office, 1904), 6; Subhajyoti Ray, *Transformations on the Bengal Frontier: Jalpaiguri, 1765-1948* (London: Routledge, 2002), 85.

small commission per laborer recruited, and once the laborers were back on the estate, would receive a small commission based on the task completed by the laborer per day.

### South India

The Madras Presidency by comparison served both as a location for tea-planting and as a source for labor recruitment, particularly as people living in recruiting regions (like the Chota Nagpur Plateau) became less inclined over time to travel to more northern tea plantations. Laborers in Madras were also seasonally employed on plantations in Ceylon, as well as in the Travancore and Munnar regions in the southwest. In the late nineteenth century, Madras also became a site of increasing coffee and tea production, and new railway development. A large percentage of laborers who traveled to work on estates in the Nilgiri Hills (Tamil Nadu), from places like Mysore, were temporary workers.<sup>87</sup>

According to the Assam Commission's report, laborers in Madras typically worked for a period of nine months (with two years being the upper limit) away from their home villages, which were usually only a few days' journey away. This proximity allowed for the mobility of laborers home during holidays, and the opportunity to reengage in tea plantation work in following years without the need to settle in the planting region. This encouraged a perspective of the work as "free" by potential laborers.<sup>88</sup> However, the Madras Planters' Labour Law of 1903, modeled after the 1901 Assam Labour and Emigration Act, aimed to introduce a clause that would punish laborers if they did not fulfill the work that they had been given monetary

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<sup>87</sup> J.C. Arbuthnott, "Report on the Conditions of Tea Garden Labour in the Duars of Bengal, in Madras, and Ceylon." Assam Commission (Shillong: Assam Secretariat Printing Office, 1904), 10.

<sup>88</sup> J.C. Arbuthnott, "Report on the Conditions of Tea Garden Labour in the Duars of Bengal, in Madras, and Ceylon." Assam Commission (Shillong: Assam Secretariat Printing Office, 1904), 10–12.

advances to perform. As in the context of the Duars, labor recruitment was facilitated through intermediary South Asian recruiters and labor managers—here called *maistries*.

### Ceylon

After coffee blights destroyed the majority of Ceylon's coffee industry in the 1870s, Ceylon planters developed extensive tea gardens, using the land of the nineteenth-century coffee plantations and their organization as the model.<sup>89</sup> The labor forces employed on the coffee estates were mobile, migratory, and seasonal—with established networks for movement from the south of India to Ceylon and back again. Compared to coffee, however, tea was actually more labor intensive throughout the year (involving plucking, planting, land clearing, processing, packing, and so on); so, as the tea industry gained more hold in the region, laborers stayed in Ceylon for greater and greater periods of time. According to a 1904 *Report on the Conditions of Tea Garden Labour in the Duars of Bengal, in Madras, and Ceylon*, tea laborers in Ceylon were essentially free, since they could leave their estate and return home with one month's notice. However, indebtedness to the planters or the *kanganies* (the recruiters and erstwhile owners of the laborers' labor) often kept workers bound to the estates for longer periods.<sup>90</sup>

### *Labor and the Tea Companies*

Particular regions were targeted for recruitment based upon prejudices favoring laborers of certain ethnic groups. Many of the regions that these workers came from were also known to

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<sup>89</sup> The growth of large-scale tea plantations in Ceylon is often attributed to James Taylor's early cultivation of tea alongside coffee prior to the coffee blight devastation. For more on the development of the tea industry in Ceylon, read D. M. Forrest, *A Hundred Years of Ceylon Tea: 1867-1967* (London: Chatto & Windus, 1967).

<sup>90</sup> J.C. Arbuthnott, "Report on the Conditions of Tea Garden Labour in the Duars of Bengal, in Madras, and Ceylon." Assam Commission (Shillong: Assam Secretariat Printing Office, 1904), 22.

regularly experience the effects of environmental disasters—making their inhabitants more likely to migrate (discussed more in chapter four). The Chota Nagpur region, a dry plateau region heavily dependent on the monsoon for its yearly rainfall, was a popular region for laborer recruitment. Other areas like the Santal Perganas (northeast of Chota Nagpur, but still within the Bengal Presidency) also became popular recruiting grounds, particularly as the availability of workers willing to relocate from Chota Nagpur to Assam or the Duars decreased over time.<sup>91</sup> When monsoons failed or when there was local scarcity, laborers from these regions were more willing to leave their home villages. Famine and plagues, however, still impacted laborers as they traveled to plantations or upon their arrival on plantations, which reduced and severely weakened the effectiveness of the incoming laboring population. For this reason, the transport of laborers also became a major policy concern over the half century. For both the southern Indian and Ceylonese plantations, laborers from Tamil-speaking regions were preferred.

In each of these regional contexts, it is worth noting the presence of a recruiting or management intermediary—sirdar (northern India), maistry (southern India), or kangany (Ceylon)—who was in charge of the laborer’s labor and the transport of the laborer to the plantation. Though not discussed in detail in this dissertation, these intermediaries were important figures in labor recruitment; they could use personal networks to draw workers from villages to work sites, taking on the role of both recruiter and overseer.<sup>92</sup> The hierarchy that this

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<sup>91</sup> There are variants on the spelling of Santal Perganas; this was the spelling used in the colonial reports about recruitment. Several factors decreased the interest of people from Chota Nagpur in leaving for sites of work. The lack of villagers returning to the villages from places like Assam, made it a less desirable place to go to. The increase of other kinds of work nearer to home (mines, railroads, etc.), made the movement of laborers to the tea plantations a last resort.

<sup>92</sup> Jan Breman, *Of Peasants, Migrants and Paupers: Rural Labour Circulation and Capitalist Production in West India* (New Delhi: Oxford University Press, 1985), 328; Crispin Bates and Marina Carter, “Sirdars As Intermediaries in Nineteenth-Century Indian Ocean Indentured Labour Migration,” *Modern Asian Studies* 51, no. 2 (2017): 462–84. Jan Breman as quoted in Crispin Bates and Marina Carter’s work, refers to the “highly personalized control mechanisms, that bridge the distance between home area and destination” alongside capitalist demands for labor.



imposed meant that laborers were not direct employees of the companies, and thus had a different set of obligations and welfare provisions applied to them, than those applied to direct company employees (explored more in chapter three). Sirdars and other intermediaries had a unique position as yet another class.<sup>93</sup>

Crispin Bates and Marina Carter acknowledge this sirdari form of recruitment as a system that enabled entire families to migrate together, but which also gave intermediaries incredible power. Many tea planters and tea companies, then, attempted to regulate recruitment in such a way that laborers were tied to a particular tea estate. The companies arranged agreements (wage fixing included) amongst themselves with fines indicating that sirdars and planters could not ‘poach’ laborers from other estates within the same region.<sup>94</sup> These companies instead sent sirdars to the various recruiting districts. Larger companies had sirdars that worked with their managing agents in the cities and recruiting districts to secure laborers to send to the estates.<sup>95</sup>

Historians Rana P. Behal and Prabhu P. Mohapatra, in fact, situate the “great coolie recruiting firms of Calcutta controlled by managing agency houses” at the apex of a “deregulated recruitment system” during the late nineteenth century.<sup>96</sup> Specifically, they cite the firms Begg, Dunlop & Co. and Balmer and Lawrie, which owned tea gardens. However, there were other firms that participated in this process, partnered with recruiters in the districts, and petitioned the

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<sup>93</sup> For more on the powers of sirdars and other intermediary recruiters, examine the work of Subho Basu, Crispin Bates, Marina Carter, J Breman, and Samita Sen.

<sup>94</sup> Crispin Bates and Marina Carter, “Sirdars As Intermediaries in Nineteenth-Century Indian Ocean Indentured Labour Migration,” 468–469; Assam Labour Enquiry Committee “Appendix XIV: “Memorandum of Agreement in connection with Enticement of Labour From Tea Gardens and Other Concerns in the Brahmaputra Valley and Surma Valley.”” *Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), 141. British Library, Mss Eur F174/974.

<sup>95</sup> Rana P. Behal and Prabhu P. Mohapatra, “‘Tea and money versus human life’: The rise and fall of the indenture system in the Assam tea plantations 1840-1908” *The Journal of Peasant Studies* 19, no. 3-4. (1992), 151.

<sup>96</sup> Rana P. Behal and Prabhu P. Mohapatra, “‘Tea and money versus human life’: The rise and fall of the indenture system in the Assam tea plantations 1840-1908” *The Journal of Peasant Studies* 19, no. 3-4 (1992), 152.

government to change recruitment laws.<sup>97</sup> By the early twentieth century, the formation of labor recruitment associations by companies, like the Tea Districts Labour Supply Association (TDLA), allowed for expedited recruitment and special government treatment for companies in both the recruiting and receiving regions—when recruiting labor for specific gardens. The Tea Districts Labour Supply Association also actively provided labor to cities like Calcutta, where agents for the various companies could then distribute labor among the different tea gardens.

### *Conclusion*

As the companies acquired more tea plantations and sought to develop them into large-scale productions, the ability to accumulate labor became one of the most pressing issues. This issue linked together British tea companies in associations that lobbied the government for labor legislation and worked together to form industry labor policy. All of these companies inaugurated schemes for the wide-scale recruitment and transport of laborers to their plantations. The structure of the companies (as exemplified by Finlay), and the influence of the companies on labor policy will be explored further in this dissertation. This chapter provided an overview of the nineteenth century context that birthed the tea industry in South Asia, as well as its early challenges—management, transport, and labor. The next chapter will provide an overview of the twentieth-century global and local contexts which inspired the development of company-influenced labor policy in the tea industry. The detailed linking of these two aspects—business and labor—is a novel approach to the material that is long overdue.

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<sup>97</sup> “Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts” (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 114-115. Begg, Dunlop, & Co., for example, served as secretaries to the Tea District Labour Supply Association in 1906, and by that date the association had been in operation for about 27 years.

## Chapter 2: Global Context 1901-1951

In 1871, China, which had traditionally enjoyed a virtual monopoly over the global tea market, still supplied some “86 per cent of the world’s demand for tea.”<sup>1</sup> However, from the mid-1880s, China rapidly lost its preeminent position as Britain, traditionally China’s major market for tea, switched increasingly to South Asia for its supplies.<sup>2</sup> In 1866, 96 percent of the tea imported into Britain came from China and only 4 percent from India; in 1879, 70 percent came from China; in 1886, 59 percent came from China and 39 percent from India; and by 1903, China supplied only 10 percent of tea imports into Britain and India supplied 59 percent.<sup>3</sup> Ceylon’s exports in tea also surpassed China’s in 1916, as did the Dutch East Indies’ exports in 1918.<sup>4</sup> This meant that for the first half of the twentieth century that is the focus of this dissertation, three regions—India, Ceylon, and the DEI—dominated the British, and global, market in tea.

The remainder of this chapter describes the emergence of India, Ceylon, and the DEI as tea producers, and the main external factors affecting their tea industries over the period from 1901 to 1951. Issues examined include the impact on the tea industry of early twentieth century international competition and trade agreements, the First World War, economic depression, the Second World War, and independence from European colonialism. These international events directly impacted the South Asian tea plantations, and thus the laborers on them. The impact on

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<sup>1</sup> Glenn T. Trewartha, “The Tea Crop” *Journal of Geography* 28, no. 1(1929): 16.

<sup>2</sup> Andrew Liu, *Tea War: A history of capitalism in China and India*. Studies of the Weatherhead East Asian Institute, Columbia University. (New Haven: Yale University Press, 2020), 152-153.

<sup>3</sup> Sanat Kumar Bose, *Capital and Labour in the Indian Tea Industry* (Bombay: All India Trade Union Congress, 1954), 24; Bishnupriya Gupta, “The History of the International Tea Market, 1850-1945” EH.Net Encyclopedia, edited by Robert Whaples. (March 16, 2008). Accessed June 20, 2021. <http://eh.net/encyclopedia/the-history-of-the-international-tea-market-1850-1945/>.

<sup>4</sup> Glenn T. Trewartha, “The Tea Crop,” 16.

labor of these external events will be discussed briefly as context for the subsequent chapters that investigate the labor structure of the South Asian tea industry over this period in more detail.

### *Competition from the DEI*

The international competition over who would dominate the North American and British imperial markets for tea became a competition between India, Ceylon and the Dutch East Indies (DEI) from the first decade of the twentieth century. Tea production in the DEI had started almost ninety years before, but only reached prominence around 1910.<sup>5</sup> Tea cultivation started as a government project in the 1820s, with the acquisition of Japanese and Chinese plants and seeds. However, production remained small and unprofitable. In 1865, the DEI government decided to transfer its tea estates to private concerns.<sup>6</sup> From 1870, the DEI tea industry sought the technical help of experts in London, India, and Ceylon—acquiring Assam tea plants for cultivation within the DEI, instead of the Chinese plant that had been dominant previously.<sup>7</sup> Towards the end of the nineteenth century, as the industry increased in efficiency—using updated machinery and processing—output increased. In 1900, the DEI exported around 7,600 metric tons of tea, by 1923, it was producing about 45,000 metric tons and by the beginning of world war II in 1939, production had climbed to 70,000 metric tons.<sup>8</sup> Comparatively, India was exporting 87,000 metric tons in 1900, and producing 204,000 metric tons in 1938, while Ceylon was exporting around 68,000 metric tons in 1900, and was producing 112,000 metric tons in 1938.<sup>9</sup> Despite the growth of the British company-led tea industry in India and Ceylon and the

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<sup>5</sup> G.C. Allen and Audrey Donnithorne, *Western Enterprise in Indonesia and Malaya: a study in Economic development* (London: Routledge, 2003), 100.

<sup>6</sup> G.C. Allen and Audrey G. Donnithorne, *Western Enterprise in Indonesia and Malaya*, 101.

<sup>7</sup> G.C. Allen and Audrey G. Donnithorne, *Western Enterprise in Indonesia and Malaya*, 102.

<sup>8</sup> R. van de Meeberg, “The world trade in tea” in K.C. Wilson and M.N. Clifford (eds.), *Tea: Cultivation to consumption* (Dordrecht: Springer Netherlands, 1991), 651.

<sup>9</sup> R. van de Meeberg, “The world trade in tea,” 651.

competition that the Dutch islands brought to the global trade, British companies also invested in tea production in Java from 1910.<sup>10</sup>

Before the close of the First World War in 1918, tea planters in India and Ceylon became concerned because DEI teas were being sold at lower rates than theirs, and thus threatening their established connections in the markets in North America. They were reluctant to cede any markets to new producers and, therefore, used their imperial ties to persuade imperial markets to limit their competitors' imports. Letters exchanged between Finlay company executives reflected some of these fears. In 1917, the corporation's board informed Sir Alexander Kay Muir (1868–1951), head of the company at the time, that they firmly believed the “Indian and Ceylon Associations [would] continue to press the Canadian Government to follow the lead of Australia and prohibit the importation of Java teas into Canada.”<sup>11</sup> The London-based associations for the tea industry in South Asia also continued to pressure the Canadian government into only purchasing tea from British colonies.<sup>12</sup> The complications that occurred during war (discussed in the next section) and the increased competition here described revealed the precarity of the market. Sustained growth of the tea industry in South Asia would need expanding markets to meet production, including the creation of a market within South Asia itself.

### *World War One and its aftermath*

From the onset of World War One and for the ten years that followed the end of hostilities, South Asia experienced significant fluctuations in tea production and prices, which in

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<sup>10</sup> Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World* (Princeton: Princeton University Press, 2017), 242-243.

<sup>11</sup> “Toronto” James Finlay & Co. to Sir A.K. Muir, Bart (October 1, 1917). UGBA Finlay’s Archives UGD 91/1/1/4/2/1.

<sup>12</sup> “Toronto” James Finlay & Co. to Sir A.K. Muir, Bart (October 1, 1917). UGBA Finlay’s Archives UGD 91/1/1/4/2/1.

turn affected the export market. In Britain, the largest international market, tea prices (for 90 percent of tea imports) were restricted to under 3s per lb, with the result that tea became more widely consumed by the lower-middle classes.<sup>13</sup> Per capita consumption of tea accelerated so quickly between 1911 and 1921, that by 1916-17 (during the war), it had engendered considerable public and commercial debate between government officials, tea traders and consumers in Britain about whether tea constituted a luxury or a necessity.<sup>14</sup> By 1921, tea consumption was at about 10.81 pounds per capita.<sup>15</sup>

The war provided some security to the South Asian tea industry while, at the same time, creating issues for the industry in the post-war period. In 1917 and 1918, the British government commandeered a percentage of the South Asian tea cargo in order to provide tea to soldiers during the war. In 1917, that meant 40 percent of India's tea production and 27 percent of Ceylon's was purchased by the government, rising to 66 percent and 50 percent, respectively, in 1918.<sup>16</sup> Because of this guaranteed purchase, several tea plantations expanded their land under cultivation, increased worker recruitment, and increased tea production—though the latter was often at the expense of quality.<sup>17</sup>

Three main difficulties arose in the tea industry during the Great War linked to the reduction of available shipping, the way that the official purchase of tea was applied in South Asia, and the draft of British tea company employees in South Asia for military service.<sup>18</sup> Foremost, a shortage of shipping (due to the utilization of shipping for war efforts and the

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<sup>13</sup> Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World* (Princeton: Princeton University Press, 2017), 226-227.

<sup>14</sup> Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World* (Princeton: Princeton University Press, 2017), 226-227, 238.

<sup>15</sup> Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World*, 238.

<sup>16</sup> V.D. Wickizer, *Tea Under International Regulation* (Stanford: Ford Research Institute, 1951), 59-60.

<sup>17</sup> V.D. Wickizer, *Tea Under International Regulation* (Stanford: Ford Research Institute, 1951), 59-60.

<sup>18</sup> Sir Percival Griffiths, *The History of the Indian Tea Industry* (London: Weidenfeld and Nicolson, 1967), 170.

increased risk of enemy attack when crossing international waters) led to significant attempts to increase local markets in South Asia for tea consumption.<sup>19</sup> Tea producers and sellers developed promotional materials and campaigns to build interest in tea consumption in India and Ceylon—which was successful. The consumption of tea in India climbed from less than 20 million lbs in 1914 to about 50 million lbs by 1920.<sup>20</sup> The considerable increase in tea consumption among the local South Asian population was accompanied by the emergence of local tea sellers and tea stalls.<sup>21</sup>

The movement of tea exports from South Asia was significantly reduced due to the disruption of shipping routes. Fear of cargo loss via torpedo or through the foreign seizure of goods slowed the transport of goods globally. There were also limited freight options designated to the tea industry—the main one being that which was provided through the official purchase of tea made by the United Kingdom Tea Controller.<sup>22</sup> In addition, because warehouses in ports in Britain were dedicated to war-related machinery, tea was increasingly stockpiled in storage units in India and Ceylon. When the war ended, and shipping and transport resumed regular operations, these stores flooded the British market, leading to a marked decrease in the price of tea.<sup>23</sup> Between November of 1919 and September of 1920, the price of average Indian tea had dropped from 1s 9.875 d to only 10.5 d.<sup>24</sup> The more common tea sold at even lower prices in

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<sup>19</sup> “Colombo to Mr. Dallaghan,” (26 November 1918) *Letters Concerning E.P. Dallaghan*, 58. UGBA FMALIC UGD 91/1/6/3/1/7. Example of the fear of submarine attack keeping assistant managers on tea estates from heading back to Britain when their services were terminated or on furlough.

<sup>20</sup> “Tea Consumption” in “Rubber Plantations Investment Trust Limited. Chairman’s Exhaustive Review of Rubber and Tea Industries. Restriction of Tea and Rubber Output Foreshadowed. General Financial and Economic Conditions” *Economist Weekly*. Hathi Trust Library (October 2, 1920), 525. Accessed August 7, 2021. <https://hdl.handle.net/2027/njp.32101078169974>.

<sup>21</sup> Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World* (Princeton: Princeton University Press, 2017), 227-228.

<sup>22</sup> Sir Percival Griffiths, *The History of the Indian Tea Industry* 172.

<sup>23</sup> V. D. Wickizer, *Tea Under International Regulation*, 59.

<sup>24</sup> “Tea Prices Compared” in “Rubber Plantations Investment Trust Limited. Chairman’s Exhaustive Review of Rubber and Tea Industries. Restriction of Tea and Rubber Output Foreshadowed. General Financial and Economic Conditions” *Economist Weekly* (October 2, 1920), 524.

1920 (4.25 d), not covering the costs of shipping, landing or selling.<sup>25</sup> A restriction on tea production in India and Ceylon was therefore proposed (discussed in the next section).

The latter two difficulties (the official purchase of tea and the drafting of planters for military service) had direct impact on the tea plantations themselves. Because purchase of a large percentage of the tea crop was guaranteed by the British government, there was a significant increase in tea production and worker recruitment. At the same time, tea planters were leaving to go to war against company wishes, leaving the management of the tea estates stretched thin. The reversal of these three elements (availability of shipping, scale of tea production, and availability of British managers and assistants) at the end of the war and the decisions made by tea companies as a result, contributed to the labor protests that then occurred on South Asian tea plantations (particularly in Assam), in the early 1920s.

### Impact on Labor within South Asia

The number of European men applying for management posts in South Asia increased after the war, as did the number of returning planters, now war veterans, going back to the estates with “shellshock” and related conditions.<sup>26</sup> Company doctors noted that this had an adverse effect on management abilities and thus management-labor dynamics on post-war estates—particularly as opportunities for laborers decreased. The aforementioned increase in shipping at

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<sup>25</sup> “Tea Prices Compared” in “Rubber Plantations Investment Trust Limited. Chairman’s Exhaustive Review of Rubber and Tea Industries. Restriction of Tea and Rubber Output Foreshadowed. General Financial and Economic Conditions” *Economist Weekly* (October 2, 1920), 524.

<sup>26</sup> “Dr. Frank Gernier to Messrs James Finlay & Co., Limited” (1 November 1918). *Letters concerning E. P. Dallaghan*, Insert between 53-54. UGBA FMALIC UGD. 91/1/6/3/1/7. “Mr. Dallaghan complained of severe persistent headache, giddiness, insomnia, stupor, mental confusion and terrifying dreams—a group of symptoms generally observed in cases of shell shock, which produces a derangement of the brain cells by concussion...In my opinion Mr Dallaghan’s mental state is such that he is not fit to be given a Planter’s billet...In my opinion neurasthenics, much more so in cases of shell shock, should never be sent to the Tropics.”



the end of the war led to an influx of stored tea product into the market, which brought the cost of tea down. In response to the abundance of tea supply, the planter associations in South Asia (comprised largely of tea company representatives) proposed an agreement amongst themselves to reduce tea production industry-wide for a restricted period. This decrease in production ultimately led to the unemployment of many tea laborers in South Asia.<sup>27</sup>

The planter associations in South Asia recommended that its members reduce tea production in 1920 to 90 percent of average production for the period 1915-19 and impose a deadline in the plucking season for procuring crops for export.<sup>28</sup> Consequently, tea production was reduced by about 9.71 percent resulting in losses for most of the large companies, like Finlay, which had widespread regional holdings. However, an overall beneficial effect in the South Asian tea industry was achieved; Finlay's four massive tea companies for example recovered from a loss of £458,000 in 1920 to register record profits of £1,751,000 in 1923.<sup>29</sup> This increase in profit may have also reflected higher tea prices resulting from a combination of a widespread, severe and prolonged drought in 1922, which reduced yield, and the cultivation of better quality tea due to more careful plucking and improved methods of manufacture.<sup>30</sup> Yet, a proposal to extend restrictions in 1921 was rejected; depreciation in the value of the Indian rupee also occurred that year.<sup>31</sup>

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<sup>27</sup> V.D. Wickizer *Tea Under International Regulation*, 60.

<sup>28</sup> William Ukers, *All About Tea* (New York: Tea and Coffee Trade Journal Co., 1935) vol.1, 172; V.D. Wickizer *Tea Under International Regulation*, 60; "Restriction of Tea Output" *Economist Weekly*. Hathi Trust Library. (October 2, 1920): 504. Accessed July 25, 2021. <https://hdl.handle.net/2027/njp.32101078169974>.

<sup>29</sup> "A few dates, facts and figures in the history of James Finlay & Co., Limited." Finlay's magazine Historical File II General Information UGD 91/1/9/2/10, 6.

<sup>30</sup> D.M. Forrest, *One Hundred Years of Ceylon Tea*, 217. (referencing C.E. Elliott and W.J. Whitehead, *Tea Production in Ceylon* (Colombo, *Times of Ceylon*, 2<sup>nd</sup> ed. 1931); H. Varikoden, J.V. Revadekar, Y. Choudhary and B. Preethi "Droughts of Indian summer monsoon associated with El Niño and Non-El Niño years" *International Journal of Climatology* 35, no. 8. (2015): 1917. According to climatologists, 1920 was also a drought year associated with El Niño activity.

<sup>31</sup> "Colonial and Foreign Produce: Tea." *Economist Commercial History and Review of 1921* (Saturday February 18, 1922): 300-301. <https://hdl.handle.net/2027/njp.32101078169941>. This provides more details on exports and

The agreed-upon reduction in tea production by the tea companies' upper management in South Asia in 1920, had an adverse effect on other aspects of the businesses' hierarchical structure—particularly the contracts of laborers whose numbers had increased during the war. Less and more careful plucking meant that laborers had limited opportunities to meet daily quotas to receive full pay for a day's wage (discussed more in chapters three and four) or any extra earnings due to the completion of extra work.<sup>32</sup> Based on an analysis of a mass exodus of tea plantation workers from the Chargola Valley in Assam in 1921, the 1920 restriction measures resulted in high rates of unemployment and stagnant wages. Planters kept wages low, arguing that the wage was sufficient, because it was supplemented by subsidies, rations, and social welfare services provided by the plantations (referred to more in Chapter four). Large numbers of workers deserted the gardens of Sylhet to protest the low pay given for the work completed.

Unrest among tea plantation laborers continued well into the 1920s. Attempts to regulate the market and tea prices on the global scale detracted attention away from laborers' concerns, which were already present prior to the outbreak of war, and had only been exacerbated in the post-war readjustment period.<sup>33</sup> Yet, despite blaming the protests and strikes on latent nationalism, the companies were quick to re-evaluate the wages that were offered laborers—contradicting their claim that the strikes were not about laborer discontent over wages.<sup>34</sup>

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imports for the tea-producing countries from 1913 to 1921; *James Finlay & Company Limited: Manufacturers and East India Merchants, 1750-1950* (Glasgow: Jackson Son & Company, 1951), 107. The company history of Finlay's records the rupee dropping from the equivalent of 2s. 10 d. to 1s. 3d. For further details of the period see: Brij Narain, "Exchange and Prices in India 1873—1924." *Weltwirtschaftliches Archiv* 23 (1926): 247–92.

<sup>32</sup> Arnab Dey, *Tea Environments and Plantation Culture: Imperial Disarray in Eastern India*. (India: Cambridge University Press, 2018), 168.

<sup>33</sup> Arnab Dey, *Tea Environments and Plantation Culture: Imperial Disarray in Eastern India*. (India: Cambridge University Press, 2018), 165. Arnab Dey refers to a culture of commerce that had shaped extra-legal policies in the tea industry prior to this period.

<sup>34</sup> Kalyan K. Sircar "Coolie Exodus from Assam's Chargola Valley, 1921: An Analytical Study" *Economic and Political Weekly* 22, No.5 (Jan. 31, 1987): 184, 188.

The British government was well aware of the potential national problems that labor protests in Assam and Bengal could engender. The heightened desire for national independence, particularly in India, was increasing across the nation. Labor activists and non-cooperators together had come to Chandpur, the location of a depot where laborers from the Chargola Valley had congregated, to respond to the needs of the laborers. Tea companies and planters were worried about the cultivation of communist, nationalist, and unionist sentiment among their plantation workforces that was already happening in some of the factories throughout South Asia.<sup>35</sup> They complained about the spread of insurrectional discourse on the plantations. A writer of the *Times of India* described the non-cooperation language, often attributed to Mohandas Karamchand Gandhi's (1869-1948) resistance movement pushing for Indian self-governance, as instigated by "criminal agitators" who "realized so little the latent forces in labour that they lightheartedly stirred such trouble."<sup>36</sup>

Gandhi however, denounced the labor strikes and protests among the tea laborers as unaffiliated with his non-cooperation movement:

I should be sorry, if anybody used my name to lead the men to desert their employers. It is clear enough that it is purely a labour trouble. It is admitted that the employers reduced the wage ... I observe that the *Times of India* has made the most illegitimate use of the trouble to impute enmity to English commercial interests in India. It has become the fashion to attribute hatred to Non-co-operators.<sup>37</sup>

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<sup>35</sup> "In the Tea Garden: Criminal Agitators (Through the Associated Press)" *Times of India* (1861-2010), July 14, 1921: 8. <https://www.proquest.com/docview/311163593/8E915BF5514B4091PQ/3?accountid=12339>.

<sup>36</sup> "In the Tea Garden: Criminal Agitators (Through the Associated Press)," 8; "N.-C.-O. Methods: Strife In The Tea Gardens" *The Times of India* (1861-2010) Jun 3, 1921: 9. <https://www.proquest.com/docview/741760420/1B0D92474367423FPQ/2?accountid=12339>.

<sup>37</sup> M.K. Gandhi, "The Assam Coolies" *Young India*, 3, no. 23 (Ahmedabad), June 8, 1921, in M.K. Gandhi *Young India, 1919-1932* (Ahmedabad, India: Navajivan Publishing House, 1981), 179. <https://babel.hathitrust.org/cgi/pt?id=uva.x030554462&view=1up&seq=191>.

Despite Gandhi's hesitancy in getting directly involved in the labor strikes and his criticism for the use of the labor strikes for non-cooperation purposes, he did write that given the changes occurring across India as nationalism grew, exploitative commercial interests would find themselves in danger: "Every English or Indian interest that is based on injustice or brute force, or is antagonistic to the growth of India as a whole, is undoubtedly in peril. If the Assam planters are not sustained by the exploitation of Indian labour, they have nothing to fear."<sup>38</sup>

The language of non-cooperation and terminology associated with Gandhi and the *swaraj* movement continued to be spoken by laborers that were striking work and fleeing the tea plantations.<sup>39</sup> Tea planters and company officials continued to view the labor protests as part of Gandhi's movement to remove British colonial economic and political power from India, by pushing the Indian people to eliminate their dependency on colonial structures for goods, services, and income. An article reprinted in the *Times of India* (from Reuters) in July 1921 referenced a speech made by the chairman of the Indian Tea Association (an association of British tea companies and planters), which emphasized how the idealism of Gandhi's movement had spread beyond his ability to control it; some of his followers, he alleged, had even taken action to prevent "food and supplies from reaching the tea estates with a view to starving the European staff and workers on the estates."<sup>40</sup>

The British companies that had organized themselves into lobbying associations in the latter part of the nineteenth century viewed the labor protests of the 1920s as a turning point towards more organized labor agitation, and therefore sought to squelch it. In 1922, for example,

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<sup>38</sup> M.K. Gandhi, "The Assam Coolies" *Young India*, 3, no. 23 (Ahmedabad), June 8, 1921, in M.K. Gandhi *Young India, 1919-1932* (Ahmedabad, India: Navajivan Publishing House, 1981), 179.  
<https://babel.hathitrust.org/cgi/pt?id=uva.x030554462&view=1up&seq=191>.

<sup>39</sup> Rana P. Behal, *One Hundred Years*, 292.

<sup>40</sup> "Indian Unrest: An English View The Government's Duty (Through Reuter's)" *Times of India (1861-2010)* (Jul 25, 1921): 9. <https://www.proquest.com/docview/324502827/55D5477F0B3D4950PQ/1?accountid=12339>.

the chairman of the Surma Valley Branch of the Indian Tea Association remarked that, previously, “when a man had trouble with his coolies it was sometimes inferred the cause was bad management.” What was occurring in the 1920s then, in his opinion, was *not* linked to bad management.<sup>41</sup> Instead, the chairman argued that all tea planters, regardless of their management ability, were going to have issues with laborers in the coming years, because labor resistance was becoming tied to larger political and social issues. The planters’ response should, in his opinion, consist of a united front “against this very real danger”, to prevent more instances of it in the future.<sup>42</sup>

However, that was easier said than done; contentions abounded between laborers and British employees of the tea companies that managed the plantations, and the companies’ responses varied from plantation to plantation. Most of the time, employees (managers and assistants) were moved to different plantations rather than fired if they were at fault, because of the expense in bringing them from Britain to India. If the managers or assistants committed unnecessarily incendiary acts towards laborers, local government officials would reprimand them or report them to their company agents for correction.<sup>43</sup> Laborers didn’t have the same luxury. Laborers were often arrested if violence occurred, though sometimes their requests made through protest were met, if considered reasonable by the manager. The manager, however, didn’t always have the authority to make the decision immediately, having to refer back to his superiors elsewhere. This hierarchy within the company structure is further discussed in chapter three.

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<sup>41</sup> Extract from Minutes of AGM of Surma Valley Branch, ITA. MSS EUR F. 174/975 (8/3/1922) British Library

<sup>42</sup> Extract from Minutes of AGM of Surma Valley Branch, ITA. MSS EUR F. 174/975 (8/3/1922) British Library

<sup>43</sup> Letter from B.C. Allen Esq., C.S.I., I.C.S. Commissioner, Assam Valley Division to Messrs. James Finlay & Co. Limited, Managing Agents, Hathikuli Tea Estate, Calcutta. (Gauhati: December 7, 1922), Insert between p. 113-114. UGD 91/1/6/3/1/6 Managers and Assistants Letterbooks, University of Glasgow Business Archives. More on this case will be discussed in a later chapter as it seems to be directly related to company policy and laborer protests regarding wages and the development of welfare policies, in the aftermath of war.

Several historians have studied South Asian labor strikes and the resultant end of indenture practices, indicating that “between 1904–1905 and 1920–1921, there were as many as 141 reported cases of rioting and unlawful assembly” that resulted in the development of labor enquiries and reforms initiated by the government.<sup>44</sup> The historiography rightly emphasizes links between the labor riots, the end of indenture (legally abolished in 1917, though some practices continued into the 1920s), and the combination of the Great War, wage stagnation, and nationalist, anti-colonial sentiment in South Asia. However, little has been written about the relationship between the changes to the recruitment system for the tea industry, and the decisions tea companies were making around the same period. As the labor laws changed, there was an even more cohesive comradery and network approach by tea planters, and more specifically among tea companies, to resolve the financial and labor issues in the industry outside of the constraints of law.<sup>45</sup> They established region-wide and industry-wide agreements for corporate best practices, including payment-in kind and competitive wage structures for employees, that continued to impact the tea industry for years after independence (1947/48).

### *The Great Depression*

Tea prices increased from 1922, which increased production; however, the lag between planting, production, and sale meant that by the end of the 1920s, there was again excess supply and growing stockpiles. This was only exacerbated by the start of the Great Depression in 1929. Responding to pressure from South Asian producers, the British government imposed higher duties on DEI tea imports into Britain, to provide better terms for British tea imports.<sup>46</sup> However,

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<sup>44</sup> Jayeeta Sharma, “‘Lazy’ Natives, Coolie Labour, and the Assam Tea Industry,” *Modern Asian Studies* 43, no. 6 (2009): 1319.

<sup>45</sup> Rana P. Behal, *One Hundred Years of Servitude*, 294-296.

<sup>46</sup> International Tea Committee “ITC History” Accessed April 23, 2020. [www.inttea.com/itc-history/](http://www.inttea.com/itc-history/).

such measures failed to prevent the DEI from increasing its market share of the global tea market. At the same time as the duty increase, restrictions on tea production by India- and Ceylon-based companies served to drive up the price of South Asian teas, stimulating British imports of cheaper foreign teas.<sup>47</sup> Dutch tea only became more prominent internationally, despite attempts by the South Asian tea industry associations to curb its growth.

By 1929, India, Ceylon, and the DEI accounted for about 83 percent of world exports in tea and the market was saturated.<sup>48</sup> A restriction scheme on tea production organized between the proprietors in these three countries was attempted, but was unsuccessful as production restrictions were not followed. As a result, continued growth of exports, and less demand, led to a crisis in the industry.<sup>49</sup> In 1932, the British government introduced an Imperial Preference scheme that privileged Indian and Ceylonese teas in the British market against competition from the DEI; the British government imposed an import duty on DEI teas double that placed on Indian and Ceylonese teas.<sup>50</sup> Even though less DEI tea was imported into Britain, as a result, more was exported to the USA, Egypt, and Iraq, because it was still cheaper than British tea in those countries.<sup>51</sup> When the Great Depression began in 1929, tea was considered a luxury rather than a food staple which led to a reduction in worldwide tea consumption (both in Britain and elsewhere). Although the amount of tea consumption was also reduced in the US during the Depression, there was a brief surge in consumption during Prohibition, which had Americans

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<sup>47</sup> V.D. Wickizer, *Tea Under International Regulation* (Stanford: Food Research Institute Stanford University Press, 1944), 72.

<sup>48</sup> Bishnupriya Gupta, "The International Tea Cartel during the Great Depression, 1929-1933" *Journal of Economic History* 61, no. 1 (2001): 145.

<sup>49</sup> V.D. Wickizer, *Tea Under International Regulation* (Stanford: Food Research Institute Stanford University Press, 1944), 70-72.

<sup>50</sup> R. van de Meeberg, "The world trade in tea" in K.C. Wilson and M.N. Clifford (eds.), *Tea: Cultivation to consumption* (Dordrecht: Springer Netherlands, 1991), 651-2; V.D. Wickizer *Tea Under International Regulation* (Stanford: Food Research Institute Stanford University Press, 1944), 70.

<sup>51</sup> R. van de Meeberg, "The world trade in tea" in K.C. Wilson and M.N. Clifford (eds.), *Tea: Cultivation to consumption* (Dordrecht: Springer Netherlands, 1991), 652.

looking to substitute another drink for the alcoholic beverages that were not permitted. However, in 1933, the prohibition was reversed in most US states. Significant measures were taken to increase the number of tea drinkers within South Asia itself. The formation of an Indian Tea Market Expansion Board with the sole purpose of advertising tea across India contributed to a substantial growth in consumption. Even so, India only absorbed a small fraction of the tea produced in the country.<sup>52</sup>

By 1933, another restriction scheme, the International Tea Agreement, was introduced (first proposed by the Dutch), in response to the global depression and a decreased demand for tea. The agreement was formed between the regional tea associations and their respective governments to limit exports and expansion during this period.<sup>53</sup> The agreement stipulated that “tea exports would be under the control of the Indian, Ceylon, and Dutch governments, a varying percentage of standard exports as these were fixed becoming the export quota for each country from year to year.”<sup>54</sup> This means that the respective countries had limitations imposed on their exports that were based on a percentage of their maximum exports in the preceding three years; these “maximum exports” were approximately 382.6 million pounds for India, 251.5 million for Ceylon, and 173.6 million pounds for the Dutch East Indies. The quota was initially set in 1933–34 at 85 percent of these numbers.<sup>55</sup>

Voting power on the associated International Tea Committee (which administered this agreement) was proportional to the export ratio (38, 25, and 17).<sup>56</sup> The International Tea

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<sup>52</sup> Philip Lutgendorf, “Making Tea in India: Chai, capitalism, culture,” *Thesis Eleven* 113, no. 1 (2012): 11–31.

<sup>53</sup> Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World* (Princeton: Princeton University Press, 2017), 266.

<sup>54</sup> *James Finlay & Company Limited: Manufactures and East India Merchants, 1750–1950* (Glasgow: Jackson Son & Company, 1951), 109

<sup>55</sup> Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World* (Princeton: Princeton University Press, 2017), 266. Erika Rappaport argues that this agreement was “a step toward European economic integration” in the aftermath of the sterling’s devaluation after “abandon[ing] the gold standard in September 1931.”

<sup>56</sup> V.D. Wickizer, *Tea Under International Regulation*, 73–74.



Agreement was initially intended to last five years (until 1938) but was renewed for another five years when those five years expired. The International Tea Agreement remained in effect until 1955 and was not renewed, although the International Tea Committee remained an active body into the twenty-first century.<sup>57</sup> The 1933 International Tea Agreement between India, Ceylon, and the DEI, then, was intended to help the tea industry avoid major losses and to share the burden of losses more evenly. Similar to the effect of the post-World War I restriction scheme on production, this International Tea Agreement to reduce production had a direct impact on labor in South Asia.

#### Effect on Labor in South Asia

Losses from the Depression as well as decreased production due to the International Tea Agreement led to a rise in unemployment and wage cuts, that, in turn, resulted in widespread labor unrest. Historian Rana Behal argues that this was particularly the case in Assam, where there were over 20 strikes in the year 1931 on the issue of wages—before the International Tea Agreement had even been introduced.<sup>58</sup> The strikes and exodus movements continued throughout the 1930s with laborer complaints ranging from high rice prices, “longer-than-usual” work hours, low pay (or the withholding of pay), and unhealthy conditions. However, as the decade progressed, worker concerns became more strictly linked to the issue of wages.<sup>59</sup> The company policies regarding wages, payment-in-kind, and contractual obligations form the subject of chapter four of this dissertation.

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<sup>57</sup> International Tea Committee “ITC History” [www.inttea.com/itc-history/](http://www.inttea.com/itc-history/). Accessed April 23, 2020.

<sup>58</sup> Rana P. Behal, *One Hundred Years of Solitude*, 297.

<sup>59</sup> Rana P. Behal, *One Hundred Years of Solitude*, 298-299.

Workers' concerns in the 1930s raised the attention of international organizations, such as the International Labour Organization of the League of Nations. Negotiations at the 1919 Treaty of Versailles in France (after WWI) had resulted in the creation of, among other things, the League of Nations—one component of which was the International Labour Organization (later adopted into the United Nations in 1945). India, though a non-sovereign signatory, sent delegates to the League of Nations' early convenings, and by 1929, there was an office of the International Labour Organization based in New Delhi, under the supervision of economist, Dr. P.P. Pillai. His office's role was to provide detailed reports about labor conditions on the subcontinent to the international community.<sup>60</sup>

An early ILO conference in Washington, D.C. in 1919 had resulted in India and Japan being named “special countries” where the legal age for children to work was 12 (instead of the international standard of 14), and where a 60-hour work week was permissible (instead of the global standard of a 48-hour work week).<sup>61</sup> The ILO committee regarded these countries as “still industrializing” and expected that, in time, India and Japan would adopt international standards. India's adoption of these international labor standards was debated among the diverse Indian representatives to the ILO, all of whom held different views—two members represented the government, another represented employers, and the last represented the laborers.<sup>62</sup> The ILO committee decided in favour of the Indian government's desire to lower age limits for laborers

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<sup>60</sup> Ravi Ahuja, “Monthly Reports of the Indian Branch Office of the International Labour Organization, 1929-1969: A Finding Aid. Compiled by Ravi Ahuja, Preface. <https://www.uni-goettingen.de/de/document/download/65ff1aa444b69bee97211f7c33a165ca.pdf/Indices%20of%20ILO%20Reports%20Jan1929-Dec1969.pdf>.”

<sup>61</sup> Prabhu P. Mohapatra, *India and the ILO: Chronicle of a Shared Journey 1919 - 2019* [1st ed.]. (New Delhi: ILO, 2020), 10-14.

<sup>62</sup> Prabhu P. Mohapatra, *India and the ILO: Chronicle of a Shared Journey 1919 - 2019* [1st ed.]. (New Delhi: ILO, 2020), 12-14.

and increase weekly work hours—illustrating the problems with the tripartite structure in labor reform that disproportionately favored those in positions of authority.

The ILO representatives in India compiled reports detailing the relations between the laborers, the laws governing them, and the implementation of government-inspired policies in industrial settings. In 1938, the New Delhi agency of the International Labour Organization (ILO) completed a report on Industrial Labour in India, including tea production.<sup>63</sup> Through their reports, the ILO sought to negotiate the future of labor policies, structure, and organization on the tea estates. In the case of tea, this meant that they highlighted in their reports the insular nature of the tea industry's leaders and government officials, and pressed for international observation of the industry and greater laborer representation on tripartite government committees. Attempts to increase unionization of laborers on tea plantations and at industrial sites throughout India also were significant during this period.

### *The Second World War and Tea*

The advent of World War Two in 1939 addressed some financial insecurities in the industry through changes to the market, but also brought new concerns. Once again, the British imperial government commandeered a percentage of tea products produced in the colonies to support its soldiers and industrial workers. The London tea auctions were shut down and tea was rationed.<sup>64</sup> To accommodate this, the International Tea Committee raised the percentage of

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<sup>63</sup> International Labour Organization (ILO), *Industrial Labour in India*. Studies and Reports. Series A (Industrial Relations) 41. London: P.S. King & Son, 1938. [https://www.ilo.org/public/libdoc/ilo/ILO-SR/ILO-SR\\_A41\\_engl.pdf](https://www.ilo.org/public/libdoc/ilo/ILO-SR/ILO-SR_A41_engl.pdf)

<sup>64</sup> Erika Rappaport, *A Thirst for Empire*, 306-307.

standard exports for India, Ceylon, and the DEI from 85 to 95 percent.<sup>65</sup> Finlay's company history book describes that period this way:

“Open market dealings in tea ceased, and all the crop for the United Kingdom was sold to the Ministry of Food at agreed prices which were considered reasonable by producers. The tea industry entered a period of assured sales and submitted itself to a policy dictated by political and strategical considerations.”<sup>66</sup>

This security eased concerns and increased production. In addition, when Japan took control of the Dutch East Indies in March 1942, they wiped out 30 percent of the acres under tea (replacing them with food crops) and destroyed most of the tea factories, which effectively eliminated production and competition from the DEI for years.<sup>67</sup> The overall global tea supply decreased, creating greater security for South Asian tea estates, which, as a result, increased their output.<sup>68</sup>

However, the Japanese advance across Southeast Asia posed a threat to the Allied forces in Burma and India and was a threat to tea production in India and Ceylon. Shortly after its attack on Pearl Harbor in December 1941, Japan attacked Burma in an attempt to push back British defenses on India's northeast border in the early months of 1942, and to cut off direct access links between British India and China. Britain was afraid that the Japanese armies would invade the regions of Assam and Bengal during the war. Finlay's company history describes the

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<sup>65</sup> N. Ramachandran, *Foreign Plantation Investment in Ceylon, 1889-1958* (Colombo: Central Bank of Ceylon, 1963), 100; V.D. Wickizer *Tea Under International Regulation*, 84.

<sup>66</sup> *James Finlay & Company Limited: Manufacturers and East India Merchants*, 110.

<sup>67</sup> A. Kruithof, *World Tea Trade* (International Bank for Reconstruction and Development Economic Department, 2015), 5-8. Accessed June 20, 2021. <https://documents1.worldbank.org/curated/en/247901468335951443/pdf/670680SR0Box260E1430world0tea0trade.pdf>; D. M. Etherington, “The Indonesian Tea Industry” *Bulletin of Indonesian Economic Studies* 10, no. 2 (1974), 89.

<sup>68</sup> *James Finlay & Company Limited: Manufacturers and East India Merchants*, 110.

tasks of tea plantation laborers, under the control of British companies, who were called in to support British efforts to push back Japanese advances:

“In the dark days of March 1942, a staff officer representing the General [Harold] Alexander [1891–1969] presented himself before the Indian Tea Association in Calcutta and showed that the safety of the hardpressed Burma Army largely depended on the construction of a road from India to Burma via Manipur in not more than two months time. The Association was the only body capable of organising the supply of men and equipment from the tea estates and the response was immediate and whole-hearted. Within less than a week eighteen thousand men were at work, very largely equipped from the resources of the tea gardens. In a few weeks there were over a hundred thousand deployed on the project, completed with their medical staff, water-finding equipment, transport, food, and camp supplies. The tea estates and many of the strategic projects were the targets for Japanese bombing and casualties amongst the workers added to the rising flood of difficulties. It is worthy of particular note that the morale of the estate labour—men, women, and children—was maintained throughout at a high level.”<sup>69</sup>

Tea estate workers and planters undertook other defensive projects, including the building of more roads and several airfields for the allied armies. Again, the advance of Japanese troops and the retreat in May 1942 of Joseph Stilwell (1883–1946), American commander, and General Harold Alexander (1891–1969), British commander and leader of the armies, led to a surge of Burmese refugees into India. Consequently, according to Finlay records, up to 250,000 tea plantation laborers were involved in building housing and camps for the refugees.<sup>70</sup>

In addition, as allied soldiers marched back into Assam, their presence placed immense strain upon tea plantation resources that helped to support them along the way. The unnamed

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<sup>69</sup> *James Finlay & Company Limited: Manufactures and East India Merchants, 1750-1950* (Glasgow: Jackson Son & Company, 1951), 117-118.

<sup>70</sup> *James Finlay & Company Limited: Manufactures and East India Merchants, 1750-1950* (Glasgow: Jackson Son & Company, 1951), 118.

writer of Finlay's company history, however, marveled at what the tea plantation workers accomplished during that period, although he chalked it up to the inner workings of the company structure (discussed more in the following chapter) through which manpower was able to be strategically and quickly mobilized: "the undoubted success of the industry's effort, planned and carried out in its entirety within its own organization, is a great tribute to the capacity and adaptability of private enterprise."<sup>71</sup>

Later that same year (1942), Japanese forces attacked Calcutta in Christmas air raids that forced British officials and industrial workers to flee the city. Though still under the threat of attack, Calcutta became a place that asylum seekers descended upon in droves as a famine in 1943 began to sweep through Bengal. The famine had several causes, among which was the acquisition of rice and grain by the government for redistribution and for war efforts, and 'denial' policies (which similar to a scorched earth policy removed resources and forms of transport from the enemy's path) in the retreat of the British military through the region.<sup>72</sup> The removal of resources from Bengal and the removal of boats and other forms of transport meant that the local population had little recourse to food or to the markets from which they normally sourced food. Instead, food stores were hoarded in Calcutta, while, at the same time, thousands came into the city seeking relief and starved to death.

Historian Janam Mukherjee's analysis of the 1943 famine and its impact on the end of empire criticizes the "industrial firms in and around Calcutta—both British and Indian alike—[that] made similar 'cost-benefit' analyses based on war and (record) profits", choosing to

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<sup>71</sup> *James Finlay & Company Limited: Manufactures and East India Merchants, 1750-1950* (Glasgow: Jackson Son & Company, 1951), 119.

<sup>72</sup> Janam Mukherjee, *Hungry Bengal: War, Famine and the End of Empire*. (Oxford: Oxford University Press, Incorporated, 2015); Auriol Law-Smith, "Response and responsibility: The government of India's role in the Bengal famine, 1943" *South Asia: Journal of South Asian Studies* 12.1 (1989): 49-65.

maximize profits rather than make choices that would aid in relief.<sup>73</sup> Mukherjee acknowledges that the profits of Indian businesses over the same period led to the establishment of an elite, with extensive capital, that advocated for independence and nationalist politics in the years that followed—however little they attended to the starvation of millions in the interim.<sup>74</sup> Famine relief, work-for-food programs, and the “priority” allocation of resources had a lasting impact on Bengal—communal remembrance of the famine, lasting socio-economic disparities, and stimulation for later armed uprisings among sharecroppers.<sup>75</sup>

Ceylon was also under threat from Japanese attack during the war, as well. It was used as a military base for British soldiers in the region and there was the possibility that it would be attacked and captured like Singapore had been in February 1942 by the Japanese. However, aside from a few air raids, Ceylon was spared and became a place for respite for people living in the region and soldiers on their way to other bases in the Pacific Ocean.<sup>76</sup>

### *Independence and After*

With the conclusion of the war in 1945, the push for independence in the South Asian countries increased. For example, a series of anti-colonial protests in 1946 spread outwards from Calcutta to other parts of India.<sup>77</sup> With independence inevitable, companies and colonial representatives sought to determine how and/or whether the tea industry would still flourish after independence. Increasingly, as independence loomed—and even before, as British colonial officials sought to increase Indian representation across sectors—some tea companies moved

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<sup>73</sup> Janam Mukherjee, *Hungry Bengal: War, Famine and the End of Empire*, 252.

<sup>74</sup> Janam Mukherjee, *Hungry Bengal: War, Famine and the End of Empire*, 256.

<sup>75</sup> Janam Mukherjee, *Hungry Bengal: War, Famine and the End of Empire*, 256-258.

<sup>76</sup> D.M. Forrest, *One Hundred Years of Ceylon Tea*, 233.

<sup>77</sup> Janam Mukherjee, *Hungry Bengal: War, Famine and the End of Empire* (New York: Oxford University Press, 2015), 209-250.

Indian (or Ceylonese in Ceylon) employees into positions of management in preparation for intentional post-independence nationalization policies that would require these companies to be largely South Asian-owned.<sup>78</sup> Some companies sold majority ownership to Indian companies or formed partnerships with Indian companies to be retained after independence. Others prepared to leave.

The decision to go or stay was linked to anticipation and uncertainty about the future of the industry in the post-independence period. British company owners and managers were worried about the local perception of the companies' connections with the government and the companies' prior involvement in colonial governance (explored in chapter five). The movement towards self-rule and independence intensified in India and Ceylon until 1947, when independence was achieved in India with a bloody partition, and 1948 when Ceylon achieved dominion status. The destruction, violence, mass migration, and killings that occurred at Indian borders at the time of partition, as people moved between the borders of India, West Pakistan, and East Pakistan (east Bengal, now Bangladesh), was devastating. Over one million people were killed, and over 14 million were displaced. This period (1947—48) led to years of unsettlement and unrest, particularly in regions like Bengal that were close to the borders of the newly divided countries. Bengal was divided and the part that became East Pakistan had about 75,000 acres under tea in 1949, producing about 50 million lbs of tea.<sup>79</sup>

As independence was looming and in the years just after it was achieved, the new government in India implemented a series of acts and measures that directly impacted the tea

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<sup>78</sup> Maria Misra, *Business, Race, and Politics in British India, C.1850-1960*. Oxford Historical Monographs. (Oxford: Clarendon Press, 1999), 183.

<sup>79</sup> A. Kruithof, "World Tea Trade" *International Bank for Reconstruction and Development* (1951): 6. Accessed June 20, 2021. <https://documents1.worldbank.org/curated/en/247901468335951443/pdf/670680SR0Box260E1430world0tea0trade.pdf>



industry and led to the transfer of many British company tea plantations to Indian agencies and tea planters.<sup>80</sup> This included the Capital Issues (Control) Act of 1947, which passed just before independence; it was intended to ensure government regulation of issues of capital by companies, setting the prices and number of shares that companies could offer the public.<sup>81</sup> After independence, the Minimum Wages Act of 1948 was passed, which gave the federal and state governments control over workers' wages, rather than independent industries.<sup>82</sup> Further, there was an increase in government regulation of tea plantations, the number of which owned by foreigners declined.<sup>83</sup> The Plantation Labour Act was passed in 1951, intending to govern laborers' welfare and labor policies on large tea plantations. The Industry Development and Regulation Act of 1951 required that all companies operating in the country hold government license. The Companies Act of 1956 placed major restrictions on the kinds of companies that could operate in India, and increased government oversight.

The "percentage of tea crop under Indian control" increased from 15.9 percent in 1931 to 41.6 percent by 1969. However, British influences remained. British tea companies still formed a majority in the north of India in the 1950s; in 1956, these British companies were still controlling around 75 percent of tea production in the northeast of India.<sup>84</sup> In 1966, Duncan Brothers & Co. Ltd., which owned 45 tea gardens in the north, produced 8 percent of north India's tea. Finlay owned 24 tea gardens in the north and was responsible for 5.6 percent of tea production;

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<sup>80</sup> Gangadhar Banerjee, *Tea Plantation industry, between 1850 and 1992: structural changes* (India: Assam Lawyer's Book Stall, 1996), 180-181.

<sup>81</sup> Gautum Chikermane, *70 Policies that Shaped India: 1947 to 2017, Independence to \$2.5 Trillion* (Observer Research Foundation, 2018), 1-2. [https://www.orfonline.org/expert-speak/42915-controller-capital-issues-1947/#\\_edn2](https://www.orfonline.org/expert-speak/42915-controller-capital-issues-1947/#_edn2)

<sup>82</sup> Gautum Chikermane, *70 Policies*, 3. The Minimum Wages Act guaranteed minimum wage regulation by the government in theory, it was way more complex in practice.

<sup>83</sup> Gangadhar Banerjee, *Tea Plantation industry*, 182.

<sup>84</sup> Prasadrangan Ray, *Whither Indian Tea?* (Ithaca, NY: Cornell/International Agricultural Economics Study, 1982), 22. <https://ageconsearch.umn.edu/record/182130/usage?ln=en>; Rana P. Behal, *One Hundred Year of Servitude: Political Economy of Tea Plantations in Colonial Assam*. (New Delhi: Tulika Books, 2014), 101

MacNeill & Barry, Williamson & Magor, Balmer Lawrie, and James Warren & Co were all producing more than Finlay and held more gardens each.<sup>85</sup> However, many international companies left India in the 1970s and 1980s, including Finlay, in response to changing legislation within the country. Finlay had developed a partnership with Indian company, Tata in 1962 (to become Tata-Finlay), and eventually sold all of its shares in the company to Tata Tea in 1983. They devoted more resources to maintain plantations in Sri Lanka and East Africa.

East African countries (Kenya, Uganda, Tanganyika and Nyasaland), or British companies in those countries, increased tea production and exports significantly from World War II into the period after Indian independence. Production increased from 14.4 to 30.8 million lbs. between 1934/38 and 1949.<sup>86</sup> The growth of these production countries encouraged planters to shift resources and production from the South Asian countries that were inevitably moving towards independence to new locations in East Africa.<sup>87</sup> For example, Finlay and Brooke Bond had already purchased land in Kenya in the 1920's (Finlay via their African Highlands Produce Company, Limited) and continued to expand.<sup>88</sup>

Significant shifts in the market continued. East Africa began to figure prominently in the international market, while Indonesia took years to recover in the tea export market due to the damage done during the war. Indonesia gained independence in 1948, yet tea plantations never recovered their former importance in the global market. The trading and selling in tea also shifted from London to eastern markets like Colombo and Calcutta.<sup>89</sup> Tea consumption in producer countries increased during and after the war. Consumption in India and Pakistan

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<sup>85</sup> Prasadranjan Ray, *Whither Indian Tea?* 23.

<sup>86</sup> A. Kruithof, "World Tea Trade," 8.

<sup>87</sup> Erika Rappaport, *A Thirst for Empire*, 344-348.

<sup>88</sup> *James Finlay & Company Limited: Manufactures and East India Merchants, 1750-1950* (Glasgow: Jackson Son & Company, 1951), 108.

<sup>89</sup> A. Kruithof, "World Tea Trade," 10; Erika Rappaport *A Thirst for Empire*, 347.

increased from an estimated 97.6 million lbs in 1939 to 165 million lbs. in 1948, and in Ceylon from about 10.5 million lbs to 14.5 million lbs. over the same period.<sup>90</sup>

For its part, Ceylon was granted dominion status in 1948, and similarly introduced legislation aimed at economic nationalization that impacted the tea industry. The tea plantations were brought under greater government control, leading eventually to the nationalization of the estates by 1975. For example, the Ceylon Tea Control Act of 1949, which was extended in 1957, gave the government the ability to register tea estates and issue licenses for operation and export.<sup>91</sup> In 1951, the Colombo Plan for Cooperative Economic and Social Development in Asia and the Pacific was also established to link Commonwealth countries in shaping an economic future through the development of infrastructure and “south-south cooperation.”<sup>92</sup>

However, as a dominion of Britain from 1948 to 1972, Ceylon remained more tightly linked to British influence and governance. It reversed some of its policies in the 1990s towards international companies that gave them the freedom again to manage large plantations on the island. Thus, long-extant tea companies (like Finlay’s and Lipton) operated there. Further legislation in Ceylon was directed at tea garden laborers. In 1948 and 1949, the Ceylonese government passed legislation denying citizenship to and disenfranchising Indian Tamil plantation laborers who made up about 12 percent of the population and were one of the largest minority groups on the island.<sup>93</sup> Many of these laborers remained stateless for years, as India also didn’t receive them as citizens right away; Indian or Sri Lankan citizenship was granted in waves to different groups of laborers over the course of the following decades.

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<sup>90</sup> A. Kruithof, “World Tea Trade,” 18.

<sup>91</sup> D. M. Forrest, *A Hundred Years of Ceylon Tea: 1867-1967* (London: Chatto & Windus, 1967), 246.

<sup>92</sup> The Colombo Plan Secretariat, “The History of the Colombo Plan” Accessed May 2, 2020. <https://Colombo-plan.org/history/>.

<sup>93</sup> Amita Shastri, “Estate Tamils, the Ceylon Citizenship Act of 1948 and Sri Lankan Politics,” *Contemporary South Asia* 8, no. 1 (March 1, 1999): 65, 67.

## *Conclusion*

The changes in government policy that occurred during this early period post-independence (1947-1960s) were difficult to anticipate by companies that were worried that their profits and the livelihood of their employees would be threatened. The events earlier in the century (wars, Depression, strikes and protests, and international influence through workers' rights organizations) had already indicated the precarity of the industry and company profitability in the changing South Asian landscape. Government acts, increased taxation, regulation on foreign currencies, the nationalization of economic development, and the nationalization of tea plantations led to many companies selling their estates and pursuing greater production in other countries—especially those with British holdings, like Kenya and Tanzania.<sup>94</sup> All of the events that transpired during this half-century internationally and in the countries explored here, influenced the South Asian tea industry, the employees that managed the estates and the laborers that worked on those estates. This overview of the external pressures on, and overall structural changes in, the tea industry from 1901 to 1951 provides the context for subsequent chapters which investigate labor relations and labor legislation in the South Asian company-led tea industry over the same period.

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<sup>94</sup> D. M. Forrest, *A Hundred Years of Ceylon Tea: 1867-1967* (London: Chatto & Windus, 1967), 251-253

### **Chapter 3: The Structure of Business and Labor: A Case Study of Finlay Contracts**

To better grasp the practices of large company-owned tea plantations, it is important to have an understanding of their personnel structure—from the executive positions at the home office to the everyday management of tea plantations. An examination of the Finlay company archives lends insight into the management structure of Finlay's network of tea companies, which marked the industrial landscape of India and Ceylon. The company kept detailed information about its European plantation managers and assistant managers, including their employee contracts. This stands in stark contrast with the records kept on their South Asian laborers, who were often only enumerated or briefly referenced in cases of conflict or legal dispute.

This chapter explores employee and laborer contracts on company tea plantations to elucidate the organizational patterns of both the company and the estates. Within the Indian context, tea plantations were classified as industrial sites. As such, they had many legal and structural similarities to other industrial sites including, for example, jute mills and factories elsewhere in South Asia and Britain. However, tea plantations were also considered agricultural sites, and so had exigencies peculiar to their organization. The legal and political implications of this (explored in depth in chapter five) are significant—influencing labor policy, contracts, and avenues for redress for hundreds of thousands of South Asian laborers who were overseen by a much smaller number of European employees.

The chapter, broken into two parts, begins with a description of the early twentieth-century legislation that influenced laborer contracts in Assam (where the majority of tea plantation laborers worked), and what those contracts entailed. The second part examines the

contracts of company employees—most of whom were European—how they were organized, and what their contracts involved. Subsequently, the dichotomy between employee and laborer is explored, contrasting roles and processes of advancement and negotiation between each. The dichotomy between laborer and employee on company estates set the standard for the industry. Their characterizations became enshrined in post-independence legislation as the Plantation Labour Law of 1951 makes clear.

While the Finlay archives reveal much in terms of the employee / laborer distinction, there is little to provide a well-rounded view of the collective and individual experiences of laborers. Much of the information we have about laborer roles derives from government reports that describe the nature of their contracts, the duration of the contracts, and their contestation. Additional insight into their contracts can be gleaned from an examination of the push and pull factors that contributed to labor migration and the initial terms of their contractual agreements (discussed in chapter four). This chapter begins with a brief overview of laborer contracts.

### *Part I. Laborer Contracts*

#### *Recruitment*

Prior to the passing of the Assam Labour & Emigration Act of 1901, the act that governed the movement of labor to and from Assam tea plantations was Act I of 1882. The 1882 act was intended to reduce recruitment costs for planters by deregulating the system of licenses

that recruiters had been required to have.<sup>1</sup> It was a mark of its time; Indian tea production and exports to Britain, in comparison to exports from China, were increasing (India surpassed China for the first time in 1888). This correlated with a decline in tea prices.<sup>2</sup> In other words, planters sought to recruit laborers at lower wages, and they also wanted policies that would allow recruitment to proceed at a faster pace. Tea planters saw the deregulation of recruitment (that is, allowing unlicensed recruitment) as the best option.<sup>3</sup>

However, this deregulation actually led to a rise in kidnappings, death, unmonitored intermediary recruiters (as well as the unmonitored transport of laborers), and ultimately increased the cost of acquiring laborers. Because intermediaries were paid for each laborer they successfully transported to a tea garden, intermediaries would sometimes raid villages or reroute laborers on the roadways to receive higher commissions. The tea gardens, which were in desperate need of laborers, would then compete for laborers brought into the Assam Valley. By the 1890s, the recruitment cost per laborer for Assam tea plantations had more than tripled.<sup>4</sup> Concurrent with these recruitment changes, tea garden managers were granted more authority by the colonial government to arrest laborers that left work sites, the length of laborer contracts was extended, and penal clauses were upheld—which permitted the punishment of a laborer who did not fulfill the terms of their contract, even if they were brought to the plantation against their

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<sup>1</sup> Prior to the 1882 Act, one established in 1865 introduced a Protector of Labourers as well as an Inspector of Labourers, to ensure laborer conditions, and the gardens that they were heading to, were fit for work. In the case of abuses or other issues at the work site, laborers could seek out these officials, although it was generally not advantageous for a laborer to do so. If a laborer's claim or complaint was considered trivial, the hours or days of work missed to make the complaint were simply added on to the laborer's contract. Government officials could terminate or delay the contract on behalf of laborers if certain conditions were not met or if the laborer was unfit for work. However, the role of the Protector was abolished, and inspectors were employed in their stead.

<sup>2</sup> Rana P. Behal, *One Hundred Year of Servitude: Political Economy of Tea Plantations in Colonial Assam*. (New Delhi: Tulika Books, 2014).

<sup>3</sup> Rana P. Behal and Prabhu P. Mohapatra, "'Tea and money versus human life': The rise and fall of the indenture system in the Assam tea plantations 1840-1908," *The Journal of Peasant Studies* 19, no. 3-4 (1992), 149.

<sup>4</sup> Rana P. Behal and Prabhu P. Mohapatra, "'Tea and money versus human life': The rise and fall," 153.

will. For this reason, many historians have identified this period as one rife with abuse, corruption, and forms of recruitment and laborer transport resembling “a new system of slavery.”<sup>5</sup>

By 1901, the Assam Labour and Emigration Act of 1901, imposed government regulation on the recruitment process for plantations in order to prevent the abuses that had occurred in the transport and contracting of workers during the late nineteenth century. The act was intended to ensure that the laborer arrived on the estate in good health (health inspections were made prior to departure) and that the laborers were willing to go. The act, however, was intended even more to provide protection against high recruitment costs for planters.

Recruiters now needed to register and receive a license to recruit. The act required “licensed recruiters ... to register emigrants before a Magistrate in the district of recruitment, after which they [could] be removed to a central depot in or near the district of recruitment there to be placed under contract.”<sup>6</sup> The act also stipulated that sirdars recruiting for “particular agencies or associations of employers”—such as the Assam branch of the Indian Tea Association or companies with agents in Calcutta—would have “further relaxation of control” over their recruiting activities.<sup>7</sup> Large tea companies with plantations across India and Ceylon had varying views of the usefulness of the 1901 act, because the law was not evenly applied or applicable across South Asia. Even within the region of Assam, recruitment occurred with and without the stipulations required by the act.

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<sup>5</sup> Refer again to Hugh Tinker and other thinkers that have espoused this idea in the wider indentured labor context. Hugh Tinker *A New System of Slavery: The Export of Indian Labour Overseas, 1830-1920* (London: Oxford University Press, 1974).

<sup>6</sup> Report of the Assam Labour Enquiry Commission (1906), Appendix A, Section 32, 146, Section 33, 147.

<sup>7</sup> “Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts,” (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 112; “Report of the Assam Labour Enquiry Commission” (1906), Appendix A, Section 32, 146.



The provisions of the act applied specifically to those laborers that had signed a contract in the recruiting district. W.B. Bruce, superintendent of the Consolidated Tea and Lands Company in Assam (one of the Finlay Group of companies), reportedly told the Assam Labour Enquiry Committee that although he had over 2,000 laborers (1,400 of whom were “imported”) the laborers had not arrived at the garden already under contract. Instead, “whether under agreement or not, they all [received] R6 and R5 from the commencement and [received] full wages for a half haziri [daily task] for the first six months.”<sup>8</sup> Bruce also noted that the laborers would ask to be put under a pre-existing act (Act XIII of 1865) agreement for a year (of 313 days) in order to receive an initial bonus of 12 or 10 rupees. In Bruce’s opinion, the withdrawal or keeping of the Act VI of 1901 would make no difference to his recruitment processes, as that was not how the laborers were brought up to the company gardens. Bruce’s larger concern was the sardars who absconded with advances or laborers moving between tea gardens while still owing money on advances made by the company.

The 1901 act was also meant to protect the money advances that planters gave to laborers; further agreements between tea companies and tea planters prevented the movement of laborers from one plantation to the next in the same region. The 1901 act prolonged “indenture” into the twentieth century by retaining a penal clause in laborer contracts that made it a crime for laborers to leave sites of employment without permission or to leave their contracts unfulfilled.<sup>9</sup> Some planters wanted to repeal the 1901 law because the contract made the tea plantations less desirable. Others wanted to repeal the act because the recruitment processes at the front end (in

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<sup>8</sup> “Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts,” (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 197–198.

<sup>9</sup> Rana P. Behal, *One Hundred Years of Servitude*.

the recruiting districts) were slowed down by bureaucracy. Others thought the stipulated wages were too high. Still others, like Bruce, didn't care whether the law was retained or not.

While some planters and colonial officials contested the recruitment and wage protections for laborers in the 1901 Assam Labour and Emigration Act, Sir Henry J.S. Cotton (1845–1915), the Chief Commissioner of Assam from 1896 to 1902, thought that the initial proposals made in the Act “[did] not go far enough” to protect the laborer, and his position was put forward and debated in several newspapers in 1902.<sup>10</sup> Though Sir Cotton was removed from his official role because of his views, by 1906, the commissioners for the Surma Valley and the Assam Valley (of Assam) had similar, though less disruptive, opinions.

J.C. Arbuthnott, commissioner for the Surma Valley and Hill Districts of Assam, advocated for the removal of the right to privately arrest laborers by planters, noting that the removal of this criminal stipulation would require tea plantations “to close or give better terms to their coolies” to entice them to stay. He recommended that the 1901 Act be repealed within three to four years because it was “an anomaly to retain an elaborate special law for four districts in the whole of India” when several other districts operated without it.<sup>11</sup> The Assam Valley districts commissioner, Mr. F.J. Monahan, however, argued that the “districts of the Upper Assam Valley [could not] do without a system of indentured labor.”<sup>12</sup> Yet, he did suggest amendments including a re-examination and elimination of sections of the 1901 Act that enabled private

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<sup>10</sup> *Pioneer* (Allahabad) Saturday, February 23, 1901:2. South Asian Newspapers. Accessed May 2, 2020. <https://infoweb-newsbank-com.proxy3.library.mcgill.ca/apps/readex/doc?p=WHNPASIA1&docref=image/v2%3A1324D80D8E2BE8E3%40WHNPASIA1-133652F2D0DB5E60%402415439-133501DE03D13BE0%401-133501DE03D13BE0%40;AmritaBazarPatrika> (Calcutta, India) September 24, 1902: 7. South Asian Newspapers Online. Accessed May 3, 2020. <https://infoweb-newsbank-com.proxy3.library.mcgill.ca/apps/readex/doc?p=WHNPASIA1&docref=image/v2%3A131DE1D267345E49%40WHNPASIA1-146C315C40938D70%402416017-146A2B3D54317AB8%406-146A2B3D54317AB8%40>.

<sup>11</sup> “Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts,” (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 203.

<sup>12</sup> “Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts,” (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 198.

arrests without warrant by planters of laborers that had left the estates without leave to do so. Monahan cited several instances of abuse and argued that “improved communication” between the courts, government officials, and tea planters at the turn of the century diminished the need for private arrests without warrant.

In 1909, a colonial official given special privileges by the Government of Eastern Bengal and Assam, visited “all the principal recruiting districts in Bengal, Madras, the United Provinces of Agra and Oudh, and the Central Provinces” to “write a simple account of the various systems of obtaining labor and of the way in which they work[ed] in different parts of the country.”<sup>13</sup> In observing the system of recruitment and abuses that occurred with unlicensed recruiters, he pushed for a more regulated but free recruitment system facilitated by garden sirdars who were linked, with appropriate documentation, to specific tea gardens.<sup>14</sup> His report was likely, in part, an attempt to satisfy the employees of these large company plantations, who would be favored in that legislation.<sup>15</sup> An amendment to the 1901 act that was passed in 1915 implemented this suggestion; the tea companies from that time established recruiting agencies for their gardens with licensed sirdars in several districts across India.

Though contested in the years after its passing, and partially repealed in 1915, the 1901 Act set the tone for twentieth-century labor policies in South Asia; subsequent laws either mirrored or challenged aspects of the 1901 Act. Assam, in terms of laborer recruitment, was

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<sup>13</sup> J. F. Gruning, *Recruitment of Labour for Tea Gardens in Assam* (Shillong: April 16, 1909), 1. Accessed January 23, 2020. [https://archive.org/details/recruitmentoflab00grunrich/page/n3\\_](https://archive.org/details/recruitmentoflab00grunrich/page/n3_)

<sup>14</sup> Discussions about continued unlicensed recruitment and even deceptive actions by sirdars in the recruitment districts took place in a 1914 meeting of the Tea Districts Labour Association. Even linking recruitment to specific gardens didn’t always resolve the issues. See Department of Commerce and Industry *Proceedings of the Bi-monthly meeting of the Committee of the Tea Districts Labour Supply Association held on 22nd May 1914. Recruitment by free Contractors*. National Archives of India Digitized Public Records. Accessed February 23, 2021. <https://www.indianculture.gov.in/archives/proceedings-bi-monthly-meeting-committee-tea-districts-labour-supply-association-held-22nd>

<sup>15</sup> J. F. Gruning, *Recruitment of Labour for Tea Gardens in Assam* (Shillong: April 16, 1909), 13.

viewed as the least “free” tea-planting region in South Asia and colonial officials intended to eventually shift Assam’s system towards one of free recruitment, similar to the Duars. However, some “freer” regions, like Madras, began to implement more rigid aspects of labor recruitment on behalf of planters operating in that region. In Madras in 1903, there was an active movement to introduce a new bill—the Madras Planters’ Labour Law of 1903—which bore some of the “provisions taken from the [Assam] Labour and Emigration Act of 1901.” The most significant element was the proposal to introduce a penal clause in laborer contracts that would make it a crime for laborers to abscond.<sup>16</sup>

The President of the Madras Legislative Council indicated that the bill, being the result of consultation “with the Planters’ Associations, the District Officers concerned, the Judges of the High Court, the Law Officers of Government, the Governments of Mysore and Coorg and the Government of India”, was intended to serve two purposes: “to ensure good and fair treatment to the labourer, in sickness and in health, and to protect the employer from the serious losses to which he has hitherto been exposed through the dishonesty, extortion or caprice of the labourer.”<sup>17</sup>

The meeting of the legislative council in Madras discussing this was recorded in the *Ceylon Observer*. The discussion included the President’s assertion that Assam, which was “not more important” than the south of India in the tea planting industry, had in place special labor laws applied to the plantations, because of the migratory nature of the laborers. He went on to

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<sup>16</sup> “The Madras Planters’ Labour Bill,” *Ceylon Observer (Weekly Edition)*, (Colombo), December 24, 1902: 21. South Asian Online Newspapers. Accessed May 3, 2020. <https://infoweb-newsbank-com.proxy3.library.mcgill.ca/apps/readex/doc?p=WHNPASIA1&docref=image/v2%3A12FF571E6C91631E%40WHNPASIA1-1311C90466FF6600%402416108-130EC5AFE0989AC0%4020-130EC5AFE0989AC0%40>; For more insight into the working of the bill and its influence on recruitment, view Barbara Evans work including her article: Barbara Evans, "Cultural Context and Contractual Relations: The Madras Planters' Labour Law and the Rise of the Plantation Maistri, 1904-1927." *Journal of the Royal Asiatic Society*, Third Series, 7, no. 1 (1997): 73-92.

<sup>17</sup> “The President’s Address” in “The Madras Planters’ Labour Bill,” *Ceylon Observer (Weekly Edition)* (Colombo) December 24, 1902: 21.

say that the laborers in Madras were even more migratory each year, and thus the region required a specific set of laws to protect planters' advances in recruitment and prevent the absconding of laborers. A collection of planters in the region felt that giving wage advances to laborers put the planters at a disadvantage, because laborers sometimes did not fulfill their obligations. The introduction of a penal clause, in their opinion, would make fulfilling the contract mandatory after jailtime was served.<sup>18</sup>

The Madras Planters' Labour bill, with some adjustments, was enshrined in law in March 1903, and not fully repealed until 1929.<sup>19</sup> It allowed for absconding laborers to be arrested and required that all contracts be registered with government officials.<sup>20</sup> Legal decisions like this made in Assam, the Duars, and Madras also ultimately effected laborers migrating to Ceylon, since the majority of tea laborers in Ceylon came from the Tamil-speaking regions of India in the Madras Presidency. These legal decisions that set the stage for the first half of the twentieth century are important to understand, as a base for exploring the ways in which tea companies influenced the laws and policies governing the industry in the years that followed. As the twentieth century progressed, government intervention into the state of affairs on plantations influenced the dynamics of labor contracts—which controlled the lives of workers on the estates.

There were several changes in policy and law in the period 1901–1925 that affected the length and enforceability of labor contracts. In 1915, most clauses of Act VI of 1901 (as discussed earlier) were withdrawn in Assam (particularly, the right to privately arrest laborers), and an amendment was implemented to provide a supervisory labor board to address ongoing

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<sup>18</sup> “The President’s Address,” in “The Madras Planters’ Labour Bill,” *Ceylon Observer (Weekly Edition)* (Colombo) December 24, 1902: 21.

<sup>19</sup> John Whitley, *Report of the Royal Commission on Labor in India*, (Calcutta: Government of India Central Legislation Branch, 1931), 355. <https://babel.hathitrust.org/cgi/pt?id=umn.31951001164066c&view=1up&seq=416&skin=2021>.

<sup>20</sup> J.C. Arbuthnott, “Report on the Conditions of Tea Garden Labour in the Duars of Bengal, in Madras, and Ceylon,” Assam Commission (Shillong: Assam Secretariat Printing Office, 1904), 14–15.

recruitment and contract issues.<sup>21</sup> In 1920, Act XII was passed, adding amendments to the Workmen's Breach of Contract Act of 1859 (Act XIII of 1859) which limited the length of enforceable contracts to one year. Many laborers were placed under Act XIII contracts if they had arrived at the tea gardens without a contract. The Workmen's Breach of Contract Act of 1859 was repealed in whole in 1925, which removed any kind of penal or criminal enforceability to the contracts.

The actual contracts of laborers are not present in company and colonial archives (except for a few legal and illegal ones recorded in government reports). Perhaps, it is because the contracts were only legally binding within the South Asian context, and specific to the tea plantations where the laborers worked, and therefore no corresponding record was kept elsewhere. Perhaps, it was also because some of the contracts were actually illegal, and the records were intentionally misplaced. Official government committee reports of the industry in the first couple decades of the twentieth century declined to interview laborers about their contracts, even when there was an official labor enquiry. It was a systematic exclusion that the committee explicitly sought to justify in the reports by citing a number of reasons—including lack of precedent, fear that it would lead to greater unrest, and belief that the information given by uneducated laborers would be unreliable.<sup>22</sup> Rather, these committees justified their approach as being conducted “from the standpoint of the coolies well-being.” However, managers were also systematically given a questionnaire to provide their viewpoints, sometimes with leading

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<sup>21</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), 102.

<sup>22</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 4-5. This committee declined to involve laborers in direct interviews on questions of remuneration and wage increases.; Crispin Bates and Marina Carter, "Enslaved Lives, Enslaving Labels," 70.

questions.<sup>23</sup> Historians recognize the irony of this early anonymity in documentation, given that labor emigration laws required contracts detailed with the laborer's name, village, and an affirmation of willingness to emigrate.<sup>24</sup> Many of the laborers are named only in cases of resistance, such as legal documentation involving court cases. However, there does remain the possibility that more signed (or thumbprint-based) contracts will be found by historians or archivists in the near future, which would further elucidate recruitment processes and initial contracts.<sup>25</sup>

### Wages

The nature and content of laborer contracts became a source of debate among planters, colonial government officials, labor advocates and laborers over the period from 1901-1951. Several histories have been written about how contracts on plantations in Assam, Darjeeling, Bengal, Madras, Ceylon and elsewhere could range from slavery-like compulsion to more free migration.<sup>26</sup> The wages that laborers earned made the distinction that much clearer. Different regions across South Asia had different labor regimes and different wage patterns, though, generally, wages were low. Wages were discussed both by direct employers and regional administrators. The commissioner of the Assam Valley in 1906, for example, wanted to introduce wage determination at the district level instead of the regional (Assam) level at the

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<sup>23</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 71. One question from the 1921-22 enquiry was "Question 41 reads: --'How far do you think it true that an appreciable rise in the rate of wages would result in the coolie not earning more from the garden, but in his doing less work for the same pay?'"

<sup>24</sup> Rana P. Behal, *One Hundred Year of Servitude: Political Economy of Tea Plantations in Colonial Assam*. (New Delhi: Tulika Books, 2014), 252.

<sup>25</sup> John Whitley, "Royal Commission on Labour," 376. The Royal Commission on Labour in 1931 describes contracts with advances that were "signed" with a thumb-impression.

<sup>26</sup> For example, see: Nitin Varma, "Coolie Acts and the Acting Coolies: Coolie, Planter and State in the Late Nineteenth and Early Twentieth Century Colonial Tea Plantations of Assam," *Social Scientist* 33, no. No. 5/6 (June 2005): 49-72; Patrick Peebles, *The Plantation Tamils of Ceylon* (London; New York: Leicester University Press, 2001).

“recommendation of advisory boards, composed of representatives of employers and district officers,” in order to keep local wages consistent so that laborers wouldn’t be enticed from one plantation to the next.<sup>27</sup> He also wanted districts to have the freedom to set wages according to local exigencies.

The 1901 act, in addition to new restrictions on recruiting for Assam, had also introduced region-wide legislation for wages. The act set contract terms at four years, with graduated wage prices: Rs. 5 for men and Rs.4 for women per month for the first year; Rs. 5.8 and Rs. 4.8, respectively, for the second and third years; and Rs. 6 and 5 for the final year.<sup>28</sup> In comparison, the manager of a Finlay’s tea garden in the Duars (a more free, unregulated region) in 1906 recorded that the pay for men and women averaged around Rs. 6 and 4.8, respectively, based on the three to four days of work per week expected of laborers. Laborers, however, could potentially earn more for performing extra tasks once their “haziri” (daily task) was completed, or for plucking more tea leaves than the daily requirement.<sup>29</sup>

The 1906 report by the Assam Labour Enquiry Commission found that the payment of wages based on daily tasks completed (and not for a days’ work itself) was used to circumvent legal requirements to a minimum wage and to avoid having to approach the magistrate if an employer sought to lower a laborer’s wages due to the laborer’s unwillingness to work. The minimum was conditional, but said to be available to all who did the daily work. Pay was only given for completed tasks, but the expectation was that “the full rate of wages [were] within easy

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<sup>27</sup> Assam Labour Enquiry Committee, “Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts,” (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 199–200. In 1915, the creation of a labor board in Assam by an amendment to the 1901 Assam Labour and Emigration Act was an attempt at this kind of advisory board.

<sup>28</sup> “Report of the Assam Labour Enquiry Commission (1906),” Appendix A, Section 33, 146.

<sup>29</sup> Assam Labour Enquiry Committee “Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts” (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 128.



reach of every one who [did] an ordinary day's labor."<sup>30</sup> If a laborer had a long sickness that prohibited work, he or she was given a "subsistence allowance of 1½ annas (1 anna=1/16 of a rupee) a day up to a 30-day period, upon which the amount of days beyond that would be 'added to the term of the contract.'"<sup>31</sup>

An example of the format for a laborer's contract, held by a laborer on an Assam Tea Company estate, can be found in the 1921-22 Assam Labour Enquiry Committee's government report. The contract was written as made between the laborer and the manager of the tea estate—not between the laborer and the company.<sup>32</sup> Thus, the manager of the estate had significant direct say and influence over the laborer's work and contract. The contract held biographical information for the laborer—the first name of the laborer, the father's name, the laborer's age, sex, caste, zilluh (district), village, and *thana* (administrative sub-district)—and even a place to list identifying information, such as "descriptive marks."<sup>33</sup>

The contract typically specified monetary advances that the laborers would receive from the employer, with the agreement that their labor would be required to pay it back. The contract provided some details of the *hazirah* (daily task-based) payment system that laborers were bound by. This system linked pay to the amount of work completed per day and days worked, rather than to a set number of years. If a daily task was not completed in a given day, pay was adjusted accordingly or not given at all. Laborers worked a set number of *Hazirahs* or *nirikhs* (daily tasks) per contract and any advance given at the start of a contract would be worked off, at a rate of a

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<sup>30</sup> "Report of the Assam Labour Enquiry Commission (1906)," Appendix A, Section 20, 142-143.

<sup>31</sup> "Report of the Assam Labour Enquiry Commission (1906)," Appendix A, Section 25, 144.

<sup>32</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), 138-140. An example of a laborer's contract, one issued by the Assam Tea Company, was provided by the 1922 Assam Labour Enquiry Committee's report.

<sup>33</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), 138. This was an example of an illegal contract in the report, but it was illegal because of the number of years it was for; by 1920, an amendment had limited terms of agreement for laborers on this kind of contract to one year.

specified amount of rupees per set of *hazirahs* (per 26 *hazirahs* in the case of this 1922 contract).<sup>34</sup> Wages were similarly calculated at a certain number of rupees per set of *hazirahs*.<sup>35</sup>

Another sample contract listed in the report included this statement:

“I shall serve for \_\_\_\_ days, calculating a day according to the measure of work, which is, or may be, prevalent in the said Estate for determining a daily attendance of full task and I accept the garden *Hazirah* Book as a true and proper account of the number of my attendance at work from which book the date of the termination of my contract shall be determined.”<sup>36</sup>

The *hazirah* or *ticca* book, determined how much and whether a laborer was paid. However, this agreement to trust the *Hazirah* book, left little space for redress for when there were actual discrepancies between the *hazirahs* registered in the book and those the laborer completed. Rather the contract emphasized penalties for laborers who did not fulfill their contracts. though the details of the law that these penalties were based upon, were not specified.<sup>37</sup>

Despite agreements like the one above to accept the *Hazirah* books’ tallies, laborers did contest the books’ contents. The 1921-22 Assam Labour Enquiry Committee report recorded several court cases won by laborers against employers who had listed unreasonably large numbers of *hazirahs* on the contracts or had recorded an unreasonable number of uncompleted

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<sup>34</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 139. Appendix XI

<sup>35</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 83, 138–140. Laborers could also contract their children on the estates; the enquiry report had several instances across the Assam region that showed children contracted to work on the estates. The report contained an example of a parental form to contract a laborer’s child to work for a set number of years (usually 3). The form included an advance clause and the rate for paying off that debt.

<sup>36</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 140. Appendix XIII. This contract was based on Act XIII of 1859. Many laborers that were uncontracted when they arrived on the estate received contracts under this act.

<sup>37</sup> Assam Labour Enquiry Committee *Report of the Assam Labour Enquiry Committee, 1921-22*, 140. This contract under Act XIII of 1859 was often used for laborers that were rehired after contracts were completed or weren’t contracted before they arrived on the estate.

hazirahs several years into the contractual period. In one case, in the Tezpur district of Assam (a region with a reputation for treating workers harshly), one laborer had in 1920 been under contract for three and a half years but was recorded by his employer as having worked for only 919 days; another man under contract to complete 626 *hazirahs* had only 345 *hazirahs* recorded as having been completed, though he had already been working for three years. The courts dismissed both cases in favor of the laborers, releasing them from their contracts.<sup>38</sup>

When laborers were found to be in violation of their contracts, however, they were usually sent back to the plantation managers—that is, if they were willing to complete the terms of the agreement. In some instances, laborers refused to return to the estate, and so were punished by the court. Women who had left the plantations before their contract expired, and had refused to return, received punishments of six weeks of hard labor or a three-week imprisonment.<sup>39</sup> For those that returned to the estate, employers could add days to the laborer's contract, if the laborer had left the estate without permission and the manager had to spend time or money finding him or her.<sup>40</sup>

Several Assam court cases recorded laborers applying for discharge certificates as proof of contract completion in order to avoid being forced back to a plantation. However, the courts often consulted managers before these were given so as to ensure that the employer had no outstanding claim on the laborer's labor. If there was an outstanding claim, the request for the certificate was refused and managers could add extra days of work or repayment obligations to the laborer's contract—in compensation for the costs involved in going to court. Nevertheless,

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<sup>38</sup> Assam Labour Enquiry Committee, "Case 985 of 1920- Mijikijan Tea Estate," and "Case 941-Modopee Tea Estate," *Report of the Assam Labour Enquiry Committee, 1921-22*, 80.

<sup>39</sup> Assam Labour Enquiry Committee, "Case 1317 of 1920" and "Case 438 of 1920" *Report of the Assam Labour Enquiry Committee, 1921-22*, 80.

<sup>40</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 76.

laborers placed high value on having a discharge certificate, because it verified their freedom in the district.<sup>41</sup>

The sample contracts contained in the 1921-22 Assam Labour Enquiry Committee report have no details about the release of the laborer at the end of their contracted period, and whether or how those that wished to return to their home village might do so. However, if a laborer had already returned to a recruiting district (often where laborers came from) while under contract, no warrant could be issued for his or her return; it was under executive order that warrants could not be enforced in the recruiting districts.<sup>42</sup> A possible reason for this was that if laborers were tracked down in their home communities and made to return to the plantation against their will, it would harm the reputation of tea plantations in the recruiting districts and thus deter potential recruits.

#### *Company Cooperation around Labor Contracts*

In addition to contracts, companies instituted other measures that severely limited work opportunities and mobility for laborers outside of their contracted tea estate. Regional cooperation between companies to prevent the movement of laborers between estates while under contract, took the form of signed agreements—such as the “Memorandum of Agreement in connection with Enticement of Labour From Tea Gardens and Other Concerns in the Brahmaputra Valley and Surma Valley.”<sup>43</sup> The chief aim of this memo was to set out the terms of the agreement between the companies, including the rules of arbitration, and the fines and damages required to be paid for breaking the agreement. The agreement was made to confine a

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<sup>41</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 76.

<sup>42</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 82.

<sup>43</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), Appendix XIV, 141.

laborer to one estate by preventing his or her hire in another garden of the same region. The memo was

aimed at discouraging and preventing the enticement, harbouring, detention or employment (hereafter called 'offences') of garden or other coolies without the consent of the companies and concerns by or for whom such coolies may have been imported recruited or employed and at prescribing certain fines or penalties by way of damages for infringement of such Rules and Provisions, which Rules and Provisions are framed and subscribed on the assurance or assumption that all proprietors, Boards of Directors, and Managing or other Agents or Secretaries of the said companies and concerns may be depended on to enforce...<sup>44</sup>

Company directors and agents were to enforce compliance with the agreement from their plantation managers and assistant managers. Managers of the company estates were to arrest and return laborers of other plantations if they were found on or near the company estates. This kind of employer agreement isolated laborers and restricted their mobility and advancement even further by increasing surveillance throughout the district and creating greater dependency of laborers on the tea estate where they lived. Estate managers became grocers, lenders, health service providers, landlords, and owners of the labor of their workers.

Because of this dependence on the tea estates, and the dependence of the tea estates on the laborers' labor, a discussion in 1921 led by the Governor of Assam, Sir Nicholas Beatson Bell (b. 1867–1936), raised the idea of giving commission to laborers based on the profits of the

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<sup>44</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), Appendix XIV, 141.

plantation.<sup>45</sup> The companies were asked their opinions about profit-sharing and most replied that giving a bonus to laborers during profitable years would not be a good idea. Some replied that if such a measure was implemented, laborers would not understand if they didn't receive a bonus during less profitable years. Many company representatives thought that it would be better to use the money to fund education and other social welfare benefits on the laborers' behalf (these kinds of benefits are discussed more in chapter four).<sup>46</sup> Still others considered that profit-sharing would increase absenteeism and alcohol consumption. The 1922 Assam Labour Enquiry Committee agreed with the decision to avoid profit-sharing and encouraged managers to spend the money on behalf of the laborers. This and further debates about workers' wages and welfare in the industry were all couched in paternalistic terms; the contracts of laborers were often modified or adapted accordingly. The recruitment, wage, and welfare measures associated with laborers' contracts very clearly set laborers apart from those considered employees of the tea companies.

## *Part II: Employee Contracts*

### *Finlay's Employee Recordkeeping*

Most historians of labor in the South Asian tea industry focus exclusively on laborer contracts in order to elucidate the social organization of the plantations. However, they often

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<sup>45</sup> "Colonial administrators and post-independence leaders in India (1616-2000)," *Oxford Dictionary of National Biography*. September 22, 2005. Accessed March 23, 2021. <https://www-oxforddnb-com.proxy3.library.mcgill.ca/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-93241>; "Governor to Curate", *Times*, (May 3, 1922): 10. *The Times Digital Archive*. Accessed March 23, 2021. [https://link-gale-com.proxy3.library.mcgill.ca/apps/doc/CS169677475/TTDA?u=crepuq\\_mcgill&sid=TTDA&xid=37d4e6d2](https://link-gale-com.proxy3.library.mcgill.ca/apps/doc/CS169677475/TTDA?u=crepuq_mcgill&sid=TTDA&xid=37d4e6d2). Sir Nicholas Beatson Bell was a Scottish administrator in Bengal who became the chief commissioner of Assam from 1918, and then the first governor of Assam in 1921 for a few months, before being ordained as a missionary-curate.

<sup>46</sup> Assam Labour Enquiry Committee *Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), 73-74.

neglect to examine contracts for managerial staff. This is surprising given that these employee contracts provide important information about staff positionality in the tea company structure and the way that tea plantations and labor were organized, subject to international—mainly British, and more specifically, Scottish—company standards. Understanding this, enables historians to distinguish company practice from individual practices implemented by employees on the estate.

The employee integration into the (Scottish) company was distinct from the way that laborers were integrated into the plantation system. This section, then, explores the nature of employee contracts, the positions that employees held, and the requirements of those positions. It seeks to illustrate the intertwined nature of employee contractual employability and plantation profitability with laborer performance, while also demonstrating the unique positions that employees and laborers occupied. The intention is to explain more deeply the dichotomy within the company structure represented by these two forms of contracts and their associated recruitment processes.

Finlay meticulously recorded the names and identities of all of its employees travelling from Europe, chiefly from Scotland, to tea estates in South Asia from the late nineteenth century (at least 1870) into the late twentieth.<sup>47</sup> The record-keeping was essential to proper oversight of employee salary, performance, and advancement for each employee, so the biographical information of each employee, as well as summaries of their contractual agreements were recorded. Given the distance from plantations to company directors and agents in Calcutta, Colombo, and Glasgow; the way that much of this information was compiled was through letters

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<sup>47</sup> These books dating to the 1870s recorded name, age, salary, education, who introduced the employee to the directors of Finlay and the day that the contract started and ended. UGBA UGD 091/1/6/3/2/0; *Engagements with Assistants* UGBA UGD 091/1/6/3/2/1; *Particulars regarding Assistants. Private*. UGBA UGD 091/1/6/3/2/2.

and telegrams. Copies of letters from and concerning each employee were kept in extensive leather-bound books which archived interpersonal and company relationships between the head office, in-country agents, tea estate managers, assistants—and, indirectly, laborers.<sup>48</sup> This detailed recordkeeping, while demonstrating corporate organization, demonstrates and archives the completely separate order of value, advancement, and individualism that employees experienced within the company system as opposed to the laborers within India and Ceylon that worked for them.

Parallels can be drawn here between the employee contracts of tea concerns like Finlay and those of the East India Company that operated in India from the 1600s to mid-1800s. Both “companies” had to overcome long distances and the limitations of long-distance communications. The distances between the Finlay headquarters in Glasgow and the company’s agents in South Asia, and between those agents and the tea estate managers meant that the formal contracts needed a well-defined “duration, specification of duties and responsibilities, ‘zones of tolerance’ of acceptable behavior, incentive schemes, and specification of contingencies that might lead to termination or legal action.”<sup>49</sup> Similarly, much of the energy expended by EIC officials, as was reflected in letters exchanged between them, was in order to facilitate the principal-agent relationship, monitor lesser employees, and ensure that the terms of contract were fulfilled.<sup>50</sup>

These dynamics were depicted in the Finlay archive letterbooks and served to demonstrate what was acceptable behavior for an employee, what was supported by the legal

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<sup>48</sup> UGBA FMALIC UGD 91/1/6/3/1/1-15.

<sup>49</sup> Santhi Hejeebu, “Contract Enforcement in the English East India Company,” *The Journal of Economic History*, 65, no.2 (Jun. 2005): 501.

<sup>50</sup> Santhi Hejeebu, “Contract Enforcement in the English East India Company,” *The Journal of Economic History*, 65, no.2 (Jun. 2005): 498.



team of the company, and what fulfilled the terms of the contract. Although the contents of the letterbooks must be understood in the context of the internal workings of one network of four colonial companies, many letters reflect issues central to other South Asian, foreign-owned, company tea estates. Letters detailing plantation operations and manager-laborer relations often include examples of negotiation and resistance by both employees and laborers. These letters also illustrate the protocol to be applied when employees transgressed regulations or expectations—particularly during periods of major unrest. Company employees were outnumbered on the estates by laborers, and their actions had deep consequences for the company’s image and bottom line.

The letters also demonstrate that employees could contest certain aspects of their contract, within reason, and seek out their own advancement. These letterbooks include letters that employees on the tea estates wrote to agents based in the regional big cities, to complain about co-workers (bosses or assistants) and to request promised elements of the contract that were conditional and had not yet been disbursed (for example, supplements to the salary based upon learning a vernacular language to a sufficient level, or money for purchasing a pony). Salary increases were often requested by managers decrying excessive hardship in managing larger estates. Some managers requested reimbursement for out-of-pocket expenses incurred when trying to increase estate production (clearing land for planting, for example), that exceeded the “customary allowance for upkeep.”<sup>51</sup> It is clear that much of the correspondence in the letterbooks consist of conversations about performance and salary, yet the content of employee contracts, the positions that employees occupied, and the relationship that employee contracts had with laborers’ work efficiency and performance are also detailed.

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<sup>51</sup> “Agreement for Work,” Mss Eur F233/93, Clause 10.

### The “Scottish” Nature of Finlay’s Employee Contracts

Finlay’s employee contracts reflected both the structure of colonial India and Ceylon and the cultural origins of the company. Several historians have emphasized the quintessentially “Scottish” nature of business, influence, and character in many colonial British enterprises in the east.<sup>52</sup> They posit that, from the late nineteenth century, distinct from the British Indian Civil Service recruits, companies sought Scots who had passed through the distinct, peculiarly egalitarian yet renowned, Scottish educational structure.<sup>53</sup> Many firms active in the colonies, especially those based in Scotland, recruited young Scots keen to acquire wealth and fortune. For Finlay, these young men often first passed through the firm’s headquarters in Glasgow and Edinburgh (later, London) and were then placed in either India or Ceylon.

While these companies recruited young people across Great Britain and Ireland, as well as recruits from other parts of Europe (and as time went on, management staff in South Asia, too), it was often familial connections that led to the growth of the company’s workforce. Many of the young assistants travelling to India or Ceylon for the first time came from families connected to board members in Glasgow or were related to those already working on the estates. For example, Walter Smith Sutherland Mackay (b. 1904–1987), wrote in his memoirs that he remembers being asked by the chairman of Finlay in 1924, if he would consider going to work on the tea estates. The chairman Sir A. Kay Muir (Bart. Of Blair Drummond) was apparently an

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<sup>52</sup> T.M. Devine *Scotland’s Empire: The Origins of the Global Diaspora* (London: Penguin Group, 2003), 251; G.J. Bryant, "Scots in India in the Eighteenth Century" *The Scottish Historical Review* 64, no. 177 (1985): 22–41. Accessed January 24, 2020.

<sup>53</sup> For more information on the ICS education transition in subject material over the latter half of the nineteenth century, see C. J. Dewey "The Education of a Ruling Caste: The Indian Civil Service in the Era of Competitive Examination." *The English Historical Review* 88, no. 347 (1973): 262–85.

old friend of Mackay's parents, Rev. George Sutherland Mackay (Chaplain to the 4<sup>th</sup> Battalion Black Watch) and Esther Nye Andrew. Mackay wrote this about the chairman:

He said he was looking for suitable young men, keen on the idea of a jungle life, particularly in the Travancore Hills of South India, where there had recently been heavy floods, during the South West Monsoon and much damage to property. 'Would I consider going out to join the Kanan Devan Hills Produce Co?' Without pausing to ask what I was to do when I got there, I accepted the offer...<sup>54</sup>

The company's letterbooks also highlight the familial connections of employees through the biographical information that potential employees supplied when applying for contracts. The father's name and occupation were typically listed, and recommendation letters for the young men were provided and recorded. These recommenders, if they were in the tea business themselves, would sometimes provide further support for the employee when his character or loyalty was questioned or when adverse circumstances arose.

The contracts and letters associated with each employee indicate that familial and relational networks were also important elements of the employee retention and behavior modification processes. These networks operated in two prominent ways. Because the employee was often connected relationally in the same networks as the board in Glasgow, there was an enhancement of company responsibility towards the employee or the employee's family as several letters included those written by widows of prior employees to the company board asking for resources after their husband's death. However, these networks could also work coercively against the employee, requiring deeper loyalty to the company—given the familial connections

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<sup>54</sup> Walter Smith Sutherland Mackay, "Biographical Notes," *Memories of India Oral Archives Scheme, Travancore* (London: British Library India Office, Library and Records, February 7, 1984), IOLR/A/26/3 MSS Eur. D 1063, 1-2.

back home or across the company network in South Asia. Both shame and support from family networks were present in these business relationships and were often hinted at in letters.

In one case, an employee of Finlay had several letters exchanged with him, and then about him between the company's agents and the employee's father, who was a senior manager on a Finlay plantation. The father had worked for the company for years.<sup>55</sup> The agents wrote to the father of the employee informing him of his son's desire to leave the company's employ before the end of his contract as an assistant, in order to go to work on a sheep farm in New Zealand. The letter also included that the son was unable to pay what the company expected him to in termination of his agreement. The father wrote to the agents about the correspondence that he then exchanged with his son:

In my letter, I took occasion to point out, that, in the event of his persisting in his desire to quit your service he, being of age, need not look to me for any financial support or help. Although I am without any very definite knowledge of the motives that have actuated my son, in what to me seems such stupendous foolishness, I can but presume that he did not foresee the possibility of his being asked to refund his passage money out here, your absolute right to exact which, cannot for a moment be questioned... You will realise what a very great disappointment this has been to me, and I feel deeply ashamed that a son of mine should have so smirched my name with the Company. I would mention that I have only seen the boy occasionally, during his infancy, and have not set eyes on him for over eleven years. He was, I fear, spoiled by an overfond aunt during his infancy.<sup>56</sup>

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<sup>55</sup> Letters concerning A.E.T. Corrie UGBA FMALIC UGD 091/1/6/3/1/15, 133-156. This employee was already on the agents' radar due to his manager's complaints about his tendency to leave the estate every night with friends to socialize at the club and to talk about estate and company business with people outside of the company.

<sup>56</sup> "A.E. Corrie [Sr.] to Calcutta-Private," Letters Concerning A.E.T. Corrie (18 August 1925) UGBA FMALIC UGD 091/1/6/3/1/15, 145-146.

After the exchange of letters from his father, and mother who was in Britain at the time, the employee (the son) wrote to the agents to withdraw his notice of resignation.

I have received letters both from my father and mother asking me most strongly not to leave India but, if you are good enough to allow it, to cancel my resignation. I do not want to leave this country in the knowledge that it is absolutely against my parents' wishes and that if I do so, it will accord them considerable anxiety. In view of these facts I shall be most grateful if you will allow me to remain in your employ and can only assure you that my conduct in the future will prove my gratitude.<sup>57</sup>

The father again wrote to the agents asking them to grant his son's request to remain with the company. The request was granted, and he stayed in the company's employ for almost another year, before asking again to terminate his services after an altercation that he had with Siria, a female laborer of the Khadim people group on the estate (for more on that story, refer to Appendix 2).<sup>58</sup>

As the above example illustrates, the exchange of letters by family members could also be used to garner an employee's promotion or continuance with the company. While providing access, these familial connections also limited freedoms in some ways, because the obligation to maintain familial prestige extended across the empire—from the Americas to Africa to east Asia. As mentioned before, this kind of prestige was written into the contracts or implied, and these companies, like Finlay, stressed a certain "ethic" to be maintained by managers and assistants on

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<sup>57</sup> "A.E.T. Corrie to Calcutta," Letters Concerning A.E. Corrie (4 September 1925) UGBA FMALIC UGD 091/1/6/3/1/15, 148–149.

<sup>58</sup> "G.V. Innes to Calcutta (Private)," Letters concerning A.E.T. Corrie (14 May 1926) UGBA FMALIC UGD/ 091/1/6/3/1/15, 150; "A.E.T. Corrie to Calcutta," Letters Concerning A.E.T. Corrie (15 May 1926) UGBA FMALIC UGD 091/1/6/3/1/15 151–153."

the tea estates. The employee was to “control his temper and live a strictly moral life,” which implied an underlying, and well understood, code of behaviours.<sup>59</sup>

### Legal Restrictions of the Contract

In addition to expectations on behavior, employee contracts—similar to those of laborers—had several requirements of a legal nature (Refer to sample contract in Appendix 1). First, they contained a mobile component: migration to South Asia was required, with restrictions on movement once on the estate. Finlay’s contracts required the employees that were sent abroad to agree to flexibility of location (willingness to transfer to different estates as needed), a relinquishment of time (willingness to travel to South Asia as soon as could be arranged), and submission in terms of position (a willingness to work with a variety of products like “tea, coffee, cinchona, cardamom, coconut, rubber”, etc.).<sup>60</sup> In this regard, the contracts between laborers and employees were similar—advances and the cost of transport were considered investments, and a return on investment via employee productivity was expected.

However, distinct from the example of laborer contracts, employee contracts explicitly gave options to the employee about what was offered concerning movement back from estates when the terms of employment ended. The cost of the voyage over and back to Europe was paid by the company if the employee fulfilled the terms of his contract. However, the cost of the voyage back to the UK and the cost of the initial travel from Britain to South Asia would have to be (re)paid by the employee, if the employee wanted to break the contract.<sup>61</sup> Most employees

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<sup>59</sup> “Agreement for Work,” with James Finlay Company, For George Norman Patrick Hodder, IOR: MSS Eur F 0233/93. Clause 6.

<sup>60</sup> “Agreement for Work,” IOR: MSS Eur F 0233/93. Clause 1, 2, 10.

<sup>61</sup> “Agreement for Work,” IOR: MSS Eur F 0233/93, Clause 10.

couldn't afford to pay that amount based on the small salary they received and thus remained in their positions until the contract was completed.

Plantation managers and assistant managers were subject to the corporate governance of the regional supervisors, agents, and board of directors in Scotland or London. These superiors limited the managers and assistants' mobility—while requiring certain behavior and efficiency in what many of them felt to be isolated and remote locations. Many of these plantation employees sought social relationships in the local European clubs and sports teams. Permission to leave an estate had to be granted in advance by the company agents, directors, or doctors if the employee wished to attend events elsewhere (like associational meetings), to go on furlough, or to leave the estate to recover from an illness.

Second, contracts had a set number of years required. Employee contracts were set for usually four or five years that began upon the arrival of an employee at his assigned tea estate. The contracts clearly listed the employee's remuneration with each year of employment as well as any additional benefits offered for meeting certain conditions for advancement.<sup>62</sup> Typically, a tea plantation employee's first contract would be for an assistant position supervised by a manager, and he would serve in that role for the entirety of the contract. If a contract was renewed, he may be considered for a manager position from the second or (usually) third contract. The assistant's conduct, skill and potential for management was judged by the manager, the agents that visited the estates to determine profitability, and, on some occasions, the local magistrates.<sup>63</sup> Some employees were never considered for a manager role, typically based on their inability to "manage labor."

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<sup>62</sup> "Agreement for Work," IOR: MSS Eur F 0233/93.

<sup>63</sup> "Extract from Police Report concerning D.S. Stewart," Letters Concerning D.S. Stewart (13 January 1925) UGBA FMALIC UGD 91/1/6/3/1/12, 445–446. "A theatre was held in the midst of the Bazaar in an empty house by the

Both the time working and leisure time were directed by company policy; a manager or assistant was required to “devote his whole time and attention to the service of the Employers and...be true and faithful to them and use his utmost endeavour to promote their objects and interests.”<sup>64</sup> Employees were not permitted to engage in speculation or attempt to secure a better posting for themselves while under contract “without having first obtained the written consent of the employers.”<sup>65</sup> One assistant, a James Chalk (age 26 in 1916), learned this the hard way, when he, having secured a billet and desiring to end his contract, was reminded by the agents of the company, that he was not free to leave the estate. In fact, the Finlay agents entered into correspondence with the other tea company that was offering Chalk the position, and had the offer revoked (Appendix 2).<sup>66</sup>

Examples like these were repeated throughout the letterbooks. When the employee was able to take up the offer with another company, he was often required to pay a fine based upon the penalty clause written into the contract.<sup>67</sup> Exceptions that allowed for the breaking of

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boys of Sonado. Constables were posted to keep the peace. Myself with the above noted officers attended to maintain order. Two Sahebs also came inside the Theatre House. I was in the midst of the crowd. On seeing sahibs I went to them to pay respects and to secure seats if they intended remaining longer, when I found that both Sahebs were drunk. Both Sahebs disturbed the people who were witnessing the performance, and made indecent jokes with women. The theatre was stopped. I requested them not to behave like this. After 2 hours after requesting several times both Sahebs left the place with syces and horses towards their bungalow. In my opinion they may kindly be instructed not to behave like this with coolies of the tea gardens in future. They will lose their respect and prestige.”

<sup>64</sup> “Agreement for Work,” IOR: MSS Eur F 0233/93, Clause 4.

<sup>65</sup> “Agreement for Work,” IOR: MSS Eur F 0233/93, Clause 4.

<sup>66</sup> “Calcutta to Glasgow,” Letters Concerning J. Chalk (21 Dec. 1916) UGBA FMALIC UGD 91/1/6/3/1/4, 55-57, 82, 84; “Calcutta to Mr. Chalk,” Letters Concerning J. Chalk (19 December 1916) UGBA FMALIC UGD 91/1/6/3/1/4, 96; “Calcutta to Glasgow,” Letters Concerning J. Chalk (9 February 1917) UGBA FMALIC UGD 91/1/6/3/1/4, 97.

<sup>67</sup> UGBA FMALIC UGD 091/1/6/3/1/2, 5–8, 97–98, 122–124, 230. An assistant, Eric Baxter (transported from Australia, 21 years old at time of contract in 1904), left the estate without permission and took up another position working for another company. Finlay agents entered into a contract with him by writing to his new employers, in order for him to pay back a portion of the amount it cost to bring him to India, because he had not completed the full amount of years required by his contract.



contracts with no penalty were extreme circumstances: prolonged sickness, family emergencies back in Britain, and war.<sup>68</sup>

However, the contract was still subject to British contract laws that did provide avenues for escape based on anti-coercion principles. This anti-compulsion rhetoric set the employee contract apart from the laborers' contracts where the attempt of a laborer to break a contract could have criminal implications into the third decade of the twentieth century—at least in practice. Employees had greater support in the legal system and this was known by the companies' officials, despite the persuasion emphasized through familial relationships and fines. The following example shows how an employee of the company, H.R. Buchanan, used the language of the contract to break free from it—and when he was threatened, was protected by the company's understanding of anti-slavery rhetoric in the judicial system back in Britain.

According to the Finlay company contract, the company had the freedom to terminate an employee's contract with three months' notice, or immediately with three months' pay.<sup>69</sup> The contract didn't provide a similar clause for the employee, rather it stipulated that if the terms of the contract were not fulfilled by either party, the defaulting party had to pay a penalty in the form of a fine.<sup>70</sup> H.R. Buchanan assumed that the former clause in the contract indicated that he also had the freedom to leave the company's service if he gave three months' notice, but this was not the case. In 1904, Buchanan had been offered a contract with the Assam Oil Company and

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<sup>68</sup> In periods of war, the company made the case that some employees were essential to the company and therefore could not be drafted, though some employees voluntarily left the estates. The employees that remained, if they were given leave (furlough) during the period of war, were asked by the company to take their leave further east (like Australia) rather than return to Britain to see family as they might not be able to return to South Asia. An example of Finlay requesting a release for an assistant manager from army service can be found here: UGBA FMALIC UGD 091/1/6/3/1/40 J.B. Soutar.

<sup>69</sup> "Agreement for Work," IOR: MSS Eur F 0233/93, Clause 12.

<sup>70</sup> "Agreement for Work," IOR: MSS Eur F 0233/93, Clause 13.

sought to terminate his contract with Finlay. However, Finlay agents responded to him in this way:

...your current agreement with us contains no clause under which you are entitled to give us notice of the termination thereof at any time before the natural expiry of the contract...[t]o obviate any possibility of a further misunderstanding on your part...[w]e may add that we are also advised to the effect that, in addition to the damage that would be awarded us, should we see fit to bring an action against you, should you willfully refuse to carry out the terms of the contract, the Court would grant us an injunction restraining you from accepting employment from others during the term of the agreement. We have thought it as well to make the legal position quite clear to you...and we trust on further consideration of the matter that you will see fit to withdraw from the altogether untenable position you have taken up.<sup>71</sup>

Buchanan replied to say that he received the letter, that he did not appreciate the agent's tone, and that he still planned to leave the company's employ at the end of three months. What follows in the letterbook is an exchange of letters between the Finlay lawyers and agents regarding potential legal proceedings against Buchanan, and possible outcomes. The lawyers made clear that the company could be awarded up to £500 in compensation, but the court would probably require proof that the company would experience hardship in acquiring another equally skilled man for the position.<sup>72</sup> The discussion between the lawyers and agents also included the concern as to whether judges in Britain would actually grant an injunction towards Buchanan.

The legal precedent cited in the discussion was a case regarding contracts for stage dancers that were recruited to perform as part of Phineas T. Barnum's (b. 1810–1891) shows. A

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<sup>71</sup> "F.M. Co to H.B. Buchanan" (15 April 1904) UGBA FMALIC UGD 91/1/6/3/1/1, 37–38.

<sup>72</sup> "Messrs Morgan & Co. to F.M. & Co." (20 May 1904) UGBA FMALIC UGD 91/1/6/3/1/1, 39.

justice of the high court of Britain who had presided over the Barnum case gave comments concerning the legal control of employees, which was then cited in the Finlay letter exchange:

In considering the question as to the injunction, so eminent a Judge as Mr. Justice Fry expressed himself in these words:-‘For my own part I should be very unwilling to extend the decisions the effect of which is to compel persons who are not desirous of maintaining continuous personal relations with one another to continue those personal relations, I have a strong feeling that it is not in the interests of mankind that the rules of specific performance should be extended to such cases. I think the Courts are bound to be jealous, lest they should turn contracts of service into contracts of slavery, and therefore speaking for myself, I should lean against the extension of the doctrine of specific performance and injunction in such a manner.’<sup>73</sup>

The lawyers then asked Finlay’s agents to consider “the practical question”: whether they wanted to retain Buchanan in their employ anyway, despite the company’s obvious desire to set a precedent for others who might try to violate employee contracts in the same way. Finlay’s agents also wrote to the Assam Oil Company to entreat them to revoke their offer to Buchanan, but the oil company deferred the decision to Finlay, arguing that if Finlay had legal grounds to retain Buchanan’s services, then the Assam Oil Company’s responsibility in the matter was null and void. The agents again sought the opinions of their solicitors and eventually let Mr. Buchanan’s contract terminate without pressing charges.

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<sup>73</sup> “Messrs Morgan & Co. to F.M. & Co.” (20 May 1904) UGBA FMALIC UGD 91/1/6/3/1/1, 909. This statement of Fry’s was in response to a case involving stage dancers who were contracted apprentices, under the tutelage of a *Signor George Giuseppe De Francesco* that had been recruited against the terms of the contract by Mr. Phineas T. Barnum for his shows. Read more in: G.W. Hemming, ed. “De Francesco v. Barnum” *The Law Reports under the superintendence and control of the Incorporated Council of Law Reporting for England and Wales; Supreme Court of Judicature. Cases determined in the Chancery Division and in lunacy, and on appeal therefrom in the Court of Appeal*, 45. (Great Britain: High Court of Justice, Chancery Division, 1890), 430–443. [https://www.google.com/books/edition/The\\_Law\\_Reports/NAFDAQAAMAAJ?hl=en&gbpv=0&kptab=sideways](https://www.google.com/books/edition/The_Law_Reports/NAFDAQAAMAAJ?hl=en&gbpv=0&kptab=sideways).

Nonetheless, this was a bit unusual. As stated in the previous example of Buchanan, the contracts stipulated a fine payable of five hundred pounds sterling by the defaulting party.<sup>74</sup> However, it is important to note and view these contracts as civil in nature and not subject to criminal punishment, such as jail time. This is an important distinction to remember when viewing the corresponding contracts of laborers that were explored earlier in this chapter; laborers' contracts often had criminal clauses for breach of contract (at least until the legal end of indenture).<sup>75</sup> By 1915, the British government of India also attempted to distance labor contracts from slavery-based production systems by limiting the terms of contracts, disallowing private arrests, and preventing the recapture of persons who didn't fulfill the contract. Employee contracts, however, were subject to British laws because they involved British subjects. So, where compulsion may have been limited legally, companies working in the same region in South Asia often worked in concert with each other to limit the occupational mobility of contracted employees between companies, by refusing to hire employees from other companies' employ within a certain time frame and fixing wages across the industry with similar pay scales.

Exploring employee contracts within the structure of an international company may serve to de-homogenize the planter class discussed in the labor historiography and offer a more complete view of the distribution of power in this context, despite obvious participation of these employees in the upper tier of a colonial system. The restrictions on mobility, how leisure time was spent, and whether the employee advanced was dependent on the work of the employee in

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<sup>74</sup> "Agreement for Work," IOR: MSS Eur F 0233/93, Section 13. "The first party and the second party bind and oblige themselves to implement and discharge their respective parts of the premises to each other under the penalty of Five hundred pounds sterling to be paid in name of liquidate damages by the party failing to the party performing or wiling to perform the same over and above performance."

<sup>75</sup> See Elizabeth Kolsky, *Colonial Justice in British India: White Violence and the Rule of Law* (Cambridge: Cambridge University Press, 2010); Rana P. Behal *One Hundred Years of Servitude: Political Economy of Tea Plantation in Colonial Assam* (New Delhi: Tulika Books, 2014).

the position he occupied. The next section will discuss more explicitly the various positions that the employees occupied within the company structure, and how the system of promotion worked.

### *Employee Positions in the Company*

The company hierarchy of Finlay is important to understand in order to address questions concerning employee agency and advancement and the contractual relationships between employees and laborers. Employee contracts varied some based on the employee's position and responsibilities though many expectations remained the same. As with all work contracts, they contained certain perks, privileges, and expectations. The contracts also specified the tasks and requirements associated with each role on the tea estates or in the branch offices of cities like Calcutta. This section examines specific roles in the company.

#### **Assistants and Assistant Managers**

Most British recruits for Finlay's tea plantations in South Asia were initially appointed to be assistant managers (Appendix 3, Image 4). In the early 1900s, a sample starting wage for such an assistant was under 200 rupees (Rs.) a month. After the successful completion of three years, the salary was raised to Rs. 200 a month.<sup>76</sup> Assistants signing their second contracts (after 4 or 5 years with the company) at the turn of the century were making around Rs. 300 per month, with the wages increasing stepwise each subsequent year (Appendix 2).<sup>77</sup> By the 1920s, as estates became more mechanized, Finlay increasingly recruited candidates with an engineering

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<sup>76</sup> UGBA FMALIC UGD 91/1/6/3/1/1, 41.

<sup>77</sup> "F.M. Co to J.F. Co.," Letters concerning R.G. Mathewson (14 March 1904) UGBA FMALIC UGD 91/1/6/3/1/1, 446–448.

background and the ability to operate and repair machinery. These “Engineer assistants” were appointed to work either on specific plantations, or alongside engineers who were involved with the regional upkeep of transport and supply systems for the tea estates. In common with other large tea concerns, Finlay played an instrumental role in building transport infrastructure to service their plantations. For example, when tea production expanded in Munnar, Kerala, ropeworks systems were installed to facilitate transport of tea from, and of provisions to, elevated areas of tea cultivation in locations where roads often proved impassable due to mudslides and washouts.<sup>78</sup>

By the 1920s, the starting salary had increased a little. For example, in 1924, 26-year-old David Skinner Stewart was appointed as an engineer assistant in North India at a monthly salary of Rs. 250 for the first year, Rs. 275 for the second, Rs. 300 for the third, and Rs. 325 for the fourth.<sup>79</sup> It was stipulated that should his contract be renewed for a further three years, he would receive Rs. 350 a month in the fifth year, Rs. 375 in the sixth, and Rs. 400 in the seventh.<sup>80</sup> Again, in 1925, Finlay’s hired G. Stanley Gillies (age 24) who had certificates in engineering and experience working with a variety of machinery, as assistant to their head engineer in Munnar, Mr. Grant, at a starting salary of Rs. 350 a month, to be increased to Rs. 375 in his second year, Rs. 400 in his third year, and Rs. 425 in his fourth year.<sup>81</sup> Gillies was hired to help build the ropeworks system in Munnar after the major floods of 1924 which had damaged company property.

Finlay’s regional offices in big cities such as Calcutta and Colombo also needed assistants with a background in accountancy, bookkeeping or clerking. In the 1930s, such an

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<sup>78</sup> Letters concerning Mr. Blair Hill, UGBA FMALIC UGD 91/1/6/3/1/1, 65–68.

<sup>79</sup> “Extract from Agreement 30<sup>th</sup> March, 1924,” UGBA FMALIC UGD 91/1/6/3/1/12, 441.

<sup>80</sup> “Extract from Agreement dated 5<sup>th</sup> March 1929,” UGBA FMALIC UGD 91/1/6/3/1/15, 854.

<sup>81</sup> “Extract from Agreement,” (2 June 1925) UGBA FMALIC UGD 91/1/6/3/1/15, 202–220.

assistant could obtain a starting salary of Rs. 650 per month for the initial year.<sup>82</sup> From the late 1930s and the 1940s, Indian and Sri Lankan assistants were also hired for these positions. This was partly in response to an industry-wide and governmental call for the integration of locally-based people in the tea companies.<sup>83</sup> Finlay hired three South Asian men on a probationary basis: “With Sircar, Dutt, and now Gupta I think we may call a halt for the moment as regards Indianisation until at least we have seen how these young men shape after a more lengthy trial.”<sup>84</sup> South Asians were also hired at a far lower wage rate than Europeans for the same positions, and could be hired on a probationary basis (for six months) before being offered a contract. In 1940, a Bengali assistant, Birendra Madhab Gupta, was hired at a monthly salary of about Rs. 300 in the Steamers Department in Calcutta.<sup>85</sup>

On the tea estate, hired assistants were expected to contribute to the improvement of the estate by keeping buildings and machinery in working order, as well as overseeing the work of the laborers under the oversight of the manager.<sup>86</sup> Each assistant manager’s contract included bonuses that were conditional based upon skills gained during the first few years. For example, if an assistant had gained a “thorough knowledge of the vernacular language” upon evaluation by a superior, he would receive a bonus of Rs. 200 at the end of his third year of work. If he had not

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<sup>82</sup> Letters concerning J.B. Soutar, 860-861. UGBA FMALIC UGD 091/1/6/3/1/40; Letters Concerning B.M. Gupta (November 27, 1940) UGBA FMALIC UGD 091/1/6/3/1/40. This notebook in the archive holds accounts of employees of the companies who worked into the 1970s. These included clerks, assistants, managers, engineers, overseers of Indian descent. Many companies were hiring young men of Indian descent who had completed university in London, Yale, and so, in the 1940s. The company saw this as a move towards greater “Indianization” of the business in the changing political climate, as indicated in the agreement for Mr. Birendra Madhab Gupta.

<sup>83</sup> For more on the changes taking place in this period in regard to nationalization and Indianization refer to Amalendu Guha, *Planter Raj to Swaraj: Freedom Struggle & Electoral Politics in Assam, 1826-1947* (New Delhi: Tulika Books, 2014). On page 67, he describes the movement towards self-governance and the development of an Indian middle class in the early twentieth century: “Progressive Indianisation of the civil service, abolition of European racial practices, further democratisation of the Legislative Councils and their extension to new areas, repeal of the repugnant penal provisions of the indenture Labour Acts,—all these demands and an unflinching faith in the growing unity of India echoed and re-echoed.”

<sup>84</sup> UGBA FMALIC UGD 091/1/6/3/1/40 Letters concerning Birendra Madhab Gupta

<sup>85</sup> UGBA FMALIC UGD 091/1/6/3/1/40 “Birendra Madhab Gupta”

<sup>86</sup> “Agreement for Work,” IOR:MSS Eur F 0233/93, Clause 3.

acquired thorough knowledge of the language, his salary would not increase to the promised rate for the fourth year until the manager or visiting agent confirmed that he had met the terms of the initial agreement.<sup>87</sup> If an assistant manager failed to live up to expectations of his position, or was considered incompetent, he was released from his contract early or his contract was not renewed at the end of the contract term.

A competent assistant could, during the term of their second or third contract, gain experience as a manager by substituting for a manager who was on furlough or sick leave. He might also be offered a small percentage of the plantation's commission for that period—a perk that all managers enjoyed. In 1925, a Finlay directors' scheme gave assistant managers employed for over six years “a share of commission on the nett[sic] profits” of the estate(s) worked in a given year, although that share was never to exceed 1 percent.<sup>88</sup> This provision awarded longevity in the company, even when assistants were not considered management material. However, a competent assistant manager could progress to secure a ‘billet’ (a management post) if he proved his ability in managing laborers and maintaining the profitability of the plantation. Throughout, such procedures and opportunities set employees apart from laborers. Laborers could rise to *sirdari* (recruiter and overseer) positions in which they oversaw a small group of other laborers and gained a commission based upon the number of laborers that showed up for work each day and the work they completed, but they didn't have the opportunity to share financially in the profits of the plantation.

The employees were required to abide by certain codes of behavior, reinforced by the threat of social exclusion from the social clubs and organizations that other estate managers and colonial officials frequented. They also had their basic needs met at the expense of the

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<sup>87</sup> “Agreement for Work,” IOR:MSS Eur F 0233/93, Clause 7.

<sup>88</sup> UGBA FMALIC UGD 91/1/6/3/1/7, 894.



company.<sup>89</sup> Housing and regular medical visits by trained company doctors were made available to assistants and managers. They were, by contract, required to subscribe to the company Provident Fund which provided retirement funds and support for employees after retirement, or for the employee's family should the employee pass away. The main reason for the fund was the risk of tropical diseases such as "fever" (enteric fever/typhoid fever, malaria, blackwater fever), dysentery, cholera, "enlargement of the spleen" and sometimes scares of tuberculosis.<sup>90</sup> Should illness warrant it, the fund provided for an employee's return to Europe and some financial support upon arrival.

Otherwise, an employee who fell ill could be sent to a health facility to recover or was transferred to another healthier tea estate. This was especially the case for employees with recurring, debilitating malaria; they would be transferred to estates with lower incidences of the disease.<sup>91</sup> The letterbooks are replete with accounts of managers and assistants suffering from diseases such as those noted above.<sup>92</sup> Other less common hazards included animals. For example, one unfortunate manager in Assam was "bitten by a mad dog" and was given leave to obtain anti-rabic treatment at the Pasteur Institute (Kassauli).<sup>93</sup> Another employee, was killed by an elephant.<sup>94</sup> Risk was in some ways written into the contract.

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<sup>89</sup> "Extract from Alex Mann's Letter of 3/3/04. F.M. & Co.," Letters concerning C.C. Martin UGBA FMALIC UGD 91/1/6/3/1/1, 868. "Mr. Martin is a most unsatisfactory assistant. Mr. Mackintosh of Sagurnal describes him as lazy and useless...and if a better report is not forthcoming...I should very strongly recommend his dismissal. He is evidently a dangerous individual & the fact that he is practically boycotted by everyone in the Balisera Valley with the exception of Mr. Dron and was not allowed to be a member of the Club...shows the opinion held of him by men who know him well."

<sup>90</sup> UGBA FMALIC UGD 91/1/6/3/1/1, 1, 76.

<sup>91</sup> "Agreement for Work," IOR: MSS Eur F 0233/93, Clause 11.

<sup>92</sup> UGBA FMALIC UGD 91/1/6/3/1/1, 1, 76.

<sup>93</sup> "F.M. & Co. to J.F. & Co.," Letters concerning J. D. Bellwood (6 Oct. 1904), UGBA FMALIC UGD 91/1/6/3/1/1, 50.

<sup>94</sup> "Extract from Mr. Mann's Report of date 6/12/03," Letters concerning J. Burnett. (10 Dec. 1903) UGBA FMALIC UGD 91/1/6/3/1/1, 78; "Calcutta to Glasgow," Letters concerning J. Burnett. (22 Dec. 1910) UGBA FMALIC UGD 91/1/6/3/1/1, 81.

## Managers

The attributes and provisions of the contracts for assistant managers provide a framework for understanding contracts for other employee positions at Finlay. Many managers had their contracts renewed after serving as assistants; as such, many elements of the assistant manager contracts were retained, but with higher salaries, concessions, and stipends to cover the costs of running a tea plantation. Aside from management positions on tea estates, there were also manager positions associated with transport—like managing rope-based systems to transport supplies to and from plantations at higher elevations. These managers worked off-site, but they were essential for bringing necessary supplies to the plantations and carrying the tea away again.<sup>95</sup> Much of the correspondence regarding management positions involved salary concerns, management evaluations, and contract renewals or terminations.

Managers often put forward grievances to the agents and directors about salaries and commissions for their plantations. To limit discontent and minimize grievances, companies working in the same industries tried to maintain similar pay scales. For example, in 1918, the Finlay brought their managers' salary into alignment with the salaries of managers of Messrs. Duncan Bros. & Co.; the latter had brought their assistants' salaries and employee furlough rules into line with Finlay's. The change that Finlay made increased senior managers salaries from Rs. 600/- per month to Rs. 650/-, or from Rs. 650/- per month to Rs. 700/mth.<sup>96</sup>

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<sup>95</sup> Letters concerning Mr. Blair Hill (30 April 1910) UGBA FMALIC UGD 91/1/6/3/1/1, 65–68. For example, the transport manager, Mr. Blair Hill, for the Kundale Valley Tramway provided transport for passengers and rice in the Munnar region. He was given a “salary Rs. 450 or Rs. 500/ p.m. & 20% of Rice profits, 25% of passenger profits, and an annual bonus of 1000 Rs. if his Accountancy [was] satisfactory.”

<sup>96</sup> “Letter to Messrs. James Finlay & Co., Limited, Glasgow: Manager’s Remuneration,” Letters concerning R. Graham (23 April 1919) UGBA FMALIC UGD 91/1/1/4/2/2.

On the tea estates, managers held the highest rank, although regional superintendents and visiting agents gave strategic oversight and evaluated the managers' work regularly on behalf of the company agents. Managers could be shifted from one estate to the next at the discretion of the Finlay agents based on reports about their ability to lead laborers and increase estate productivity. Managers received commission, based on the estate's profits, and could advance in management to secure more valuable gardens that were known to make substantial yearly profits. These better posts were often acquired through seniority and skill. Those estates that were particularly profitable to the company and had the best potential outcomes, were considered too valuable to be given to an average manager, as was the case of the Hattigor estate in Assam:

We much regret that Mr Bruce [a visiting agent] has found it necessary to report so unfavourably on the condition of this division, and it is clear that he considers Mr Holl not a sufficiently strong and energetic manager for this large estate. If, therefore, Mr Bruce cannot report more favourably on the condition of Hattigor when he next visits the division, you may find it necessary to make a change in the management, and to transfer Mr Holl to a less important charge, and we think it is only fair to that gentleman that you should make the position clear to him now.<sup>97</sup>

A manager's relationship with laborers, within the structure of the business, had to be strong enough to maintain order, and strict enough to extract maximum work. The manager had to establish good rapport with the laborers. If a manager could not exact the optimum amount of work or had major disputes with his laborers such that productivity went down considerably, a manager would be displaced and/or replaced by the company. The company agents and Board did not take lightly the accusations made by laborers against managers or assistants—particularly

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<sup>97</sup> "Extract from Consolidated Company's letter (Glasgow to Calcutta) headed 'Mr Bruce's Reports' dated 17<sup>th</sup> May, 1916," Letters concerning E.S. Holl (17 May 1916) UGBA FMALIC UGD 91/1/6/3/1/3, 661–662 (leaf).

in cases of violent action—because it could cause ripple effects throughout the region.<sup>98</sup>

However, accusations didn't necessarily result in termination. A visiting agent or superintendent was often called in to evaluate the situation, and the manager or assistant was most often first shifted to another plantation as a disciplinary measure.

### **Visiting Agents/Superintendents**

An excellent manager could advance to be manager of a larger plantation or to the position of visiting agent or superintendent over several tea gardens. Finlay employed visiting agents whose role was to visit the plantations within their region, calculate profitability, evaluate the assistants and managers' efficacy in completing tasks, explore the management staff's relationship with laborers, and compile company reports for the city-based agents. The visiting agents' evaluations of the managers' abilities, temperaments, bouts with illness, and experiences with natural disasters were greatly valued by the city agents and the board who were physically distant from the plantations yet making business decisions on their behalf. Managers sometimes feared the visiting agents, in part because their reports were particularly important for renewing or terminating manager contracts.<sup>99</sup>

Some of the more prominent visiting agents or estates inspectors for the Finlay group of plantations included Alex Mann, Wm Milne, W.B. Bruce and H.L. Pinches—whose names

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<sup>98</sup> Letters concerning Mr. Donald, UGBA FMALIC UGD/91/1/6/3/1/7, 77–78. “Yesterday he had some difference with one of his house servants, and Mr. Donald struck the man, and it would appear that this man with the assistance of another made a very serious attempt to assault Mr. Donald. Although Mr. Donald was not himself struck, it would appear that there of the native staff who came to his assistance received certain injuries. I have repeatedly warned Mr. Donald against striking any native, and especially instructed him when going over to Dhajea that he was placed there above all things to keep the peace and keep the labour force together...Considering the unsettled state of the coolies generally in the district, I do not consider that it would be safe to leave Mr. Donald at Dhajea, and trust that you will approve of my action in the matter.”

<sup>99</sup> Walter Smith Sutherland Mackay, *Memories of India Oral Archives Scheme, Travancore* (London: British Library India Office, Library and Records, February 7, 1984), IOLR/A/26/3 MSS Eur. D 1063, 19-20.

appear several times across the employee letterbooks, with evaluations they had given on other employees. These visiting agents, prior to their visiting agent role, had all served successfully as managers of major company plantations with very high profitability and production.

For example, W.B. Bruce was manager of the Rungamuttee tea estate in the Dooars in 1900—the so-called “headquarters of the Finlay group of gardens under the Consolidated Tea and Lands Company, the manager of which was the superintendent of the group.”<sup>100</sup> This meant that Bruce was the manager of the most significant garden and was also tasked with the responsibility to visit the other gardens in the region. In 1906, Bruce was superintendent of the Hattigor Division of the Consolidated Tea and Lands Company in Assam, having already completed “12 years in the Duars” and “4 years in Assam”; he oversaw 2,085 acres and 2,030 laborers, most of whom were from outside the region.<sup>101</sup> Bruce also worked for the “Kanan Devan Produce Company, another of Finlay’s leviathan companies,” and not long after, became the visiting agent for “the whole of their estates in North-East India, a most responsible job.”<sup>102</sup>

Wm Milne took on management of the Rungamuttee estate when another manager was on furlough; he also visited Sylhet and the Surma Valley Estates. Milne later joined the region’s Labour Commission, a government organization, as a representative; the government paid a portion of his salary. He still retained a position within Finlay, so that “[w]hile sitting on the Commission, Mr Milne [would] be available for reference on any matters connected with these Estates.”<sup>103</sup>

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<sup>100</sup> W.M. Fraser, *The Recollections of a Tea Planter* (London: Tea and Rubber Mail, 1935), 176.

<sup>101</sup> “Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts” (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 197.

<sup>102</sup> W.M. Fraser, *The Recollections of a Tea Planter*, 178.

<sup>103</sup> “F.M &Co to J. F. & Co,” Letters concerning Mr. W Milne (8 Dec. 1904; 2 Nov. 1905, 15 Feb. 1906) UGBA FMALIC UGD 91/1/6/3/1/1, 442–4. Further letters concerning Mr. Milne are found here: UGBA FMALIC UGD 91/1/6/3/1/2, 819–824.

The presence of tea garden superintendents within the company structure sometimes caused negative feelings among managers. W.M. Fraser, in his memoirs of the tea industry, viewed the presence of a superintendent as a weakness to the company because it added another link in the chain of command between the manager of an estate and the managing agents in Calcutta. This extra link, in his view, “emasculated” the manager and removed some of his agency:

If, on the other hand, the manager was in independent charge and received a suggestion or, say, instruction from his board to make some material change in his method that, in his opinion, was not economically advisable, he could write a well-reasoned letter to that effect. With a superintendent in charge, he could not properly directly approach the principals at all. But the chief drawback to the superintendent system is the resulting emasculation of the manager. The latter cannot initiate; he may not, by a more judicious recruitment of labour, or expenditure on equipment or manures, push up his profit per acre above that of the other divisions. His hands are tied, and as he cannot get out of bondage, his keenness gradually evaporates until he tends to become a machine—and a machine is not much good in controlling a living organisation like a tea garden.<sup>104</sup>

The managers, then, were somewhat constrained in the choices that they were able to make for their gardens because of the structure of the company and the top-down policies. Fraser saw this to be a form of bondage, limiting individual profitability and wealth creation and affecting the running of the estate. The position of an employee in the hierarchy of the company determined his agency in relevant decision-making, and very few men made it to the position of visiting agent or superintendent. Qualifications of the visiting agent position included demonstrated

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<sup>104</sup> W.M. Fraser, *The Recollections of a Tea Planter*, 177–178.

rapport with the company and loyalty to its success; sometimes familial connections also played a role in elevating managers to this position of trust.

The superiors of these visiting agents were the agents in the big cities which were discussed in some detail in chapter one (exemplified in Finlay, Muir & Co.). The city agents forwarded reports to Glasgow or made decisions concerning their plantation management staff in-country. There were several other kinds of employees hired by the company that were tangential to the structure of management, but whose work was complementary to the effectiveness of the company's operations and the well-being of the other employees. Of particular note were missionary chaplains and doctors. These itinerant employees, who made rounds to a group of plantations in a region, were also overseen by the agents in the cities and had reports submitted about them by regional superintendents and visiting agents.

### **Itinerant Employees: Missionary Chaplains and Doctors**

Missionary chaplains, for example, were contracted to provide religious support to management staff across the estates. They worked in partnership with foreign mission organizations but maintained strong company ties—such as the case of one chaplain who retired with pension paid jointly by Finlay and the foreign mission organization that he was a member of.<sup>105</sup> His salary had been paid by Finlay for 36 years. These religious ministers often worked adjacent to the plantations, and between and among different tea companies. Similarly, doctors were hired to care for management staff on the estates and could often work between different

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<sup>105</sup> “Rev. W.E. White: Extract Minutes of Dates stated re. above named,” Finlay’s magazine Historical File II General Information UGBA UGD 91/1/9/2/10.

tea companies' plantations. Significant detail was archived concerning the contracts of doctors and their limited agency as recruits of a company.

Illnesses were so common on the tea estates that doctors were often paid staff members of companies. Doctors' services were in high demand even outside the company's estates. For this reason, they often took on additional clients. However, this was complicated by company politics. If a doctor was hired and brought to South Asia by one company, but also held a private practice, there were usually limitations imposed on his freedom to take outside patients based on the standing company contract. In the Finlay archival records, there were examples of doctors who were paid a salary by Finlay, and because they engaged in work outside of that position as well, were contractually obligated to give a percentage of their private earnings back to the company. This stipulation was likely enforced to ensure each doctor realized that his primary role was as a company employee, and the only reason he was able to take on private clients was because the company permitted him to do so. Since the company paid his salary and had paid for his passage to South Asia, it was seen as a company expense (or loss) for the doctor's expertise to be used elsewhere. One doctor in 1910, had a starting salary of Rs. 800 per month for his first year with steady increases each year, his salary was modified to Rs. 1000 per month by his third year.<sup>106</sup>

In one particular case, these restrictions resulted in discontent from a Dr. Brown who sought to renew his contract with Finlay on better terms. Company agents wrote to the Board of Directors to propose an agreement along these lines:

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<sup>106</sup> "Calcutta to Glasgow," Letters Concerning Dr. Charles E.P. Forsyth (18 April 1912), UGBA FMALIC UGD 91/1/6/3/1/2, 788.



Our idea is that each Doctor should, wherever practicable, be maintained by a group of estates which would share all outlay ‘pro rata’ and we consider that if this were done in the present case—and the outside gardens Dr. Brown now attends would probably be willing to come to some arrangement of the kind—the amount payable by our Estates would be less than it is at present.<sup>107</sup>

The company’s main concern was cost; sharing the doctor’s salary payments would be more economical since the doctor was already being hired privately to work on other tea gardens. In 1913, for example, E.R. Mumford was hired as a doctor by the Consolidated Tea & Lands Company Ltd. (Finlay), for their estates in the Balisera Valley (Sylhet). However, Mumford was also expected to serve as the doctor for the “Baraoora Estate of the Baraoora (Sylhet) Tea Company Limited, the Naraincherra and Chatali Estates of the Mazdehee Tea Company?[sic] Limited, and also the Sathgaon Tea Estate.”<sup>108</sup> The salary was, at minimum, Rs. 860/mth for the first year, and steadily increased over the five-year contract; Finlay paid over 75 percent of the salary because of the high number of gardens the doctor visited under the company name.<sup>109</sup> The doctor’s rounds to the different plantations were orchestrated by the companies, who provided a form of transportation as well (Appendix 3, Image 5).

It is clear that some company tea plantations had environmental conditions that were known to exacerbate the health issues of its employees—due to the presence of high rates of malarial mosquitos, damp conditions caused by flooding, presence of wild animals, and so on. Other company plantations were considered to be ‘healthy’ gardens—recording lower incidences of malaria or blackwater fever. One role that company doctors played was as consultants—

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<sup>107</sup> “F.M. Co. to J.F. Co.,” Letters concerning Dr. W. Brown (22 Nov. 1906) UGBA FMALIC UGD 91/1/6/3/1/1, 31.

<sup>108</sup> Letters concerning E.R. Mumford (29 Oct. 1913) UGBA FMALIC UGD 91/1/6/3/1/7, 317–318.

<sup>109</sup> Letters concerning E.R. Mumford UGBA FMALIC UGD 91/1/6/3/1/7, 317–318.

recommending what kind of plantation an employee would be best suited for upon his arrival in South Asia, based on a health evaluation.

For example, in 1924, engineering assistant, David Skinner Stewart, was examined by a physician in Glasgow and granted a medical certificate approving him for travel to South Asia. Upon arrival in the Darjeeling district of India, he received a medical report from the local company doctor, Dr. Caddy. The report indicated that “Mr Stewart [had] marked curvature of the spine and ankylosis[sic] (sticking together) of the bones of the vertebrae, possibly an old healed tubercular spine.” The doctor further indicated that Stewart’s “rickety deformity of the spine,” “no lower dental although he has no molar teeth” and the fact that “he [was] not very robust” meant that “he should be sent to a healthy garden.”<sup>110</sup> The doctor could also recommend that an employee receive treatment at institutes or hospitals in the big cities, or take medical leave.

The doctor was meant to care for the European management staff of the estate, primarily. Conversely, the provision of medical services by doctors to the laborers on the estates at the turn of the century was sometimes limited to emergencies—like a high death rate on a plantation.<sup>111</sup> If high death rates occurred, the doctor was seen as not doing his job. Dr. Craig, during whose tenure in 1906 the death rate on the Burmacherra estate (South Sylhet) for a sub-group of contracted laborers (“Act Coolies”) was 22.22%, received a letter from the company’s agents, indicating their displeasure:

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<sup>110</sup> “Dr A. Caddy to Calcutta Encl. 30-5-24,” Letters Concerning D.S. Stewart (30 May 1924) UGBA FMALIC UGD 91/1/6/3/1/12, 443–444.

<sup>111</sup> “F.M. & Co. to Dr. Craig,” Letters Concerning Dr. Craig (21 April 1906) UGBA FMALIC UGD 91/1/6/3/1/1, 113. A letter sent from the directors of Finlay to Dr. Craig in response to the death rate of 22.22% on Burmacherra estate (South Sylhet, now Bangladesh) for Act Coolies in 1906. “Your Fortnightly Reports on Burmacherra had not prepared us for such alarming figures as those now put before us and we are almost led to the conclusion that you are not yourself sufficiently alive to the gravity of the situation. Will you kindly send us at once a report on each fatal case during the last 13 ½ months giving full particulars of the individuals and of the diseases which have caused their deaths. Kindly also send us a further report on the Burmacherra Labour force as it at present stands separating the weakly coolies from the healthy one and stating what you would recommend should be done to improve the well being of the former.”

We fear your time is too much taken up elsewhere to admit of your doing justice to the Company's Estates in the Valley and it may be a matter for consideration whether it would not be in the interests of the Company to relieve you, for a time at least, of your private practice and of your monthly attendance on Sagurnal, Holicherra and Morapore.<sup>112</sup>

However, some doctors were explicitly told by the company agents to limit their regular medical services to the European staff. A partnership proposed between the tea company Williamson Magor Co. and Finlay in 1903 in Assam for a Dr. A. Beveridge was intended to include "the usual visit of inspection to the Estate, Hospitals Lines & any emergency calls to Europeans or Natives."<sup>113</sup> Finlay agreed to partner with Williamson Magor, but stipulated in their letter to the assigned doctor:

the charge for your services will cover the usual visit of inspection to the estate, Hospital Lines & any emergency calls to Europeans[.] With regard to special attendance on natives we have asked Messrs. Williamson Magor Co to make it clear to their Managers that your services should not be requisitioned except in cases of very exceptional emergency, such as serious accidents.<sup>114</sup>

Instead, they proposed that a portion of what the company would save as a result of sharing the salary of the doctor with Williamson Magor Co. "should be expended on improving the native medical staff" in the area, for the direct treatment of laborers; the implication was that the

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<sup>112</sup> "F.M. & Co. to Dr. Craig," Letters Concerning Dr. Craig (21 April 1906) UGBA FMALIC UGD 91/1/6/3/1/1, 113.

<sup>113</sup> "William Magor Co to F M Co," Letters concerning Dr. A. Beveridge (18 Dec. 1903) UGBA FMALIC UGD 91/1/6/3/1/1, 32.

<sup>114</sup> "F.M. Co to Dr. Beveridge," Letters concerning Dr. A. Beveridge (30 Dec. 1903) UGBA FMALIC UGD 91/1/6/3/1/1, 33.

medical staff would be of greater assistance to the doctor if they were well-trained and would be able to take over the medical care of laborers.<sup>115</sup>

Medical staff for laborers, *doctor babus*, occupied a unique position between the planters and laborers—as the work of historian Nandini Bhattacharya, who has written on tropical plantation medicine in the Duars and Darjeeling during this period, indicates.<sup>116</sup> Babus were one of several local Indian supervisory staff on the plantations; there were also a variety of clerks that managed accounts, facilitated pay for the laborers, assigned tools for tasks and weighed the tea leaves at the end of the day.<sup>117</sup> However, the doctor babus were responsible for the health of laborers. Babus, through education and training, developed a certain social status on the estates, but by colonial legislation were limited to practicing only on the tea estates. The Bengal Medical Registration Act of 1914, for example, required specific licensure and training for medical staff in the region. The tea planters, however, pushed back against legislation that would remove the relatively ‘untrained’ medical babus completely, as they preferred them to more formally trained medical staff. *Doctor babus* could be employed at a much lower salary and they possessed more local knowledge in comparison to those with formal training.<sup>118</sup>

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<sup>115</sup> “F M Co to Dr. Beveridge,” Letters concerning Dr. A. Beveridge (30 Dec. 1903) UGBA FMALIC UGD 91/1/6/3/1/1, 34.

<sup>116</sup> Nandini Bhattacharya, *Contagion and Enclaves: Tropical Medicine in Colonial India* (Liverpool: Liverpool University Press, 2012).

<sup>117</sup> Jayeeta Sharma, “‘Lazy’ Natives, Coolie Labour, and the Assam Tea Industry,” *Modern Asian Studies* 43, 6 (2009): 1313–1317. Jayeeta Sharma describes these clerks on the plantations of Assam as coming from “caste Hindu and Assamese” educated gentry who distanced themselves as distinct from the laborers on the estates. They were often treated subordinately by the managers and assistants on the estates. See more in Jayeeta Sharma, *Empire’s Garden Assam and the Making of India* (Durham: Duke University Press, 2011).

<sup>118</sup> Nandini Bhattacharya, *Contagion and Enclaves: Tropical Medicine in Colonial India* (Liverpool: Liverpool University Press, 2012), 80. “After the Bengal Medical Registration Act, 1914, the plantation management argued for an exception for the tea plantations as they were a unique case where the native doctors were familiar with the local working conditions, and they should be allowed to employ unqualified doctor babus. They negotiated with the government and were allowed to keep the doctor babus in service on the condition that they were gradually to be replaced with qualified practitioners.”

It was European doctors, however, who were hired as consultants by local colonial governmental organizations that were interested in learning about the medical conditions of laborers and how policies in the industry were helping or exacerbating health concerns. As consultants, they responded to accusations raised by activists about the unhealthiness of depots, transport, and treatment centers for laborers during the recruitment process and the sufficiency or insufficiency of health provisions provided on the estates. Dr. Forsyth, for example, employed by James Finlay & Co. from 1910 to 1925 and acting as a medical officer for tea estates owned by other companies as well, was asked by the Assam Labour Board (a government committee) “to visit the local and forwarding recruiting agencies and to report on the medical and sanitary arrangements and to make any suggestions for their improvements he may think necessary.”<sup>119</sup> The health of laborers was a major concern throughout the twentieth century in the formation of labor policy for the plantations—populating news stories and conversations among labor boards, association members, and company officials. It will, therefore, be returned to in chapter four.

The roles of doctors in company and local governance, and that of managers and assistants, give insight into the internal and external structures that coalesced to position these employees subordinately to other staff within the corporate structure, but still in a position of privilege in relation to laborers. Employee contracts contrast significantly from laborer contracts, even if they both exhibit similarities in terms of limited mobility, constraints, and indebtedness. Indeed, both sets of contracts were inextricably related.

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<sup>119</sup> “Calcutta to Glasgow,” Letters concerning Dr. C.E.P. Forsyth (5 November 1919) UGBA FMALIC UGD 91/1/6/3/1/4, 805.

### *Employees and Laborers—Relationship by Contract*

The distinct roles, positions, and pay scales of employees and laborers provide a helpful framework for examining the relationship between the two groups. Employee contracts required employees to adapt meaningful measures to encourage better relationships; their incremental salary increases wouldn't occur without them doing so. According to the sample Finlay's company contract, the assistant, and by default, manager, was

to make himself acquainted with the habits and peculiarities (sic) of such natives and shall by combining tact and firmness with fair dealing and kindly consideration endeavour to secure their confidence and respect and thus acquire an influence over them beneficial to themselves and calculated to promote the interest of the estate or estates at which he may from time to time be stationed.<sup>120</sup>

As indicated in chapter one, "the getting and keeping of labour" was a major concern from the outset of the tea enterprise in South Asia.<sup>121</sup> Finlay's archival letterbooks contain details about employee effectiveness in maintaining good terms with tea estate laborers while also pushing them to increase garden profitability. The evaluations that visiting agents made of managers and assistants were heavily influenced by what the managers' gardens were able to produce in a given year; their output, in turn, was inextricably linked to how they treated laborers and the work they "extracted" from them. The contract explicitly required employees to learn a vernacular language to enhance the employee-laborer relationship.

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<sup>120</sup> "Agreement for Work," IOR:MSS Eur F 0233/93, Clause 6-7

<sup>121</sup> "Extract from Mr. Milne's report on Jafflong, August 1906," Letters concerning D.G. Allan. UGBA FMALIC UGD 91/1/6/3/1/1, 6. "Mr. Allan's strong point is the getting and keeping of labour, and nothing is more important here. I consider him an excellent manager."

The letterbooks also provide examples of the relationship between the managing staff of the plantations and the laborers, and how the hierarchy of the garden, and of the company (assistant, manager, visiting agent, agent, board) operated in the everyday working of the plantations. There was a distinct dichotomy to be maintained between employee and laborer based on the contract, and there was danger that the employee's misconduct could cause a protest by laborers which could disrupt estate functioning and upset plantation profitability. The company archive also describes instances when this hierarchy did seem to be challenged or upset and the kind of punishment given to employees who were responsible for this disruption. An array of letters concerning a Mr. M.M. Atkinson gives an example of these company dynamics in action.<sup>122</sup>

The correspondence concerning Atkinson stretches over the period of years that he worked for the company, listed in the letterbooks' index as from 1903-1909.<sup>123</sup> Initial letters and evaluations concerning his abilities note his good work and conduct. In April 1906, a letter from his manager to the managing agents in Calcutta report that

Mr. M. M. Atkinson has only been on the Division one month and is in charge of Luckicherra garden as sub-manager. He seems to be most anxious about his work and always ready to carry out orders given to him promptly. So far, he has got on with his labour force without any trouble and seems to be able to handle them in a fairly satisfactory manner. If he continues in the way he has started I think he will turn out to be a good assistant.<sup>124</sup>

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<sup>122</sup> Letters concerning M.M. Atkinson. UGBA FMALIC UGD 91/1/6/3/1/1, 8–11.

<sup>123</sup> "James Finlay & Co -Managers and Assistants Letterbooks Index, Volumes 1 to 15," UGBA. [https://www.gla.ac.uk/media/Media\\_780059\\_smxx.pdf](https://www.gla.ac.uk/media/Media_780059_smxx.pdf)

<sup>124</sup> "J.R. Murdoch to F.M. & Co.," (30 April 1906). Letters concerning M.M. Atkinson. UGBA FMALIC UGD 91/1/6/3/1/1, 9.

One year later, however, another letter by his manager described Atkinson as “tactless with labour, rather deaf and quick-tempered, very nervous and not at all robust”; the visiting agent doubted that he would ever become a “satisfactory manager”.<sup>125</sup> Fortunately, Mr. Atkinson had completed a contract with the company, was due paid leave, and had signed onto another contract before the visiting agent’s report had been made—which led to complications regarding what to do with him.<sup>126</sup> A couple of years later, while he was managing an estate, more than six of his laborers absconded. The company dismissed him.

### **Case of Mr. C.C. Martin**

Another series of letters involving a Mr. C.C. Martin gives a bit more insight into how the company responded to negative accounts of an employee’s conduct when off the garden and outside of work hours, particularly because of the effect it could (and did) have on employee-laborer relationships. The responsibility to abide by the company’s ethic extended to the time that the employee had off of the plantation and outside of the daily working period. Martin’s story unfolds in a series of letters exchanged between the tea estates in West Bengal, the agents in Calcutta, and the head office of Finlay in Glasgow.

Martin was initially contracted as an assistant for a tea plantation factory in India. He was first sent to Amrail, in West Bengal, with a fair bill of health—although it was noted that he had occasional bouts with fever.<sup>127</sup> By September 1903, he had completed two years of contracted work with the company. In mid-December 1903, Martin wrote a letter to the company agents

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<sup>125</sup> “Wm Milne to F.M. Co (25 March 1907),” Letters concerning M. M. Atkinson. UGBA FMALIC UGD 91/1/6/3/1/1, 10.

<sup>126</sup> “F.M. Co to Wm Milne,” (1 April 1907) Letters concerning M.M. Atkinson. UGBA FMALIC UGD 91/1/6/3/1/1, 10.

<sup>127</sup> “Dr. Craig’s Report,” (4 December 1903). Letters concerning Mr. C.C. Martin. UGBA FMALIC UGD 91/1/6/3/1/1, 462.



about his manager, Mr. McBain: “Since I started work in the factory, I have at all times a very difficult task to perform on account of being new to factory work and getting no help of any kind from Mr. Bain (sic).”<sup>128</sup> According to Martin, McBain was often absent from the estate’s factory (many plantations also housed factories for processing tea prior to transport) and “under the influence of drink”—a clear violation of his contract.<sup>129</sup> Martin explained how this hampered the effectiveness of the plantation, and how it placed Martin in precarious situations with the laborers:

I should like to say something about the way that the factory Coolies were paid. In several instances I had to write three and four times to Mr. McBain to get the money to pay the Coolies with, & in one or two cases I never got any reply to my letters. One Sunday the factory Coolies about two hundred or more went up to Mr. Dron in a body & complained to him about the way in which they were being paid and at another time our factory Babu had to lend some of the children pice of his own to get something to eat as they said they were starving. I have a letter in my own possession that I received at one time from the Babu asking me to try and get the money to pay the Coolies with as they were suffering much from starvation. On one or more occasion, I thought that there would have been a riot amongst the Coolies, but I managed to keep them quiet and contented.”<sup>130</sup>

Company superiors took Martin’s accusations seriously and proceeded to take action against McBain based on these accusations. Laborers expected pay for the work done each day. The

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<sup>128</sup> “C.C. Martin to F.M. Co.,” Letters concerning Mr. C.C. Martin. (15 Dec. 1903) UGBA FMALIC UGD 91/1/6/3/1/1, 462.

<sup>129</sup> “C.C. Martin to F.M. Co.,” Letters concerning Mr. C.C. Martin. (15 Dec. 1903) UGBA FMALIC UGD 91/1/6/3/1/1, 463.

<sup>130</sup> “C.C. Martin to F.M. Co.,” Letters concerning Mr. C.C. Martin. (15 Dec. 1903) UGBA FMALIC UGD 91/1/6/3/1/1, 462–463.

company agents were very aware that riots on the estate hampered production, could turn violent, and were best avoided at all costs.

Martin, however, when further pressed for evidence, proceeded to retract his accusations against McBain although others had similarly reported McBain's intemperance.<sup>131</sup> The company's displeasure towards Martin is clearly evident in subsequent letters from company officials, in part due to how he wrote about his manager—his superior. In fact, they transferred Martin to another garden—which was a recurring practice evident throughout the company letterbooks for assistants who had difficulties with managers, managers or assistants who had difficulties with laborers, or any employee who had repeated bouts of sickness associated with location.<sup>132</sup>

The reports on Martin under his new manager were initially unfavorable, but his work soon began to improve. However, more issues arose, particularly in regard to Martin's relationship with the laborers and local community. For example, one report stated that Martin had borrowed money from "Native Establishments" and was working to pay off the debt.<sup>133</sup> This sort of activity was looked at unfavorably by the company because it created dependency of a manager on a party outside of the estate, which could potentially contribute to a negative view of the company and its employees in the eyes of the local community.

A couple of years later, in May 1906, Martin was transferred to another garden—Kumlai—under Mr. C.E. McEwan. McEwan found Martin's work to be satisfactory, and when asked about Martin's conduct by the company office, he initially gave his endorsement for the

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<sup>131</sup> "C.C. Martin to F.M. Co.," Letters concerning Mr. C.C. Martin. (26 Jan. 1904) UGBA FMALIC UGD 91/1/6/3/1/1, 465; "Extract from Mr. Mann's letter of 3/3/04 to F.M. Co.," Letters concerning Mr. McBain UGBA FMALIC UGD 91/1/6/3/1/1, 511–512.

<sup>132</sup> UGBA FMALIC UGD 91/1/6/3/1/1.

<sup>133</sup> "W. Mackintosh to F.M. &Co.," (2<sup>nd</sup> April 1904) Letters concerning Mr. Martin. UGBA FMALIC UGD 91/1/6/3/1/1, 869.

renewal of Martin's contract.<sup>134</sup> However, in the days that followed, McEwan retracted his endorsement upon receiving a letter from another tea planter who had entertained Martin on his tea estate.<sup>135</sup> The letter read:

I regret very much to have to write to you and complain about the conduct of Mr. Martin, your assistant. I am, however, compelled to do so. Mr. Martin I learn paid a visit to Barons on Saturday evening and dined with my assistants. Mr. Martin went into my teamakers lines between ten and eleven o'clock at night, and entered a certain home, presumably after women. Mr. Martin went by himself and was not accompanied by any other European. A number of my teamakers (Hill men) came to me in a body yesterday morning and absolutely refused to work any further, stating that it was quite impossible for them as caste people to work any further in factory during night time, as with an European roaming about their lines their houses might be entered and caste lost. The statement made by these people about caste can quite easily be understood and it is a very serious thing interfering with, and upsetting labour on any man's garden.<sup>136</sup>

Upon discovering that this incident was not the only one of its kind committed by Martin, Finlay issued him a notice of dismissal, citing Clause V of his contract:

"In the event of the second party... misconducting himself either during or outside the hours of business then and in any of these events he shall be liable to dismissal without notice and shall forfeit his salary or such part thereof as may be due or unpaid at the time and all other rights under this agreement."<sup>137</sup>

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<sup>134</sup> "C.E. McEwan to F.M. & Co.," Letters Concerning Mr. Martin. UGBA FMALIC UGD 91/1/6/3/1/1, 870.

<sup>135</sup> "C.E. McEwan to Wm Milne," (12 September 1906) Letters concerning C.C. Martin. UGBA FMALIC UGD 91/1/6/3/1/2, 280.

<sup>136</sup> "W.D. Coull to C. E. McEwan," (10 September 1906) Letters concerning C.C. Martin. UGBA FMALIC UGD 91/1/6/3/1/2, 280–281.

<sup>137</sup> "Agreement for Work," IOR:MSS Eur F 0233/93, Clause 5.

This complex narrative demonstrates the intricate, precarious balance of life, labor, and relationships on company tea estates. The power of laborers responding *en masse* to objectionable employee behavior was noteworthy in both situations involving Martin on two different estates—in one case, laborers sought the payment of wages, and in the second, they sought to protect their status and caste identities. In the company’s view, if laborers were upset, production was disrupted, profits lost, and violence could occur. Punishment was often forthcoming when the company deemed an employee to be particularly disruptive to the established order of European and South Asian social and working relationships in and around the tea plantations. However, initial punishment was simply a transfer to another estate.

Navigating the spaces that were circumscribed as European social “clubs,” “teamakers’ lines” (rows of houses where laborers lived on the tea estate), and “native establishments” required attentiveness; records about the transgressions of these spaces reveal to us more about company policy and the community structures around the estates. Another entry in the letter books concerns a Herbert J. Anderson, recruited to work for the company in 1903 in Assam, who became a concern for his manager after upsetting the garden hierarchy. According to his manager, Anderson was “not over fond of work and...in debt to Hattigor garden kyah.” The manager also noted that, “He has paid up all but Rs 100/0 but it is the principle of borrowing money from the Company’s native servants that I object to.”<sup>138</sup>

Similarly to Martin’s case, this passage hints at an understood company hierarchy that extended to the garden. Unofficially, access to labor and laborers was locally negotiated. However, upsetting the balance and transgressing space was officially unacceptable; employee contracts dictated this, the business of tea relied upon it, and the government helped to enforce it.

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<sup>138</sup> “Letter from A. Hann to F.M. & Co.” (22 January 1905) Letters concerning Mr. Herbert J. Anderson. UGBA FMALIC UGD 91/1/6/3/1/1, 2.

*Conclusion: Employee/ Labor Contracts and the Plantation Labour Act of 1951*

The aforementioned description of Finlay company positions indicates the hierarchy within the company in the first half of the twentieth century, yet the dichotomy between laborer and employee thus exhibited was further developed and solidified into government policy and became a lasting legacy of general tea plantation personnel structure in the post-colonial period. The Plantation Labour Act of 1951, for example, solidified in the post-independence period the distinctions between employees and laborers—using similar terminology found in early twentieth-century company documentation and contracts. According to the 1951 law, an employer was considered to be

the person who has the ultimate control over the affairs of the plantations, and where the affairs of any plantation are entrusted to any other person (whether called a managing agent, manager, superintendent or by any other name) such other person shall be deemed to be the employer in relation to that plantation.<sup>139</sup>

The terminology used in the act reflects the way that companies were structured and how they standardized the industry; the act was most likely written this way to bring British tea companies under greater governmental control after independence. According to the Act, the distinction between the two classes of workers remained and became even more rigid: the employer (whether manager, assistant, agent, or superintendent) was distinguished categorically from the laborer. The worker (laborer) was considered “a person employed in a plantation for hire or

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<sup>139</sup> Plantation Labour Act, 1951 “Chapter 1: Preliminary.” Accessed March 30, 2021. <https://labour.gov.in/sites/default/files/The-Plantation-Labour-Act-1951.pdf>.

reward.” They could be hired through an agency and could be employed to do any “skilled, unskilled, manual or clerical” work, but did not include those that were medical officers or holding any managing role (no matter the salary).

In the 1951 Act, laborers were those not making more than Rs. 300 monthly; the employer was required to provide social welfare services for them—creches, medical facilities, educational facilities for children, housing, latrines, sickness and maternity benefits, and more. The aforementioned maximum wage for a laborer was adjusted for inflation by amendments from 1951, amounting to Rs. 10,000 monthly in the 2010 amendment.

The 1951 law remained in effect for 70 years after it was first introduced, despite changes in the industry. It was amended in 1953, 1960, 1961, 1981, 1986 and 2010 to increase wage maximums, to include more plantations which the law applied to, and to add greater provisions for laborers—such as maternity benefits. In 2020, the Indian government began to have conversations about whether to repeal the law in whole, and it was repealed early in 2021—bringing tea estate laborers under wider, national occupational protections.<sup>140</sup>

The decision to repeal the law in 2020 was linked to what the tea industry was mandated to provide to laborers on the estates through social services. Employers wanted the government to have greater responsibility in providing social services to subsidize costs to the industry. Also, there were debates on whether there should be a cap on the percentage of the wage that benefits could replace; employers argued that the value of the services they provided was greater than the 15% maximum that a 2019 law had imposed.<sup>141</sup> The discussion regarding wage replacement and

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<sup>140</sup> PTI, “Gov’t to repeal Plantation Labour Act; tea industry concerned” The Economic Times. January 24, 2020. Accessed May 13, 2021. <https://economictimes.indiatimes.com/news/economy/agriculture/govt-to-repeal-plantation-labour-act-tea-industry-concerned/articleshow/73586167.cms>

<sup>141</sup> PTI, “Gov’t to repeal Plantation Labour Act; tea industry concerned” The Economic Times. January 24, 2020. <https://economictimes.indiatimes.com/news/economy/agriculture/govt-to-repeal-plantation-labour-act-tea-industry-concerned/articleshow/73586167.cms>

the tea industry's responsibility to provide social welfare services to its laborers dates back to early twentieth century policy in the tea industry, which will be discussed in detail in the following chapter (chapter four).

This chapter provided an in-depth exploration of Finlay employee contracts and gave a fuller picture of the relationship between company employees and South Asian laborers on company-directed tea plantations. It also depicted the structure of the company's management and social networks, and how those elements influenced both employee and laborer contracts. Finlay employee narratives gave further insight into how these contracts operated in practice, and how the socio-economic hierarchy on estates was maintained. The dichotomy between laborer and employee was explicitly shown in the examples provided and is worth bearing in mind as the dissertation proceeds. The next chapter examines how social welfare provisions shaped the wage structure of laborer contracts over the period of study. Chapter five explores how the companies worked with—and sometimes against—the government to form labor policies that would contribute to the continuance of the established tea company structure late into the twentieth century.

## Chapter 4: Tea Companies and Welfare

*It is of course, possible to adhere' to the theory which has often been accepted that it is hopeless to try to attract labour to Assam, that the only method is to secure the man who is driven by force of circumstances, such as famine or crime, to leave his own home and does not care where he flees. Assam may continue to be the 'bankruptcy court, the divorce court and the poorhouse of the down-country districts. But it is clear that the number of persons who emigrate from these motives will always be strictly limited except in years of severe famine.'*<sup>1</sup>

The above quotation comes from the 1906 Assam (Government's) Labour Enquiry Committee report, which detailed the impact of the 1901 Assam Labour and Emigration Act on Assam's tea industry. The Act was designed to improve labor recruitment and the transport of laborers to tea plantations. The report noted that some workers agreed to go to Assam's tea plantations while experiencing intense environmental or economic stress, and that periods of severe famine greatly increased those numbers.<sup>2</sup> Other reports indicated that recruits to the tea estates of Madras and Ceylon were similarly motivated by the desire to escape the effects of drought, famine, or other disastrous conditions at home.<sup>3</sup>

The integration of local Indian (agrarian and artisanal) economies into the world markets at the end of the nineteenth century, which led to greater productivity in cash crops, arguably led to less food security in local villages and farming communities as grain and foodstuffs were sold

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<sup>1</sup> *Report of the Assam Labour Enquiry Committee* (Calcutta: Office of the Superintendent of Government Printing, 1906), 77 (section 167).

<sup>2</sup> *Report of the Assam Labour Enquiry Committee*, 77 (section 167).

<sup>3</sup> "The Madras Planters' Labour Bill," *Ceylon Observer (Weekly Edition)* (Colombo), December 24, 1902: 21. [https://infoweb-newsbank-com.proxy3.library.mcgill.ca/apps/readex/doc?p=WHNPASIA1&sort=YMD\\_date%3AA&page=3&fld-nav-0=YMD\\_date&val-nav-0=1901%20-%201910&fld-base-0=alltext&val-base-0=Assam%20labour%20and%20emigration%20act&val-database-0=&fld-database-0=database&docref=image/v2%3A12FF571E6C91631E%40WHNPASIA1-1311C90466FF6600%402416108-130EC5AFE0989AC0%4020-130EC5AFE0989AC0%40&firsthit=yes](https://infoweb-newsbank-com.proxy3.library.mcgill.ca/apps/readex/doc?p=WHNPASIA1&sort=YMD_date%3AA&page=3&fld-nav-0=YMD_date&val-nav-0=1901%20-%201910&fld-base-0=alltext&val-base-0=Assam%20labour%20and%20emigration%20act&val-database-0=&fld-database-0=database&docref=image/v2%3A12FF571E6C91631E%40WHNPASIA1-1311C90466FF6600%402416108-130EC5AFE0989AC0%4020-130EC5AFE0989AC0%40&firsthit=yes)



to wider networks.<sup>4</sup> The “disintegration of the old social organization and institutions” led to the marginalization of certain groups throughout India, particularly “agricultural labourers, weavers, and tenant cultivators.”<sup>5</sup> Some of these artisans were able to secure work in their profession elsewhere and moved alongside labor networks to industrializing locations to provide their services; others were incorporated as laborers into large cash crop or industrial sites.<sup>6</sup> This was particularly so in incidences of famine; landless groups of agricultural workers, in particular, became more mobile after 1901—seeking sites of work, as opposed to the relief works offered by the government. Many of them headed to places like “Assam, Burma, and Bengal,”<sup>7</sup> entering tea plantations as family units.

This chapter examines tea plantations in South Asia as sites of refuge from adverse events in two ways. First, it discusses how, from at least c. 1890 to 1910, plantations were considered sites of famine relief. Plantations did provide basic welfare for laborers in the form of housing, healthcare, and food subsidies, albeit through the application of food-for work programs similar to those introduced by the British Indian government to alleviate famine in 1876-78. The famine relief-based work sites were intended to permit workers to subsist, not to accumulate money or resources.

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<sup>4</sup> Mike Davis, *Late Victorian Holocausts: El Niño Famines and the Making of the Third World*. (London: Verso 2002), 311.

<sup>5</sup> B.M. Bhatia, “Famine and Agricultural Labour in India: A Historical Perspective.” *Indian Journal of Industrial Relations* 10, no. 4 (Apr. 1975): 577.

<sup>6</sup> Douglas E. Haynes, and Tirthankar Roy. “Conceiving Mobility: Weavers’ Migrations in Pre-Colonial and Colonial India.” *Indian Economic & Social History Review* 36, no. 1 (1999): 35–67. Haynes and Roy provide a corrective to a simplistic narrative of the incorporation of artisans into industrial sites, by including their migration in wider and longer patterns of the adaptation of artisans before and during British colonialism. Some artisans sought work in production centers for their trade, migrating alongside agricultural or industrial laborers to continue pursuing their trade in places with high concentrations of people.

<sup>7</sup> B.M. Bhatia, “Famine and Agricultural Labour,” 582; Tim Dyson, “On the Demography of South Asian Famines: Part I,” *Population Studies* 45, no. 1 (1991): 6.

Second, this chapter examines how, in the 1900s when widespread famine was not as frequent, but there was financial stress in the industry, planters argued that because social welfare provisions were offered to laborers and paid for by the companies, laborers' wages didn't need to be as high as mandated by the government in the 1901 Assam Labour and Emigration Act. This and other repressive strategies, provoked major labor protests in the interwar period; laborers were not convinced that these social welfare provisions adequately made up for wage stagnation. Not until the Indian Plantation Labour Act of 1951, described by a Finlay report as "the most comprehensive labour welfare act anywhere in the world," was legislation introduced to require company plantations, specifically large plantations, to provide for the welfare of their laborers under the threat of inspection.<sup>8</sup> At that point, the implementation of welfare services on the plantations, though initially argued for by planters as wage supplements, proved to be too costly for some companies to maintain.

### *Late Nineteenth Century Famine Relief*

In the wider imperial European context, a laissez-faire attitude dominated the official mind in both the metropole and the colonies. This was particularly the case with Britain, which following the repeal of the Corn Laws in 1846, adopted an official free trade policy characterised by the retreat of government from the regulation of the economy, which operated on free market principles.<sup>9</sup> However, this still left the problem of what to do in desperate situations, like famine in India, as these principles did not necessarily lead to better, or more effective, governance.

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<sup>8</sup> "12: Housing" (Date unclear) Finlay's magazine Historical File II General Information UGD 91/1/9/2/10, 2.

<sup>9</sup> Cheryl Schonhardt-Bailey, *From the Corn Laws to Free Trade: Interests, Ideas, and Institutions in Historical Perspective*. (Cambridge, Mass.: MIT Press, 2006).

In Britain, poverty relief was based upon the concept of the “deserving poor”—an impoverished but capable person unable to find work. The Poor Law Amendment Act passed in Britain in 1834, and implemented by the Poor Law Commission, centralized government response for the relief of impoverished persons; that relief included requiring them to work for subsistence.<sup>10</sup> This reflected, in part, the new liberal economy in which the provision of work was a form of relief; impoverished people were housed in workhouses, clothed and fed in return for working several hours each day. However, the confinement of populations that this entailed was a contradiction to liberal economic policies.<sup>11</sup>

In India, this confinement was strategic to colonial and imperial rule, and initially targeted unruly European vagrants. The European Vagrancy Acts of 1869 and 1874, for example, forced destitute Europeans in South Asia to enter workhouses with low pay and limitations on their mobility. However, the British government attitude to destitute Indians was quite different. They were considered too numerous to be cared for by workhouses and outside of government responsibility; many were criminalized.<sup>12</sup> Yet, the extensive nature of the famines that occurred in the last few decades of the nineteenth century forced the government to respond to the destitution of famine-stricken Indians with public programs.<sup>13</sup>

Food-for work programs were instituted by the Indian government in the late nineteenth century during periods of widespread famine or disaster, when the government would otherwise

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<sup>10</sup> Samantha A. Shave, *Pauper Policies: Poor Law Practice in England, 1780-1850*. (Oxford: Manchester University Press, 2017), 5-6.

<sup>11</sup> Aidan Forth, *Barbed-Wire Imperialism: Britain's Empire of Camps, 1876-1903*. Berkeley Series in British Studies, 12. (Oakland, California: University of California Press, 2017), 10.

<sup>12</sup> David Arnold, “Vagrant India: Famine Poverty and Welfare in Colonial India” in *Cast Out: Vagrancy and Homelessness in Global and Historical Perspective*, eds. A.L. Beier and Paul Ocobock (Athens: Ohio University Press, 2008), 121.

<sup>13</sup> B.M. Bhatia, “Famine and Agricultural Labour in India: A Historical Perspective.” *Indian Journal of Industrial Relations* 10, no. 4, (Apr. 1975), 582; David Arnold “Vagrant India: Famine Poverty and Welfare in Colonial India,” 121.

have taken a laissez-faire approach to relief and allowed local humanitarian groups to respond.<sup>14</sup> The Public Works Department provided famine relief to those destitute enough to abandon their homes to go to a public work site (distance test), to work for subsistence wages (wage test), and to be under the supervision and discipline of the department.<sup>15</sup> These “tests” were to ensure that only the most desperate would rely on government-funded programs. This was particularly the case in the 1876–78 famine (the first of the great famines under British rule), which followed on the heels of a smaller Bengal famine in 1873–74.

Richard Temple (1826–1902) was the lieutenant-governor of Bengal (from 1874 to 1877) and undertook measures to procure and distribute food during the 1873–74 Bengal famine, which significantly reduced the number of people under the threat of starvation. During that famine, some 662,000 people were on daily work relief and 452,000 on gratuitous relief (including meals). The cost of relief, however, amounted to around £6.5 million and was criticized by the British government as excessive intervention—despite its efficacy in minimizing mortality.<sup>16</sup>

Consequently, when Temple was given charge of famine relief in the more widespread, disastrous 1876–78 famine in Madras, he advocated a more laissez-faire approach towards the market (not redirecting or restricting trade or exports), while limiting government rations to subsistence levels with the aim of rehabilitating the poor through food-for-work programs at large centralized public works sites.<sup>17</sup> Many relief-seekers were obliged to move at least ten miles from their villages to live in semi-permanent work camps, that thus became their sole

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<sup>14</sup> Lance Brennan, “The Development of the Indian Famine Codes: Personalities, Politics, and Policies” in eds. Bruce Currey and Graeme Hugo *The GeoJournal Library: Famine as a Geographical Phenomenon Vol. 1* 19, (D. Reidel Publishing Company: Dordrecht, 1984), 93.

<sup>15</sup> Lance Brennan, “The Development of the Indian Famine Codes,” 104.

<sup>16</sup> Lance Brennan, “The Development of the Indian Famine Codes,” 94–95; William Digby, *The Famine Campaign in Southern India (Madras and Bombay Presidencies and Province of Mysore) 1876–1878*. (United Kingdom: Longmans, Green, and Company, 1878), 48.

<sup>17</sup> William Digby, *The Famine Campaign*, 55, 59.

source of support.<sup>18</sup> Conditions in the camps were harsh and intended to deter anyone not in absolute need.<sup>19</sup> They were a way to control, confine, and monitor the population—especially those criminalized in colonial ethnography and law—like the “criminal tribes” targeted by the Criminal Tribes Act of 1871.<sup>20</sup> The famine camps also served to remove famine, in a sense, from the public eye; relief seekers were entering big cities like Bombay and Madras in droves, and congregating in public places where they died from starvation and disease. Famine relief camps were placed outside of the cities and were meant to detour relief-seekers that were heading to the big cities in search of relief. Relief-seekers in big cities were rounded up and moved to the camps.<sup>21</sup> This pattern of providing relief through work with the creation of camp-like locations outside of the main cities became a model for the way that the British systematically used camps in military expeditions and humanitarian relief in the following decades.<sup>22</sup>

After the disastrous famine of 1876-78, in which over five million people died, several provinces instituted famine relief codes to deal with famines in their own regions, as did the Government of India by 1893 (the Provisional Famine Codes). The particularities of different regions demanded different responses, yet Temple, who was familiar with 1873-74 Bengal, had suggested the same measures in the 1876-78 Madras region that he was implementing in Bombay. This led to disastrous results.<sup>23</sup> The famine codes developed after the famine, then, were not implemented uniformly across British India, as a result of provincial and political

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<sup>18</sup> William Digby, *The Famine Campaign*, 76.

<sup>19</sup> William Digby, *The Famine Campaign*, 92–93.

<sup>20</sup> Aidan Forth, *Barbed-Wire Imperialism*, 7, 10, 52–55. The Criminal Tribes Act of 1871 aimed to confine vagrant, mobile, tribal, and outcaste groups to measurable spaces for monitoring and facilitating sedentary lifestyles with “suitable employment.”

<sup>21</sup> Tim Dyson, “On the Demography of South Asian Famines: Part I,” *Population Studies* 45, no. 1 (1991): 7; Aidan Forth, *Barbed-Wire Imperialism*, 34–35, 55; William Digby *The Famine Campaign*, 74.

<sup>22</sup> Aidan Forth, *Barbed Wire Imperialism*.

<sup>23</sup> William Digby, *The Famine Campaign*, 73–79.

differences.<sup>24</sup> While the famine codes were adapted to the exigencies of later famines in 1896-97 and 1899-1900, similarities across the provinces did develop that lasted long into the twentieth century. This included the subsistence-based food-for-work programs at monitored sites (maximal work and minimal pay) that were created to discourage the long-term dependence of impoverished persons upon them.<sup>25</sup>

During the 1876-1878 famine, a famine commission was developed by the Government of India to understand causes of the famines and how best to respond. However, the resulting report indicated a continued commitment by colonial officials to economic liberalism and the importance of the free market. Thus, although the promotion of grain exports at the expense of subsistence crops had dramatically increased the famine's severity, the commission determined that the solution lay in encouraging peasants to abandon subsistence farming and seek employment in the cash crop or industrial sectors. In their view, the susceptibility of the population to famine was because most famine victims were agricultural workers—peasants dependent on the land and the rains for sustenance.<sup>26</sup> While the government didn't want to interfere with private trade, the report suggested that the way that the government supported the tea industry for its initial development, might serve as a model for how the government could support the development of private industry indirectly:

every new opening thus created attracts labour which would otherwise be employed to comparatively little purpose on the land, and thus sets up a new bulwark against the total

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<sup>24</sup> Lance Brennan "The Development of the Indian Famine Code, 108; *Report of the Indian Famine Commission: Part I. Famine Relief* (London: Her Majesty's Stationery Office, 1880), 37–38. The famine commission report suggested provincial famine codes with more general rules offered by the Government of India.

<sup>25</sup> The food-for-work programs were instituted again in 1977 and 2004, with grain distribution

<sup>26</sup> B. M. Bhatia, *Famines In India: a Study In Some Aspects of the Economic History of India, 1860-1965* [2d ed.] (Bombay: Asia Pub. House, 1967), 208; *Report of the Indian Famine Commission: Part II. Measures of Protection and Prevention* (London: Her Majesty's Stationery Office, 1880), 175.

prostration of the labour market, which in the present condition of the population follows on every severe drought.<sup>27</sup>

The report indicated that in 1874, a scheme was introduced to move people from the famine-stricken lands of Bihar to the tea plantations of Assam on one-year contracts. At the time, the planters didn't want to be responsible for potentially having to import larger quantities of food for laborers on short-term contracts.<sup>28</sup> However, the report concluded that the attempt to encourage preventative migration within India to avoid famine should be attempted again.<sup>29</sup> The remoteness of tea plantations, the confinement of laborers to a controlled space for semi-permanent stays, British management and monitoring, and an intensive work regimen for minimal pay on a piece-work or daily wage system—seemed to make the tea plantations ideal sites of famine relief.<sup>30</sup> This was discussed and encouraged by the government of Assam in the decades that followed, and as the next section suggests, became an integral part of tea plantation labor recruitment.

#### *Tea Plantations as sites of relief: Famine, Recruitment, and Migration*

The number of migrants that moved from recruiting districts to the tea plantations during the famine years of the late nineteenth century were high—significant increases from yearly averages outside of those years. The Report of the Assam Labour Commission in 1906 provides a description of the different recruiting districts for Assam and whether famine had been a factor in migration over the twenty-year period leading up to 1905. This twenty-year period (1885-

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<sup>27</sup> *Report of the Indian Famine Commission: Part II. Measures of Protection and Prevention* (London: Her Majesty's Stationery Office, 1880), 176; B. M. Bhatia, *Famines In India*, 209.

<sup>28</sup> *Report of the Indian Famine Commission, Part II*, 180.

<sup>29</sup> *Report of the Indian Famine Commission: Part II*, 181.

<sup>30</sup> *Report of the Indian Famine Commission: Part I. Famine Relief*, 42–43.

1905) showed a dramatic increase in migration in the years 1896 and 1897 (when there was a famine) from the Central Provinces, and in 1897 from the Chota Nagpur region and the Santal Perganas. That year listed the highest number of recruited laborers to the Assam and Surma Valleys: “Of 66,328 adult labourers who came to the labour districts (including the Surma Valley), 28,078 were from the Bengal districts named, 9,391 from the North West Provinces and 19,876 from the Central Provinces.”<sup>31</sup> After that year, there was a decline in migration for a few years, until 1900 when there was another surge in migration numbers, linked to another famine in 1899-1900.

*Table/Graph 1: Migration to Assam and Surma Valley from Specified Regions, 1895-1902/03*<sup>32</sup>

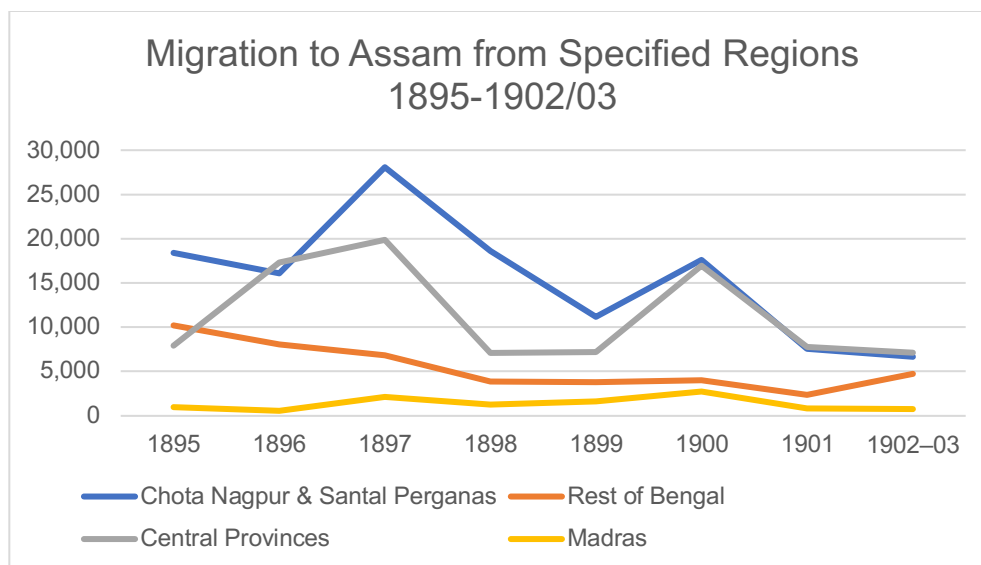
Year	Nationality of Migrants (Adults only)			
	Chota Nagpur and Santal Perganas	Rest of Bengal	Central Provinces	Madras
<b>1895</b>	18,369	10,214	7,932	969
<b>1896</b>	16,122	8,102	17,285	568
<b>1897</b>	28, 078	6,848	19,876	2,119
<b>1898</b>	18, 594	3,908	7,100	1,284
<b>1899</b>	11, 192	3,829	7,197	1,632
<b>1900</b>	17,605	4,029	16,962	2,749
<b>1901</b>	7,558	2,368	7,805	821
<b>1902-03</b>	6, 661	4,706	7,112	747

*1: Data from Report of the Assam Labour Enquiry Committee 1906*

<sup>31</sup> *Report of the Assam Labour Enquiry Committee* (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 14.

<sup>32</sup> *Report of the Assam Labour Enquiry Committee* (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 14.





In 1901, the number of emigrants to tea estates dropped again. That year, the Assam and Labour Emigration Act was passed, providing greater regulations and government supervision over the recruitment and migration of laborers from the recruiting districts—including health inspections and government registration of recruiters. Instead of better environmental conditions in the recruiting districts as the reason behind lessened migration (some of those districts are named in the graph above), tea companies and planters condemned the Assam act for the decline in recruitment in 1901. This in turn led to the formation in 1906 of a government committee to investigate the effectiveness of the act more generally.<sup>33</sup>

Nevertheless, in the regions of labor recruitment, there was widespread recognition by recruiters and colonial officials that the famine years of 1897 and 1900 had drastically increased out-migration, whereas in 1901, the rate had returned to normal levels.<sup>34</sup> In example, both the regions of Chotanagpur/Santhal Perganas and the Central Provinces, which were greatly

<sup>33</sup> *Report of the Assam Labour Enquiry Committee* (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 4–5.

<sup>34</sup> *Proceedings of the Assam Labour Enquiry Commission in the Recruiting and Labour Districts 1906* (Calcutta: Office of the Superintendent of Government Printing, India, 1906), ix.

impacted by the famine 1899-1900, witnessed a significant increase in out-migration to Assam in 1900 over that of 1899. In 1901, the numbers from the Central Provinces, at least, were very close to their 1899 numbers. G.M. Shanahan, a recruiter in the recruiting district of Sambalpur (Orissa), noted that there wasn't a significant difference in the number of laborers recruited for Assam in "years of normal conditions" before and after the passing of the Assam Labour and Emigration Act of 1901, if migration during the famine years were excluded.<sup>35</sup> He argued that the act had an almost neutral effect on recruitment numbers. The benefit of increased pay for laborers that the Act instituted, which may have increased migration, was checked by more restrictive recruitment procedures that limited numbers.

Another licensed contractor in the same region attributed the lower rates of migration after 1901 to successful harvests of rice over the previous five or six seasons, which had removed the incentive to migrate.<sup>36</sup> There was also recognition in other recruiting districts that the laboring population had decreased due to famine-induced mortality.<sup>37</sup> Moreover, potential recruits disliked the Assam piecework wage system, which they considered similar to that implemented at the public work sites during famines.<sup>38</sup> Several people in the recruiting districts suggested an increase in laborer's wages on tea plantations in order to make Assam more desirable than comparably-paying work sites nearer to home.<sup>39</sup>

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<sup>35</sup> "No. 50-Mr. G.M. Shanahan, Sambalpur" in *Proceedings of the Assam Labour Enquiry Commission in the Recruiting and Labour Districts*, 40.

<sup>36</sup> "No. 51-Written Statement put in by Mr. A.H. Tietkins, Licensed Contractor, Sambalpur" in *Proceedings of the Assam Labour Enquiry Commission in the Recruiting and Labour Districts*, 42.

<sup>37</sup> "No. 62-Mr. F.C. Turner, I.C.S., Deputy Commissioner, Bilaspur" in *Proceedings of the Assam Labour Enquiry Commission in the Recruiting and Labour Districts*, 52. In Bilaspur, the deputy commissioner wrote: "There were famines in this district in 1896-97 and 1899-1900, scarcity in 1902-03 and again this year. There was a decline of over 150,000 in the population in the decade preceding the last census, the numbers having gone down from 1,164,158 to 1,012,972. This was the result of the famines and of emigration."

<sup>38</sup> "No. 70- Mr. R.B. Sheore, Extra Assistant Commissioner, Jubbulpore" in *Proceedings of the Assam Labour Enquiry Commission in the Recruiting and Labour Districts*, 58. "The general belief is that coolies who go to Assam either die there or are compelled to remain. The labourers also do not like payment by task; it was unpopular even on famine work."

<sup>39</sup> *Proceedings of the Assam Labour Enquiry Commission in the Recruiting and Labour Districts*, 68.

H.C. Liddell, assistant commissioner of the Sambalpur district and superintendent of Emigration, argued that lower recruitment rates in the region were, in part, due to “ignorance of the conditions of the district, both on the part of garden managers and local agents.” He gave an example of this in practice:

I would mention that sometimes on account of short rainfall parts of the district are on the borderland of famine. The local agent should make use of this by directing the energies of his sardars to the affected area, but on a recent occasion where this opportunity arose in the Chandarpur tract, it was unknown to the local agent until his attention was drawn to it.<sup>40</sup>

Even when widespread famines didn’t occur, regional incidences of low rainfall, as Liddell mentioned, and other natural disasters (earthquakes, cyclones, floods) contributed to migration.<sup>41</sup> For example, W.F.D. Lowe, a manager working for Finlay’s Consolidated Tea and Lands Co. in the Duars, described the phenomena of “local scarcity” as the central reason he was able to recruit so many workers during the 1905 and 1906 growing seasons. By 1906, Lowe was recruiting twice the number of laborers per year in comparison with 1904 (a jump to 1,109 from 551); the greatest percentage increase was that of recruited children.<sup>42</sup>

The role of plantations in famine relief was a central issue discussed at an Indian Tea Association meeting of tea company representatives and tea planters in 1918. Delegates to the

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<sup>40</sup> “No. 47.-Mr. H.C. Liddell, ICS, Assistant Commissioner Sambalpur)” in *Proceedings of the Assam Labour Enquiry Commission in the Recruiting and Labour Districts*, 35.

<sup>41</sup> Tim Dyson, “On the Demography of South Asian Famines: Part I,” *Population Studies* 45, no. 1 (1991): 5; Gwyn Campbell, “Introduction: Bondage and the Environment in the Indian Ocean World” in Campbell G. (eds) *Bondage and the Environment in the Indian Ocean World* Palgrave Series in Indian Ocean World Studies. (Cham, Switzerland: Palgrave Macmillan, 2018), 22, 26. The famines coincided with famines that occurred in China and east Africa during the same years, so were also linked to wider regional climatic systems- cyclonic activity and ENSO related events.

<sup>42</sup> “Proceedings of the Assam Labour Enquiry Committee in the Recruiting and Labour Districts” (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 127–128.

meeting represented large tea companies or smaller regional associations of tea planters. The companies represented included Messrs. Begg, Dunlop & Co.; Duncan Brothers; James Finlay & Co.; Shaw, Wallace & Co.; Jardine, Skinner & Co.; Williamson, Magor & Co.; and Octavius, Steel & Co. The Chairman of the Assam Labour Board and Tea Commissioner for India in 1918, Lt. Col. W.M. Kennedy, in his address to the meeting, pointed out that a famine the previous year had greatly increased worker migration to Assam. As a result, less government efforts were needed:

“The emigration is conferring a benefit not only upon the tea industry and upon the province of Assam, but in itself is also a measure of famine relief in the recruiting districts, and I am glad to say that this has been recognised by many of the District Officers. There is no doubt but that if it had not been for emigration to Assam, and also to other places, a very much larger measure of famine relief would have been necessary than has had to be undertaken.”<sup>43</sup>

He noted that, because they offered work for entire families, tea plantations served as better non-governmental response to the famine than other industries: “Many industries, of course, do not employ women and children ... I can say from personal experience that the great bulk of the emigrants going to Assam consist of women and children.”<sup>44</sup> The employment of women and children was also advantageous to the tea estates because they were paid even lower wages.<sup>45</sup>

Although the plantations and plantation managers were criticized for the way recruitment was done, the government agreed with the planters that the ““more than half a million

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<sup>43</sup> Indian Tea Association (ITA), *Proceedings of the Thirty-Eight Annual General Meeting of Members of the Association* (13<sup>th</sup> March 1919), x. <https://archive.org/details/in.ernet.dli.2015.23129/page/n11/mode/2up>.

<sup>44</sup> Indian Tea Association, *Proceedings of the Thirty-Eight Annual General Meeting of Members of the Association* (13<sup>th</sup> March 1919), x.

<sup>45</sup> Report of the Assam Labour enquiry Commission (1906), Appendix A, Section 33, 146.

immigrants drawn from the very poorest classes of India [were] indebted to the industry for a much more liberal supply of food and clothing than they could ordinarily have expected to enjoy in their homes.”<sup>46</sup> The idea of laborers or migrants experiencing better conditions on the estates than in their home districts became a recurring theme of those discussing plantations as sites of relief, and therefore justifying the conditions therein. The association of plantations with sites of relief contributed to discussions about wages in the years directly following the first world war when the tea industry went through an economic crisis (referred to in chapter 2). Tea companies and managers sought to replace, at least in name, wage increases with increases in social welfare services. These changes, in theory, were meant to be more cost-effective, but also more impactful.<sup>47</sup> However, laborers protested this agenda to such a degree (massive walkouts, protests and strikes), that in 1921-22 an Assam Labour Enquiry Committee was formed to determine whether the welfare provisions and remuneration provided on the tea estates were “sufficient to maintain the labourers in health and a reasonable degree of comfort,” or if a wage increase was needed.<sup>48</sup> The result of the inquiry, at least for the Assam Valley, was that the payment-in-kind offered on the plantations was sufficient.

### *Welfare as Wage Replacement: Payment-in-kind and the Plantation Social Welfare system*

As the Assam Labour Enquiry reports (of 1906 and 1921-22) suggest, the tea plantations began to be associated with relief by recruiters, government officials and plantation management.

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<sup>46</sup> *Report of the Assam Labour Enquiry Committee* (Calcutta: Office of the Superintendent of Government Printing, India, 1906), 2. The Government of India is recorded as saying this in the Assam Labour Enquiry Commission’s 1906 report.

<sup>47</sup> Amartya Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation* (Oxford: Oxford University Press, 1983), 6. Amartya Sen’s work discusses how the money wage, in some dire circumstances, doesn’t provide much or any security when food prices increase. With this in mind, some security in the form of food subsidies were impactful.

<sup>48</sup> *Assam Labour Enquiry Committee Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), opening page.

The policies and laws implemented on tea plantations from the twentieth century begin to reflect these ideas, inscribing in law, what these plantations were required to provide in order to take care of the welfare of laborers. Many planters and government officials, while aware of the difficult conditions that prevailed on the estates, considered laborers to be better off on tea plantations than they would be if they remained in their home districts. This, in turn, influenced discussions about wages and social welfare. The Assam Labour and Emigration Act of 1901 had required some protections for the laborer in terms of “health, sanitation, housing, and rice,” but that law was repealed in 1908—leaving welfare provisions outside of the letter of the law.<sup>49</sup>

Rather, the spirit behind the recruitment laws was the aforementioned—that the plantations improved the welfare of the laborer and therefore offered better conditions than the laborer might find otherwise. Earlier in the century, in the publicized discussion of the 1903 Madras Planters’ Act in the Madras presidency, a planter argued that plantations in the south of India rescued laborers from pre-existing forms of serfdom and slavery, and that, if the laborer saved his or her money during the period of work, s/he might go back to his or her village with enough money to pass a year or two “in idleness.”<sup>50</sup> Not only was the political conversation about how the plantations served as places of relief, but there was also an underlying implication that the laborer should, then, be grateful for what was received on the estate, and not expect post-employment benefits (like pensions) that would sustain them long-term. The idea was that the

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<sup>49</sup> Arnab Dey, *Tea Environments and Plantation Culture: Imperial Disarray in Eastern India*. (India: Cambridge University Press, 2018), 188.

<sup>50</sup> “Labour Law in Madras” *Pioneer* (Allahabad, India), March 13, 1903: 9. *Readex: South Asian Newspapers*. <https://infoweb-newsbank-com.proxy3.library.mcgill.ca/apps/readex/doc?p=WHNPASIA1&docref=image/v2%3A1324D80D8E2BE8E3%40WHNPASIA1-13444157591AD588%402416187-13443FF1F71A04A0%408>. Arguments were made by a Mr. Aeworth to indicate support for a bill to protect the advances made by planters to potential laborers. There had been cases of laborers not arriving at their site of work. The bill was being introduced to make it a crime for a laborer not to fulfill the obligations of the contract, rather than a civil matter. This was because the labor itself was the “item of value” that the laborer had to offer, particularly in times of scarcity. Aeworth’s comment here was meant to indicate that the planters had no obligation to provide further protections, aside from the wages and the provisions offered on the estate.

laborer would receive pay sufficient to maintain a reasonable lifestyle and support him or herself until, for example, crops at home yielded again a good harvest. This was especially the case in the south of India where terms of the contract ranged from months at a time to a few years.

In places like Assam, where laborers' employment seemed more permanent, a similar logic was at work. There was no post-employment contingency plan proposed for laborers there because the laborer was intended to stay on, or in the vicinity of, the estate. The offer of land local to the plantation may be potentially viewed as a form of post-employment benefit (if the land was off the plantation), though the laborer's labor was sometimes requested as part of the rent (referred to in chapter three). The planter or company's responsibility to the laborer was limited to term of employment; the plantation itself offered the contingency plan for when local work and local networks broke down, as the earlier section on famine demonstrates. The government supported this. This is perhaps why, this chapter argues, tea companies used "social welfare" or "concessions" as leverage with the government to propose plantations as sites of relief, requiring work in exchange—like the prior government famine food-for-work programs. The Indian Tea Association and the tea companies began to use terminology about social services more explicitly, to push for the continuation of piece-work wage systems and wage stagnation in the face of legislation that set monthly wages.<sup>51</sup>

On one hand, the public commitment of plantation managers to providing concessions to laborers meant that companies and officials began to provide the more visible evidence of welfare services to appease inspectors: health clinics, schools and creches for children, housing units, food subsidies, and so on. On the other hand, by providing these benefits, companies argued that basic worker needs were being met, and therefore wages did not need to be as high as

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<sup>51</sup> Arnab Dey. *Tea Environments and Plantation Culture*, 188.

various laws proposed. They also argued that the money wage of the laborer didn't account for all that the worker was offered on the estate.<sup>52</sup>

Minimal welfare provisions were already present in the nineteenth century as necessary for a fully-functioning worksite, but these provisions began to be discussed as wage supplements or payment-in kind, where part of the expected wage was replaced with the service. This was even though the standard wage, for Assam in particular, was already below that of work sites closer to the recruiting districts. In addition, it was clear that many laborers didn't take advantage of some of the services (like hospitals or creches) that were offered. The value of each of the services offered on the estate was never explicitly declared or calculated; it remained ambiguous, so as to allow flexibility in money wages.<sup>53</sup>

In part, the inability to determine the monetary value of certain concessions had to do with fluctuations in the market. Grain prices, for example, fluctuated due to availability during war and famine, and so rice concessions had differing values at different periods. In addition, tea prices also fluctuated, which led the reduction of food subsidies, other concessions, and money wages for laborers. The aftermath of the first world war, for example, limited company profitability as stocks of tea that couldn't be shipped during the war flooded the market. To deal with the crisis of over-supply, many of the tea companies joined together to reduce production and limit production to a percentage of that of the war years (discussed in chapter two). Because of this reduction in production, unemployment on the tea plantations went up and wages remained stagnant. As a result, laborer protests increased in this post-war period—to the point that the Assam government decided to launch an enquiry into the practice of payment-in kind.<sup>54</sup>

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<sup>52</sup> Arnab Dey, *Tea Environments and Plantation Culture*, 187.

<sup>53</sup> Arnab Dey, *Tea Environments and Plantation Culture*, 187.

<sup>54</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), 1.



The Chargola exodus, for example, began in May of 1921 when several female laborers refused to work; the protest spread to the men on the estate and to other gardens in the Chargola Valley.<sup>55</sup> A mass of 7,000-10,000 laborers over the course of the strike walked off their gardens with the intention of returning to their home districts. Some of these laborers had been newly recruited, but this number also included over one thousand workers who had worked in the gardens for over a decade.<sup>56</sup> Their principal complaints were based upon unmet expectations concerning wage increases needed to meet the increased cost of living; they had been given payment-in-kind in the form of food rations and services instead. This was only one of the many strikes that occurred in the interwar period.

After a period rife with strike activity in the latter half of 1920, strikes and protests in Lakhimpur, the Darrang district, and on the Monabari and Halem tea estates in Assam in 1920-1921, as well as “several riots of ‘varying degrees of seriousness’ on Tezpur gardens in the Darrang district [again] in October 1921,” a labor enquiry committee was formed by the Assam government.<sup>57</sup> The committee’s primary purpose was to determine the monetary value of the concessions offered on the plantations, so as to know the “total remuneration” that laborers received, and whether those concessions should be converted to cash wages to meet what was inscribed in labor legislation. It was to understand to a greater degree if the “remuneration paid to the labour force [was] sufficient to maintain the labourers in health and a reasonable degree of comfort” or if an increase in wages should be required.<sup>58</sup>

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<sup>55</sup> Kalyan K. Sircar, “Coolie Exodus from Assam’s Chargola Valley, 1921: An Analytical Study,” 185.

<sup>56</sup> Nitin Varma, *Coolies of Capitalism: Assam Tea and the Making of Coolie Labour* (Berlin: Walter De Gruyter, 2017), 210–211.

<sup>57</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22* (Shillong: Government Press Assam, 1922), 1.

<sup>58</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 1.

The committee evaluated the wage structure and gave a monetary assessment of the services provided, listing the “pecuniary effect of concessions in the way of free housing, medical attendance, cheap rice and clothing, and estate land given out for rice cultivation.”<sup>59</sup> The committee sought feedback and surveys from company officials and plantation management staff; laborers were not given direct interviews. The committee’s ultimate recommendation was that, in the Assam Valley, at least, “remuneration [was] adequate.”<sup>60</sup> This was despite acknowledgement by the committee that there had not been an enquiry into tea-garden wages in Assam since 1906, when wage increases had been recommended.

The 1921 committee also responded to a suggestion made by the Governor of Assam, Sir Nicholas Beatson Bell (b.1867-1936) about the possibility of providing a percentage of the profits of the tea plantations to the laborers that produced the tea. The tea companies were approached about this question and most found the recommendation to be unfavorable. The companies’ response and the committee’s recommendation aligned: the money should instead be directed towards services like ‘education, superannuation benefits, and welfare work generally,’ because the primary goal was to measurably increase the laborers’ standard of living.<sup>61</sup> The protests that continued in the 1920s and 1930s indicated that the laborers themselves disagreed with this paternalistic response, though the tea company officials attributed the rise of the protests to external nationalistic agitators who wanted to remove laborers from British-owned sites of work.

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<sup>59</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 1.

<sup>60</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 70.

<sup>61</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 73–74.

### Tensions about wages—A Finlay Case

On the company plantations, tensions about social welfare services increased the division between employees and laborers significantly. As the tea industry was in crisis after world war I due to market oversaturation, tea companies slowed and reduced the cultivation and production of tea on their plantations, and thus reduced employment for laborers. Costs were also cut by not increasing real wages for laborers and increasing value applied to payment-in-kind concessions. Employees, however, were still paid at competitive rates meant to induce young European men to return or take up new posts in the industry after the war. To avoid the discontent of senior plantation managers, Finlay's employee salaries were maintained on par with other firms' and were adjusted to retain employees as needed.<sup>62</sup> The managers' salaries were increased in 1919.

Distrust grew between laborers and their employers. Company agents and directors, as well as government officials, were adamant that the employees of the companies (the managers and assistants) needed to abide by company procedure and guidelines in relation to labor to ensure peace in the middle of an uncertain situation. The government, at this time, had little tolerance for the mistreatment of laborers; they feared it could lead to civil unrest. Officials sought to maintain power and order, and to prevent events that would provide fuel for anti-British sentiment. A case involving a Finlay estate manager, J.W. Grant (employed with the company from 1905-1927) provides a demonstration of this.

The 1922 incident concerning Grant occurred on the Hathikuli tea estate belonging to the Finlay group in the Assam Valley. The godown Babu (Indian clerk in charge of assigning tasks

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<sup>62</sup> "Letter to Messrs. James Finlay & Co., Limited, Glasgow: Manager's Remuneration" Letters concerning R. Graham (23 April 1919) UGBA FMALIC UGD 91 1/1/4/2/2.

and sending the laborers out for the day's work) had given the manager's ticca book to a sirdar, Anand, and it had been destroyed. Grant recounted the incident this way:

I was informed by my godown Babu that my ticca book, in which the Haziras and ticca earnings of coolies are entered, had been destroyed. He said he had given it in charge of Anand and that he had taken it in one of the men's carts. He is carting Sirdar: and that a cow had pulled it off the cart in his absence and chewed up the leaves. I sent for Anand and gave him a thrashing with an ordinary cane. Ext. I is the cane. I cannot say exactly how many strokes I gave him. It may have been about ten. The man walked away after the beating. No one was present at the time except the godown Babu. He did not go to the hospital, and on Saturday morning also the other coolies would not let him go.<sup>63</sup>

The ticca book was how wage was determined on the estates. The *Hazira* tasks were the daily tasks assigned to each laborer to complete for their daily wage; the *ticca* involved further tasks ('overtime') that the laborer undertook to supplement wages. Excerpts about life on the estates indicated that the laborers (often the women) would bring their tea leaves to the manager at the end of the day, who would be sitting in front of the factory recording the earnings of each laborer in the *ticca* book.<sup>64</sup>

During the 1920s when companies did not want to pay their laborers cash wages, corruption occurred in what was recorded in the ticca book, such that what was recorded was often only a percentage of what the laborer had actually earned. The rates of ticca earnings also decreased more generally, meaning that a living wage (outside of concessions) was often not

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<sup>63</sup> F.A.S. Thomas "Copy of the Deposition of J.W. Grant, Esq., P.W. No. 1 taken on solemn affirmation under the provisions of the Indian Oaths Act, X of 1873, before me F.A.S. Thomas Golaghat this 19<sup>th</sup> day of October 1922" (Golaghat: October 19, 1922), Insert between p. 113–114. UGBA FMALIC UGD 91/1/6/3/1/6.

<sup>64</sup> A.E.T. Corrie to Calcutta" Letters Concerning A.E.T. Corrie (15 May 1926) UGBA FMALIC UGD 091/1/6/3/1/15, 151–153. I refer to this in the preceding chapter.

met.<sup>65</sup> Sirdars were paid a commission based on their laborers' hazira and ticca earnings, so it is not difficult to believe that the destruction of a wage book could have been intentional during this period of unrest—where the government eventually responded with a formal enquiry concerning the wages of laborers. The way that other laborers in the garden responded to the destruction of the ticca book—by supporting the sirdar, Anand—is also telling.

The day after Grant had whipped Anand, about 25-30 laborers (Fagu, Anand II, Kartik, Khudu Singh, Keria, and others) gathered together and surrounded the manager, not allowing him to proceed to his office or return to his bungalow; they said that Grant “had beaten [Anand] too hard.” They wanted Grant to sit with Anand, who had been transported to the scene by bed, as he, apparently, could not get up. After an hour of sitting, Grant indicated that he was, then, attacked by the group. Most of the laborers were unarmed, although Grant alleged that one laborer, Fagu, had a spear. Grant said that he was able to make it back to his bungalow with the help of his assistant but was dazed from the beating. The assistant called for the police. Nine of the laborers were arrested and imprisoned for three to six months in the ensuing case. Although, Anand didn't press charges on Grant, the Commissioner of the Assam Valley, B.C. Allen, wrote to the Finlay agents in Calcutta about Grant's actions.<sup>66</sup>

In the letter, the commissioner blamed Grant for the riot due to the “illegal beating” that he had committed against Anand. He further added that the agents needed to “disabuse” Grant of the notion that “he was entitled to beat the coolies employed on the estate.”<sup>67</sup> The commissioner wanted to “ensure that conduct of this kind [was] not repeated.” In a separate letter to the agents,

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<sup>65</sup> Assam Labour Enquiry Committee, *Report of the Assam Labour Enquiry Committee, 1921-22*, 117.

<sup>66</sup> Letter from B.C. Allen Esq., C.S.I., I.C.S. Commissioner, Assam Valley Division to Messrs. James Finlay & Co. Limited, Managing Agents, Hathikuli Tea Estate, Calcutta. (Gauhati: December 7, 1922), Insert between p. 113–114. UGBA FMALIC UGD 91/1/6/3/1/6.

<sup>67</sup> Letter from B.C. Allen Esq., C.S.I., I.C.S. Commissioner, Assam Valley Division to Messrs. James Finlay & Co. Limited, Managing Agents, Hathikuli Tea Estate, Calcutta. (Gauhati: December 7, 1922), Insert between p. 113–114. UGBA FMALIC UGD 91/1/6/3/1/6

Grant had failed to mention that he had beaten Anand and that there had been a subsequent “riot;” instead, he mentioned that he had to “chastise” Anand and that “a few coolies got a little out of hand.”<sup>68</sup> He further said that he was “of the opinion that the whole thing was caused by outside influence.”

The agents forwarded the letters to the board in Glasgow, with a note indicating that “It [was] unfortunate that Mr. Grant’s conduct [had] incurred the attention of Government but at the same time it [seemed] to [them] there was considerable provocation for his action.”<sup>69</sup> The agents also had their visiting agent look into the situation in more detail, as Grant had previously had trouble with laborers on another garden (Powai); he had blamed that incident on a vilified local tribal group—the Santhals.<sup>70</sup>

It was common for the managers and company employees to blame outside forces for the labor unrest rather than address laborers’ concerns about the payments of wages. They suggested that non-cooperators, following Gandhi, were holding public meetings, meeting laborers in the markets and on the roads, and inciting the laborers to agitate or strike. The laborers were described as gullible or unwilling to take part in protests and strikes but were persuaded to by these non-cooperators.<sup>71</sup> The planters supported their argument with the claim that when the laborers arrived at depots or back in home villages where there was scarcity due to droughts or other disasters, they voiced desires to return to the estates where they had food and support.

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<sup>68</sup> “Copy of a letter received from Mr. J.W. Grant, Hathikuli, dated 3<sup>rd</sup> October 1922” to Messrs, James Finlay & Co., Limited, Calcutta. (Gauhati: October 3, 1922), Insert between p. 113–114. UGBA FMALIC UGD 91/1/6/3/1/6.

<sup>69</sup> “Calcutta to Glasgow (December 1922) Letters concerning J.W. Grant UGBA FMALIC UGD 91/1/6/3/1/6, 114.

<sup>70</sup> Letter from James Finlay & Co. Limited Agents. To W.B. Bruce, Esq., Rungamuttee (Calcutta: December 11, 1922), Insert between p. 113–114. UGBA FMALIC UGD 91/1/6/3/1/6.

<sup>71</sup> “N.-C.-O. Methods: Strife In The Tea Gardens” *The Times of India* (1861-2010) Jun 3, 1921: 9.

<https://www.proquest.com/docview/741760420/1B0D92474367423FPQ/2?accountid=12339>; Rana P. Behal *One Hundred Years of Servitude*, 290. Rana Behal also examines this in his work on Assam.

Examples were given of laborers who had approached their managers, explaining that they didn't have any grievances against them, but that they were compelled to leave the estate by others.<sup>72</sup>

The destruction of the wage book at the heart of Grant's story, however, could have been an intentional action by the sirdar meant to encourage changes in the way that the wage structure was organized. The focus on external agitators as the source of the discontentment fit too neatly into the narrative that planters used to ignore the concerns that laborers were clearly voicing about welfare concessions and wage payments. The case with Grant also points at the difference in power and access to avenues for voicing grievances that laborers versus European company employees had. As other historians have indicated, laborers didn't experience the same treatment under the law that European employees did even after penal contracts were abolished.<sup>73</sup> While Grant allegedly told his laborers that if they had a problem with how he had treated Anand they could approach the police; the violent, localized response by the laborers indicated that they didn't trust the police to be impartial. The fact that Grant was not detained or imprisoned, and several laborers were, is telling. Further, the fact that Grant's side of the story was heard and retained in the archive, demonstrates again the difference in access and visibility that employees and laborers had within the company.<sup>74</sup>

Company employees could play the role of benefactor in relation to their laborers, because of the legal exceptions given to them about providing for the laborers' welfare; they also had access to legal channels and a network of legal support for their choices, when they were considered to be within reason. Laborers were dependent on the manager's (and the company's)

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<sup>72</sup> N.-C.-O. Methods: Strife In The Tea Gardens" *The Times of India* (1861-2010) Jun 3, 1921: 9.

<sup>73</sup> See Elizabeth Kolsky, *Colonial Justice in British India* (Cambridge: Cambridge University Press, 2010).

<sup>74</sup> To read more on the formation of archives, see Ann Stoler "On Archival Labor. Recrafting Colonial History/El Trabajo Archivístico Y Su Importancia En La Reformulación De La Historia Colonial." *Diálogo Andino* no. 46 (2015): 153–165; Antoinette M Burton, ed. *Archive Stories: Facts, Fictions, and the Writing of History* (Durham, N.C.: Duke University Press, 2005).

goodwill for survival and welfare. The managers and assistants were essentially patrons who could act on behalf of the laborers (in what they thought was his or her best interest) with a measure of impunity; the companies and employees could decide to be benevolent if they so chose, because it wasn't explicitly required or enforced by law during the interwar period.

The dependence of the laborer on the manager and assistants was enhanced by the constricting agreements that the regional companies entered into with each other to tie laborers to specific estates. Further, as wages were often set in partnership with other regional company plantations under associational bodies (like the ITA), the laborer had no better alternative in the vicinity of the estates. Wage stagnation made this even more pronounced; laborers couldn't save any money, since a significant portion of the pay was food or 'welfare.' The power of the laborers and their intermediaries (sirdar, maistry, kangany), then, was restricted. Protests, strikes, and walkouts were ways to vocalize discontent.

Companies continued to advocate for the replacement of wages by payment-in-kind for the rest of colonial rule. The changes introduced in labor laws in the following decades, in some ways, served to build greater comradery among the British tea companies to resolve issues of the industry outside of the law—to construct agreements that were legally binding and that set the norms for the industry.<sup>75</sup> Payment-in-kind and wage-fixing agreements became standard practice among the tea plantations, continuing to shape discourse around wages in the sector. These region-wide agreements and associational agreements will be discussed more in chapter five, but are important to note for recognizing patterns of cooperation and collusion across the industry.

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<sup>75</sup> Rana P. Behal, *One Hundred Years of Servitude*, 294–296.



### *Redress: Legislation and its limits*

The early twentieth century recruitment legislation articulated by British government officials and the tea company officials as caring for the wellbeing of laborers were, in many ways, “more protective of planters than of labour.”<sup>76</sup> From the turn of the twentieth century, Indian advocates for laborers, voiced their concerns for the possibilities of exploitation that the lack of legislation regarding the treatment of laborers once on the estate provided. In the legislative discussions about the Madras Planters Law in 1903, for example, which protected the rights of the planters to receive work for the advances given to potential laborers, labor advocates in the legislative assembly, pushed for greater protections for laborers instead: “if in a country like Europe, where there were Labour Organisations and Associations, special protection was needed in favour of the labourers, and laws were passed with that object, how much more in a country like India were such provisions necessary.”<sup>77</sup>

The narrow focus of the government’s concern for the laborers’ welfare (to recruitment) became more and more clear as the century progressed. Despite the attention and language spent on discussing the laborers’ welfare and health, laborers were not given any legal protections in the case of injury, disease, the death of a working family member, or advanced age until the third (or fourth) decade of the twentieth century. Workers’ compensation in the case of injury or death became law in India in 1923, but it is unclear to what extent it was implemented on the plantations at that time.<sup>78</sup> The Workmen’s Compensation Act (WCA) amendment of 1933,

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<sup>76</sup> D.V. Rege (Chairman, Labour Investigative Committee) *Report on an Enquiry into Conditions of Labour in Plantations in India* (Delhi: Manager of Publications, 1946), 59. British Library IOR/V 1680.

<sup>77</sup> “Labour Law in Madras,” *Pioneer* (Allahabad, India), March 13, 1903: 9. The argument was made by the Honorable Mr. Perrazu when voting against the penal measures that employers wanted in the passing of the Planters’ Labour Bill in Madras in 1903.

<sup>78</sup> Workmen’s Compensation Act, 1923. Schedule II: List of Persons who, subject to the provisions of section 2 (1) (n) are included in the definition of workmen. (Xviii) It is unclear based on the amendments whether this was present in the original act in 1923 or added later in 1963.

specifically extended protections and compensation to employees on tea plantations “in the event of sustaining personal injury by accident arising out of and in the course of employment,” so it is unlikely that it was applied much to plantations prior to that date.<sup>79</sup> The Report on an Enquiry into Conditions of Labour in Plantations in India in 1943, described the WCA as the only “protective labour legislation” for plantation laborers at the time—though a few caveats may be necessary (refer to footnote).<sup>80</sup>

The WCA included frequent references to the employer’s liability in the collapse of tea estate housing and any associated injuries. The act also made provisions in the case of dismemberment in the course of working. Compensation was, in practice, “only applied to accidents” although diseases contracted under employment were also mentioned in the act. Laborers, however, were rarely compensated in the case of disease.<sup>81</sup> This may be because the occupational diseases listed in the act were often related only to hazardous chemicals used to complete daily tasks (e.g., poisoning by nitrous fumes, mercury poisoning); diseases such as cholera and malaria, were most likely seen as common or ubiquitous among all classes of workers on the estates and not specific to laborers.<sup>82</sup> Company records also indicate that some laborers had a general distrust of the medical officers on the estates and didn’t seek them out

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<sup>79</sup> “Report of the General Committee of the Indian Tea Association (London),” 23.

<sup>80</sup> D.V. Rege (Chairman, Labour Investigative Committee), “Report on an Enquiry into Conditions of Labour in Plantations in India” (Delhi: Manager of Publications, 1946), 5 British Library IOR/V 1680; International Labour Organization (ILO), *Industrial Labour in India*. Studies and Reports. Series A (Industrial Relations) 41. (London: P.S. King & Son, 1938), 67. It can be argued that in 1932, there were also some post-employment provisions for laborers inscribed into the *Tea Districts Emigrant Labour Act of 1932*, which included the right of repatriation at the employer’s expense after 3 years for newly recruited laborers, or earlier in adverse circumstances (like for families of a recently deceased laborer). The *Payment of Wages Act of 1936* required regular payment of wages to the laborer, at the very least in monthly increments, because some employers had been withholding pay for various offenses. However, the act also inscribed possible reasons why the employer could reduce the wages of the laborer. The Factories Act of 1934 offered some protective measures to factory workers across India, but the factories on the tea estates (as seasonal factories and not full-time) may have been excluded.

<sup>81</sup> ILO, “Industrial Labour in India, 206

<sup>82</sup> ILO, “Industrial Labour in India, 206.

when sick.<sup>83</sup> Therefore, reports of job-related illnesses may not have been forthcoming. Even if they were filed by the plantation doctor or doctor *babu*, the report may not have been filed accurately or to the benefit of the laborer.

Further, there was a general “lack of adequate knowledge on the part of workmen regarding their legal rights in claiming compensation”; awareness of this grew after the amendment in 1933.<sup>84</sup> For industrial occupational accidents in 1924 in India, of which the tea industry was considered a part, there were a total of 4,168 cases of compensation (death, permanent and temporary disablement) brought to the commissioners; in 1936, the number was 28,510 cases, amounting to 1,464,180 rupees at an average of 51 rupees per case in compensation (Rs. 714 average each for ≈1000 deaths, Rs. 263 each for ≈1500 cases of permanent disablement, and Rs. 12 for ≈ 26000 cases of temporary disablement).<sup>85</sup>

In both India and Ceylon, an external commissioner was normally intended to mediate between the employer and the laborers and/or their dependents in cases of compensation. Female laborers on the tea estates found the compensation and protections more complicated for several reasons. Firstly, a female laborer was often brought in as part of a family unit, and several of the recruitment policies wouldn’t allow a woman to migrate to the tea estates without express permission from her husband or male guardian.<sup>86</sup> Therefore, under the 1923 version of the WCA,

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<sup>83</sup> F.A.S. Thomas, “Copy of the Deposition of J.W. Grant, Esq., P.W. No. 1 taken on solemn affirmation under the provisions of the Indian Oaths Act, X of 1873, before me F.A.S. Thomas Golaghat this 19<sup>th</sup> day of October 1922” (Golaghat: October 19, 1922), Insert between p. 113–114. UGBA FMALIC UGD 91/1/6/3/1/6.

<sup>84</sup> ILO “Industrial Labour in India,” 208.

<sup>85</sup> ILO “Industrial Labour in India,” 206–207.

<sup>86</sup> D.V. Rege (Chairman, Labour Investigative Committee), “Report on an Enquiry into Conditions of Labour in Plantations in India” (Delhi: Manager of Publications, 1946), 5. British Library IOL V1680. The report describes the unit of recruitment as the family, not the individual. Women were considered a protected group and therefore could not migrate without the consent of their father, husband, or guardian. Many women had migrated prior to the development of laws that prohibited them from migrating to escape married life, situations of exploitation, social ostracization, confinement, and more. A fascinating book that touches on these topics is Gaiutra Bahadur, *Coolie Woman: The Odyssey of Indenture* (Chicago: University of Chicago Press, 2013).

women were categorized together with persons under a legal disability, for whom the Commissioner would invest the compensation for their benefit. The commissioner would sometimes give the compensation to a guardian or caregiver for a person with legal disability. For women and dependents, this may mean that they were required to stay within the vicinity of the tea plantation in order to receive the benefits rather than receive the benefits directly and possibly proceed back to the home district with income.

In the 1920s and the 1930s, the British government in India introduced some labor legislation to enhance the conditions of laborers, but many of them were like the above acts. They dealt with particular situations (non-payment of wages, maternity benefits, workmen's compensation, and emigration) rather than provisions for the laborers' everyday experiences. The acts passed included the "Workmen's Compensation Act of 1923, the Trade Union Act of 1926, the Trades Disputes Act of 1928, the Maternity Benefits Bill of 1929, and the Payment of Wages Act of 193[6]."<sup>87</sup> Any welfare benefits that the laborers experienced on the estates was up to the discretion of the plantation manager or the company. This meant that what was offered on the different plantations varied widely.

The Report of the Royal Commission on Labour, filed in 1931 indicated that at that time, welfare provisions for laborers could include "free housing, medical facilities and firewood [...] free grazing for cattle and land cultivation [...] and in a few cases the issue of rice at concession rates."<sup>88</sup> Some estates provided two meals a day to children under the age of 6—a practice, the report mentioned, that was more common on the estates in Ceylon.<sup>89</sup> Wages still persisted on a

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<sup>87</sup> Maria Misra, *Business, Race, and Politics in British India*, 157. The Payment of Wages Act was made law in 1936, but had been proposed as a bill in 1933 and brought before the legislature for evaluation.

<sup>88</sup> John Whitley, *Report of the Royal Commission on Labor in India*. Royal Commission on Labour in India (Calcutta: Government of India Central Legislation Branch, 1931), 384. <https://babel.hathitrust.org/cgi/pt?id=umn.31951001164066c&view=1up&seq=416&skin=2021>.

<sup>89</sup> John Whitley, *Report of the Royal Commission on Labour in India*, 413.

piece-work basis. In Darjeeling, for example, the pay was “on a piece work basis” that was paid out weekly; in the Madras Presidency, pay for the day (“7 annas a day for men, 5 annas a day for women and 3 to 4 annas a day for children”) were given if the daily task was met.<sup>90</sup> More money could be earned for extra tasks completed. The wages of women were less than that of men and there were very little in terms of maternity benefits inscribed in law. Maternity benefits were first applied to the plantations in Assam through private planter agreements with the government, but many women chose to work instead, as much as they could, during the weeks before and after pregnancy, as the benefits were not equal to pay.<sup>91</sup> In the 1931 commission’s recommendation for an increase in the minimum wage based on the Hazira (daily tasks), they referenced the implementation of a minimum wage ordinance that was already operative in Ceylon.<sup>92</sup>

The 1931 report by the Royal Commission on Labour also included information gleaned from oral interviews with female and male workers on the tea estates and was one of the first commissions to include the perspective of laborers (though mediated). The report highlighted the highly organized nature of companies through the Indian Tea Association, even to the point of fixing wages across the region to prevent competition and discontent among laborers.<sup>93</sup> The report suggested more government intervention was necessary for the issuance of regulations for health boards that would monitor provisions on the estate—drinking water, conservancy, sanitation, drainage, medical facilities, and standards on housing.<sup>94</sup>

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<sup>90</sup> John Whitley, *Report of the Royal Commission on Labour in India*, 399–400.

<sup>91</sup> ILO, *Industrial Labour*, 210

<sup>92</sup> John Whitley, *Report of the Royal Commission on Labour in India*, 391

<sup>93</sup> John Whitley, *Report of the Royal Commission on Labour in India*, 388.

<sup>94</sup> John Whitley, *Report of the Royal Commission on Labour in India*, 421–422

Another government report completed by an investigative team led by D.V. Rege in 1946, provided further research on the conditions of laborers in industrial settings in India. The 1946 Commission indicated that the Government had tried to implement labor legislation, but hadn't been great at enforcing it—in part due to expenditure in doing so.<sup>95</sup> They also noticed a relaxation in labor legislation during World War II, which would have had a direct impact on laborers. The committee's estimate in 1944 listed about 11,65,000 laborers employed in tea, coffee, and rubber plantations across India. In 1942, those on tea plantations alone were around 926,461 laborers—the largest percentage of all plantation workers.<sup>96</sup> Forty-five percent of the laborers on tea plantations were women and 10-20% across India were children (15% in Assam, 20% in Bengal, 10% in South India).<sup>97</sup> Between 1935 and 1942, about 3/5ths of the total number of laborers in the tea industry were employed in Assam (Assam Valley and Surma Valley), making it the region where most of the legislation was directed. The remaining 2/5ths was split evenly between Bengal (Darjeeling, Terai, and the Dooars made up 1/5<sup>th</sup>) and the other tea-planting regions, which included Madras.<sup>98</sup> The Rege Commission found that still in 1946, the tea plantations were “practically immune from any legislative control as far as regulation of labour conditions in them [was] concerned.”<sup>99</sup> This is, perhaps why, the most comprehensive

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<sup>95</sup> D.V. Rege, *Report on an enquiry into conditions of labour in plantations in India* Labour Investigation Committee (Delhi, 1946), 10.

<sup>96</sup> D.V. Rege, *Report on an enquiry into conditions of labour in plantations in India*, 12.

<sup>97</sup> D.V. Rege, *Report on an enquiry into conditions of labour in plantations in India*, 21.

<sup>98</sup> D.V. Rege, *Report on an enquiry into conditions of labour in plantations in India*, 21.

<sup>99</sup> D.V. Rege, *Report on an enquiry into conditions of labour in plantations in India*, 61. They found that the State of Cochin had the only regulation for conditions in India, which applied to plantations with “at least ten acres under plantation crop or employ[ed] at least 20 labourers on any one day in the year.” It “prohibited the employment of children under 10 and of women and children between 6 p.m. and 6 a.m. They provide[d] for a standard housing accommodation, free medical aid, and anti-malarial measures. They also provide[d] for the inspection of the estates, at least once a year by the Director of Public Health and the District Magistrate or their deputies. The rules appear to be properly enforced.”

labor legislation occurred in the years directly after the independence period, and the tea companies immediately felt threatened by it.

### *Plantation Labour Act of 1951*

The most comprehensive labor legislation in India for tea plantations was the Plantation Labour Act in 1951. This law remained in place for the rest of the twentieth century; it was repealed and subsumed under broader occupational safety laws in India in 2021. The act had stood for 70 years (with minor amendments for inflation, etc.) as the premier law for plantation-based industries with the intention of providing “for the welfare of labour, and to regulate the conditions of work, in plantations.”<sup>100</sup> Ironically, the act solidified what the tea companies argued that they were providing anyway. The central government act clarified and made stricter the requirements concerning the welfare provisions offered on the estates; certain provisions were now required by law. However, there was still some economic and legal flexibility at the state level, regarding wage rates and implementation.

The 1951 act also set in stone distinctions between the laborer (worker) and other employees, according to differences in pay and responsibility: a worker was someone whose pay did not exceed three hundred rupees a month and didn’t hold a management position. The welfare policies of the act applied to those who had very low wages and required the plantation managers to provide hygienic and social measures intended to ameliorate the laborers’ living and working conditions. It required a “sufficient supply of wholesale drinking water for all workers,” “a sufficient number of latrines and urinals” that were kept “clean and sanitary,” and “medical

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<sup>100</sup> Plantation Labour Act, 1951. Accessed July 6, 2020. <https://labour.gov.in/sites/default/files/The-Plantation-Labour-Act-1951.pdf>.

facilities.”<sup>101</sup> The act’s section on welfare required canteens (if there were 150 workers), creches (for plantations with 50 women workers) and housing—liable to the inspection of the state. Recreational and educational facilities for “children between the ages of six and twelve” that numbered over 25 were also stipulated, though there were no further established guidelines given.

The companies were required to respond with adequate changes. A 1960 Finlay company report described how Finlay was implementing the law in their plantations, particularly in the High Range in southern India, where most of their workers were coming from “the drought areas of Madras State.”<sup>102</sup> They described their housing policies and also medical care provisions which had been implemented decades before (apparently their medical officers eliminated malaria from the region in the 1950s).<sup>103</sup> At the same time, the company indicated that it had to eliminate some of its prior practices, like noon meals for babies and adjusted food subsidies, to fulfill the other stipulations of the act.<sup>104</sup>

However, some companies found it more difficult to implement these policies given the expense. Internationally, the price of tea was falling and there was “increased competition from abroad.”<sup>105</sup> For example, the Chargola Tea Association (a limited company in Sylhet under Messrs. P.R. Buchanan & Co. as managing agents, and under Messrs. James Finlay & Co as their

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<sup>101</sup> “Chapter III Provisions as to Health” in Plantation Labour Act, 1951 8–10. Accessed July 6, 2020. <https://labour.gov.in/sites/default/files/The-Plantation-Labour-Act-1951.pdf>.

<sup>102</sup> “12: Housing” (Date unclear) Finlay’s magazine Historical File II General Information UGBA UGD 91/1/9/2/10, 2; “11: Employment” (Date unclear) Finlay’s magazine Historical File II General Information UGBA UGD 91/1/9/2/10.

<sup>103</sup> “18: Medical Care” (Date unclear) Finlay’s magazine Historical File II General Information UGBA UGD 91/1/9/2/10.

<sup>104</sup> “26. Labour Amenities” (Date unclear) Finlay’s magazine Historical File II General Information UGBA UGD 91/1/9/2/10 “; “27. Rice and Firewood” (Date unclear) Finlay’s magazine Historical File II General Information UGBA UGD 91/1/9/2/10; “28. Wages” (Date unclear) Finlay’s magazine Historical File II General Information UGBA UGD 91/1/9/2/10.

<sup>105</sup> “Labour reviews of India; report on conditions in the tea gardens of Northern India” (Government Papers, The National Archives, Kew, 1953), 14. Accessed June 15, 2021. [http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO\\_371\\_106864](http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO_371_106864).



Calcutta agents) was already having difficulty regarding financial issues back in 1949.<sup>106</sup> Due to “unfavourable weather conditions” the crop of the Chargola Tea Association Limited in Cachar suffered considerably and they took a heavy loss that year.<sup>107</sup> Apparently, the 1951 labor legislation was one of the things that pushed this company to finally sell.

Even prior to the act, the Chargola Tea Association had a separate element of their budget demarcated as expenditure for “Labour—Welfare, Food Subsidies, etc.” The amount spent annually more than doubled between 1946 and 1949 (to £56,864 from £20,648 in 1946). The amount for the few years prior to 1946 were similar to the 1946 rate: £18, 249 in 1945; £20, 386 in 1944; and £16,082 in 1943. Prior to 1943, in 1942, the amount was demarcated differently what was spent just for welfare and recruiting; that expenditure was £2687.<sup>108</sup> The increase between 1942 and 1943 was linked to the price of rice and the increase of food allowances in place of cash—in addition to other welfare measures offered.<sup>109</sup> The Bengal Famine had also occurred in 1943 increasing expenditure (and the cost of rice). In 1950, the company decided to revert back to cash wage for food instead of food allowances, because of the cost.<sup>110</sup>

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<sup>106</sup> Chargola Tea Association Limited “need for further Capital: Mr. A. Bryans’ Statement” *Reprinted from the Home and Colonial Mail, The Tea, Rubber, Tin and Produce Journal* (25 June 1931). UGD 091/138; “India’s Tea Garden Problems” *Times of India (1861-2010)*, Sep. 4, 1949.

<https://www.proquest.com/docview/500490285/85329D471D84173PQ/4?accountid=12339>.

<sup>107</sup> The Chargola Tea Association, Ltd “Balance Sheets for 30<sup>th</sup> November 1949, 1946, 1945, 1944, 1943, 1042” UGBA UGD 091/138.

<sup>108</sup> The Chargola Tea Association, Ltd “Balance Sheets for 30<sup>th</sup> November 1949, 1946, 1945, 1944, 1943, 1042” UGBA UGD 091/138.

<sup>109</sup> The Chargola Tea Association, Ltd. “Report to be presented at the Fifty-fifth Ordinary General Meeting of The Chargola Tea Association, Limited, to be held at the Registered Office of the Company, 17, St. Helen’s Place, in the City of London, on Tuesday, the 30<sup>th</sup> day of October 1945, at 2.30 p.m.” UGBA UGD 091/138. The rise in price could also be linked to an attempt to provide a money value to what was already being offered on the estate.

<sup>110</sup> “Report of Directors. Report to be presented at the Sixtieth Ordinary General Meeting of The Chargola Tea Association, Limited, to be held at the Registered Office of the Company, 17, St. Helen’s Place, in the City of London, on Friday, the 11<sup>th</sup> day of August, 1950, at 12 noon.” UGBA UGD 091/138. “The vital necessity of a continuance of cash allowances in place of food concessions for the existence of the Company is very apparent. Without this there is no foreseeable possibility of reducing the heavy expenditure which nowadays has to be incurred on the maintenance of an adequate labour force.” (19 July 1950).

The company anticipated even further increases in expenditure in the 1950s. In 1952 some of the tea estates in Assam and Bengal were forced to close “because of falling prices and increased competition from abroad [;] the State Governments [were] urged by the employers to consider a revision of the [minimum wage] rates fixed for tea garden labourers.”<sup>111</sup> At the same time, there was increasing unemployment in India. Some attributed that unemployment to the closing of tea plantations, which they found was due in part to “the growing volume of welfare and labour legislation.”<sup>112</sup> Some estates had repatriated laborers, who had been living and employed on the estates, back to their home districts, in favor of the local laborers that could be hired “casually” and wouldn’t need support during slower seasons of the year. They also did this so that “surplus” labor would be reduced.<sup>113</sup> According to the Chargola Tea Association’s company reports, 1952 was a difficult year for the tea industry in Cachar as 55 estates basically stopped working. The following year, some had rebounded including the Chargola Tea Association which had reasonable profits that year.<sup>114</sup> However, that was also the year that P.R. Buchanan & Co. began considering the sale of the company at auction, given the fluctuations that were occurring in profits and production in the Chargola Valley, in general. When the company moved forward on the sale in 1954, they stated the reason for doing so as this:

The Board also have before them the possibility, which has already become fully evident, that a continuation of high prices will inevitably lead to demands being made on the Industry for ever increasing improvements in housing, sanitation, and other general

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<sup>111</sup> "Labour reviews of India; report on conditions in the tea gardens of Northern India" (Government Papers, The National Archives, Kew, 1953), 14.

<sup>112</sup> "Labour reviews of India; report on conditions in the tea gardens of Northern India" (Government Papers, The National Archives, Kew, 1953), 49.

<sup>113</sup> Shri P. Madhava Menon (Chairman, The Plantation Labour Enquiry Commission), *Report of the Plantation Inquiry Commission, 1956: Part I-Tea* (Delhi: Manager of Publications, Government of India Press, 1956), 113–119. <https://archive.org/details/in.ernet.dli.2015.53260/page/n135/mode/2up>

<sup>114</sup> The Chargola Tea Association Ltd. “Chairman’s Statement, With the Accounts for the year ended 30<sup>th</sup> November, 1952” UGBA UGD 091/138.

conditions at estates. Such demands must lead to considerably increased expenditure, which trend could not easily be reversed if a recession of market prices were to make this necessary...The Board have, therefore, had before them the advisability of taking advantage of the present circumstances to dispose of the estates.<sup>115</sup>

The company executives weren't wrong in assuming that there would be continued laws passed concerning the welfare of laborers. In 1953, a bill had been proposed, and passed, amending the Industrial Disputes Ordinance which required companies that were laying off workers to pay a certain amount of compensation, given the unemployment conditions prevailing across India.<sup>116</sup> The Chargola Tea Association disposed of its estates in 1955 for approximately £199,500. They had to gain approval for the sale to take place in sterling by the Reserve Bank of India, and permission to transfer those funds out of the country, given the restrictions imposed by the Indian Exchange Control Authorities in 1954.<sup>117</sup>

### *Conclusion*

The Chargola Tea Association case provides a glimpse of the post-1951 welfare system instituted on the estates and, perhaps, a greater understanding of what was actually implemented before 1951. The laws that followed independence solidified the practices of welfare that had been discussed in casual terms (without specific monetary value) in the early part of the century. When implemented, the actual cost was heavy; some tea companies sought to return to a higher cash wage with less social welfare services in order to lower the cost. Over the following

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<sup>115</sup> The Chargola Tea Association, Ltd. "Letter to all members from the Managing Agents P.R. Buchanan & Co." (10 December 1954), UGBA UGD 091/138

<sup>116</sup> "Labour reviews of India; report on conditions in the tea gardens of Northern India" (Government Papers, The National Archives, Kew, 1953), 52.

<sup>117</sup> "Report of Directors: Report to be presented at the Sixty-fifth Ordinary General Meeting of The Chargola Tea Association, Limited, to be held at the Registered Office of the Company, 17, St. Helen's Place, in the City of London, on Tuesday, the 12<sup>th</sup> day of July, 1955, at 12 noon." UGBA UGD 091/138.

decades, the companies would continue to have discussions with the government about which welfare measures should be the responsibility of the state and which should be the responsibility of the employer. This debate continued into the twenty-first century and was, arguably, one of the reasons why the Plantation Labour Act of 1951 was repealed in 2021. The new 2021 legislation removed the exceptionalism of the Indian tea industry and brought tea plantations under the same governmental social insurance programs as other industrial sites.

This chapter began by describing how tea plantations were viewed as sites of welfare relief during periods of scarcity and famine in the recruiting districts. Early twentieth-century laws were instituted to govern recruitment and protect the planters' advances given to laborers who had agreed to work on the estates. Without a doubt, the unique nature of tea plantations as large-scale sites of work, modeled after an industrial system but implemented in an agricultural space, needed protections for laborers who could easily fall prey to debt bondage and exploitation. Welfare, then, became a framework for discussing both recruitment and laborer protection on the estates, and was mobilized in different ways to respond to the intricacies of business in South Asia. The idea of relief was used both to require contracts (with criminal charges if broken) that prevented laborers from absconding after receiving cash advances, and to justify wage stagnation by stating that the monetary value of social welfare benefits was a reasonable supplement to low wages. The requirement to provide social welfare benefits was made law in 1951. While this ensured protections for laborers, it also concretized a wage cap on who was able to receive those provisions—thereby continuing a colonial wage system into the late twentieth and early twenty-first centuries.

## Chapter 5: Company and Government Cooperation—Taxation and Legislation

British managing agencies and tea companies dominated India's tea industry from the first part of the twentieth century, and throughout this project's temporal focus (1901–1951). John Henry Whitley (1866-1935), MP from 1900-1928 and Speaker of the House of Commons from 1921-1928, was made chairman of the Royal Commission on Labour India in 1929. He compiled a report in 1931 for the Royal Commission, wherein he stated that “the plantation represent[ed] the development of the agricultural resources of tropical countries in accordance with the methods of Western industrialism,” and noted that, at that time, “about 90% of the [tea, coffee, and rubber] plantations in North India and nearly all those in Madras and Burma [were] controlled and managed by Europeans.”<sup>1</sup> By 1939, an estimated 13 managing agencies in Calcutta, associated with international companies, controlled more than 75 percent of India's tea production.<sup>2</sup> The Report on an Enquiry into Conditions of Labour in Plantations in India, completed in 1946 by the government's Labour Investigative Committee under Dattatraya Vaman Rege, further indicated that “interests in the United Kingdom—mainly limited liability companies” owned 60 percent of India's tea acreage. Eighty percent of that percentage was “represented by ten leading agency houses in Calcutta”—the role of which was outlined in chapter one.<sup>3</sup>

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<sup>1</sup> John Whitley, *Report of the Royal Commission on Labor in India*, (Calcutta: Government of India Central Legislation Branch, 1931), 349.

<sup>2</sup> Rana P. Behal, “Power Structure, Discipline, and Labour in Assam Tea Plantations under Colonial Rule” *International Review of Social History* 51, no. S14 (2006): 139.

<sup>3</sup> D.V. Rege, *Report on an enquiry into conditions of labour in plantations in India*, Labour Investigation Committee (Delhi: Manager of Publications, 1946), 2. British Library IOR V 1680.

Sterling companies also owned a solid percentage of the tea industry in Ceylon. Over one-third, approximately 36.4 percent, of the acres under tea in 1899 were operated by sterling companies. By 1958, that percentage had stayed roughly the same (35.4 percent), although there was an increase in overall acreage (from 137,607 to 201,905).<sup>4</sup> This percentage did not account for British companies that had become rupee companies by this time.

Because of the control that British companies had over tea plantations in India, the British government sought out the opinions—and sometimes favor—of company employees in creating and implementing its policies towards the tea industry. The government formed regional committees to inform itself on topics of labor. The tea companies, meanwhile, formed associational groups to better unify their position and lobby the government in their interests. Companies ensured that their representatives sat in advisory position on colonial government committees to voice their association's opinions on the passing and working of legislation—which caused some acts to be repealed. Colonial officials were likewise invited to tea company associational meetings to hear the detailed concerns of the tea industry proprietors.

Thus, many of the laws and policies, that were instituted (or not instituted), repealed or amended in the first part of the twentieth century can be directly linked to this relationship between the tea companies and the Government of India. However, the relationship between the British tea companies and the government grew increasingly distant by the 1940s. This was, in part due to official British reaction to growing nationalist sentiment in India and Ceylon, and the potential threat that nationalism posed to the government's coffers. At the same time, the economic power of the tea companies in the colonial project also waned, met steadily by growing competition from both Indian and international businesses investing in new industries

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<sup>4</sup> N. Ramachandran, *Foreign Plantation Investment in Ceylon 1889-1958*. (Ceylon: Central Bank of Ceylon Research Series, 1963), 163.

on the subcontinent. This chapter, then, explores the relationship between the British tea companies and the British colonial government and that relationship's impact on official labor policy for the tea industry—both in times of agreement and disagreement. It also highlights the post-1947 Indian government's relationship with the tea companies, as reflected in the rapid and multi-faceted introduction of laws restricting company freedom.

### *Associational Bodies and Planters' Lobbies*

British tea companies in South Asia, such as Finlay, organized themselves into regional associations that lobbied the government to adopt policies that didn't interfere with, or were favorable to, their established operations. The company associations also served to conform the companies to similar business strategies and labor policies, in order to strengthen their collective position.<sup>5</sup> The Indian Tea Association (ITA), one of the first South Asian planters' associations specifically for tea, was formed in 1881, and developed a number of regional branches in Assam, the Surma Valley, and Calcutta (where the companies' managing agents resided). By 1931, the ITA represented approximately 90 per cent of the tea acreage in Assam.<sup>6</sup> There was also an Indian Tea Association of London that lobbied the British government on its policies relating to tea—including tea prices, duties and import costs, and the preferential treatment of British-grown teas.

The ITA was also vitally interested in labor recruitment for its members' tea estates. The Assam Labour and Emigration (Amendment) Act VIII of 1915, amended the 1901 Assam

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<sup>5</sup> Rana P. Behal, "Power Structure, Discipline, and Labour in Assam Tea Plantations under Colonial Rule" *IRSH* 51 (2006): 145. Rana P. Behal gives an excellent summary of the ITA's power in the government of Assam over this period.

<sup>6</sup> John Whitley, *Report of the Royal Commission on Labor in India*, (Calcutta: Government of India Central Legislation Branch, 1931), 403.

Labour and Emigration Act by requiring recruitment through *sardars* linked to specific gardens or licensed agents/agencies, as well as the implementation of a government-directed labor board to ensure compliance. In reaction to the 1915 Act, ITA regional branches formed a joint association called the Tea Districts Labour Association (TDLA) in 1917, which facilitated this process from the recruiting districts to the plantations. The TDLA had agencies in recruiting districts that registered sardars who wanted to recruit for the tea gardens, and then helped with the transport of laborers to the tea estates in the northeast. The TDLA was closely linked with the Assam Labour Board.

The Assam Labour Board, created by the 1915 act, was meant to be a government-formed committee to supervise Local Agents (of the TDLA) and the “recruitment, engagement and emigration to labour districts of natives of India.”<sup>7</sup> However, while the Assam Labour Board chairman was a government official, all of its other members represented powerful tea interests. The Board “consist[ed] of sixteen [elected] members, including the chairman”—eight representing the Indian Tea Association Calcutta/London, four representing the Assam branch of the ITA, and three for the Surma Valley branch of the ITA. The executive committee of the Board included the chairman and a small selection of men from the other fifteen.<sup>8</sup> This board kept detailed records of recruiting agents and agencies, the numbers of sirdars recruiting under those agencies, the annual number of laborers recruited to Assam and their age profiles (adults or children), the advances made to sirdars to secure laborers, and the number of sirdars prosecuted because they were in violation of established recruiting procedures. Sirdars who recruited

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<sup>7</sup> Government of India Department of Commerce and Industry *Legislative Department Proceedings regarding the Assam Labour and Emigration (Amendment) Act, 1915 (Act VIII of 1915)* National Archives of India (online), accessed June 20, 2021. <https://indianculture.gov.in/archives/legislative-department-proceedings-regarding-assam-labour-and-emigration-amendment-act>; Act 008 of 1915: Assam Labour and Emigration (Amendment) Act, 1915. (25 March 1915), accessed June 17, 2021. <https://www.casemine.com/act/in/5a979d954a93263ca60b70af>; Assam Labour Board Reports 1922-23 & 1930/1 British Library V/24/2298, Appendix A.

<sup>8</sup> Government of India Department of Commerce and Industry *Legislative Department Proceedings*.



illegally could serve prison time and were fined; British garden managers associated with illegal recruitment were simply fined.<sup>9</sup>

The Tea Districts Labour Association members annually submitted license applications for the registration of local agencies to be established as recruitment bases in the TDLA's 30+ established recruiting districts. Sirdars were registered under these agents. In 1926, for example, 137 applications for the grant or renewal of licenses for local agents were sent to the Assam Labour Board for processing—of which only one was rejected.<sup>10</sup> In that year, licensed agents supervised 35,583 sirdars who recruited an average of 91 laborers each.

The Assam Labour Board, under Indian Tea Association sway, also served as the gatekeepers for other possible recruiting agencies in the region to acquire laborers. In 1929, for example, a certain S.N. Bezboruah applied to the Assam Labour Board “on behalf of eight Indian Planters, for a Local Agent's license... to establish a Local Agency at Khargpur” (West Bengal).<sup>11</sup> The Board indicated that the Indian planters had to be recognized as a constituent group and justified their response using a section of Assam recruitment law which dictated how local agents could be appointed to represent employers and to supervise garden sirdars. Consequently, the Indian planters formed an association called the Indian Planters' (Recruiting)

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<sup>9</sup> “Assam Labour Board Reports 1927” British Library V/24/2298.

<sup>10</sup> A.C. McWatters (Secretary to the Government of India) and Government of India, Department of Industries and Labour. Assam Labour, “Annual Report on the Working of the Assam Labour Board during the year ending the 30<sup>th</sup> June 1926” (Simla, 27 October 1926), 3–4, Appendix I. British Library V/24/2298. The report disclosed that in the year June 1925–June 1926 there were 42 local agencies at work recruiting labourers for Assam in the regions of Bengal, Bihar and Orissa, United Provinces, Central Provinces, and Madras.

<sup>11</sup> J.A. Shillidy (Secretary to the Government of India) and Government of India, Department of Industries and Labour. Assam Labour, “Annual Report on the Working of the Assam Labour Board during the year ending the 30<sup>th</sup> June 1929.” (New Delhi, November 1929), 1–2. British Library V/24/2298; J.A. Shillidy (Secretary to the Government of India) and Government of India. Department of Industries and Labour. Assam Labour, “Annual Report on the Working of the Assam Labour Board during the year ending the 30<sup>th</sup> June 1930.” (New Delhi, 18 November 1930), 1–2, British Library V/24/2298.

Association, and the Board forwarded their application to the Government of Assam. However, the Government of Assam replied that

it was against the accepted policy of the Government to authorise a number of petty associations to undertake recruiting operations, and unless Government were satisfied that the proposed Association was reasonably representative of the gardens in Assam which do not belong to the Indian Tea Association, Government would be unable to issue an authorization under section 64 (2) of the Assam Labour and Emigration Act VI of 1901.<sup>12</sup>

The Government further indicated that the Indian Planters' Association would have to prove that they would recruit legally and "treat their labourers well both during transit and in their subsequent employment."<sup>13</sup> The Government of Assam informed the local governments in the recruiting districts of their requirements towards this new association. Because of the closeness of the Board and Government to the ITA, Indian planters had to go through more steps in order to secure the same provisions and access to recruitment that the British tea companies received freely from the government.<sup>14</sup> This didn't change over the years that the Assam Labour Board was in action; the Tea Districts Labour Association in 1931 was still in charge of 93 percent of registration, recruitment, and transport to Assam.<sup>15</sup> The Royal Commission on Labour in 1931 described the Board's power and failures in its report:

We were informed that the Board discouraged attempts to form other recruiting organisations, and, while we recognise that an increase of competition in recruiting is

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<sup>12</sup> J.A. Shillidy (Secretary to the Government of India) and Government of India. Department of Industries and Labour. Assam Labour "Annual Report on the Working of the Assam Labour Board during the year ending the 30<sup>th</sup> June 1930." (New Delhi, 18 November 1930), 1–2. British Library V/24/2298.

<sup>13</sup> J.A. Shillidy "Annual Report Assam Labour Board 1930," 1–2, British Library V/24/2298.

<sup>14</sup> John Whitley, *Royal Commission on Labour*, 367, 373.

<sup>15</sup> John Whitley, *Royal Commission on Labour*, 371.

fraught with danger, it is hardly possible to expect employers, who are not members of the Tea Districts Labour Association or who differ from its policy, to feel complete confidence in the impartiality of the Board as at present constituted.<sup>16</sup>

The 1931 Commission called for the abolition of the Board, declaring that it had outlived its usefulness as a link connecting the government and the industry.<sup>17</sup> It can be argued, then, that the 1915 act and its provisions, though described as a law to protect laborers from exploitation during recruitment and transit, can also be described as a law to protect the interests of the tea companies who were centered in recruitment legislation.

The relationship between the laws and the exceptionalism applied towards British companies and planters, particularly regarding laborers' welfare, extended into other spheres. In 1912, for example, a labor law was passed in Bengal for the Jalpaiguri region, in which the tea companies had to report the vital statistics (birth rate, death rate, etc.) of laborers for the government's reports, under the supervision of a government inspector.<sup>18</sup> In reality, the inspectors inspected very few of the tea estates to which they had been assigned, and took the word of the British planters that any sicknesses (particularly cholera and influenza), were caused by outside influences. Within ten years, the inspector's role was limited by the government of Bengal to the inspection of tea estates under Indian control, while the European (British-owned) plantations monitored themselves.<sup>19</sup>

In southern India, the planters were organized in several regional associations that were under the purview of the United Planters Association of Southern India (UPASI) formed in 1893.

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<sup>16</sup> John Whitley, *Royal Commission on Labour*, 367, 373.

<sup>17</sup> John Whitley, *Royal Commission on Labour*, 373.

<sup>18</sup> Nandini Bhattacharya, *Contagion and Enclaves: Tropical Medicine in Colonial India* (Liverpool, Liverpool University Press, 2012).

<sup>19</sup> Nandini Bhattacharya, *Contagion and Enclaves*, 128–129.

UPASI was structured differently from the ITA, in that it existed more as a composite body until 1937—a federation composed of about 14 different planters’ associations across southern India, as well as individual members.<sup>20</sup> UPASI operated as an “ethnic cartel” building upon its connections with the colonial government, for preferential treatment for British planters.<sup>21</sup> It was intended to support the interests of British planters who dominated the industry by advocating for the building of infrastructure and the development of policies.<sup>22</sup> In its role, UPASI also maintained connections and organizations in London who pushed for planter interests in the metropole. UPASI also circulated a weekly periodical called the *Planting Opinion* from 1895 to 1902, and from 1906, *The Planters’ Chronicle*.<sup>23</sup> UPASI was reorganized in 1937, as an association for foreign and “native” individual proprietors and companies.<sup>24</sup> In that capacity, it hoped to present itself as a stronger lobbying body for all planters in the south, as the government became more critical of foreign organizations.

There was also an association in Ceylon for tea, coffee and rubber planters called the Planters Association of Ceylon, founded in 1854. It was originally designed for coffee planters but became a resource for tea planters when the tea industry overtook most of the coffee industry from the 1880s. Tea plantation laborers in Ceylon were primarily Indian Tamil workers, so their oversight became a concern for colonial administrators both in Ceylon and British India—especially for the Government of Madras. Planters in southern India were competing for laborers heading to Ceylon or to Malaysia and further abroad.

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<sup>20</sup> K. Ravi Raman, “Business, Ethnicity, Politics, and Imperial Interests: The United Planters’ Association of Southern India, 1893-1950,” *Business History Review* 88 (Spring 2014): 91; John Whitley “Royal Commission on Labour,” 399–400.

<sup>21</sup> K. Ravi Raman, “Business, Ethnicity, Politics,” 74.

<sup>22</sup> K. Ravi Raman, “Business, Ethnicity, Politics,” 82.

<sup>23</sup> UPASI: The United Planters’ Association of Southern India. *Publications*. Accessed July 30, 2021. <http://www.upasi.org/publications/>.

<sup>24</sup> K. Ravi Raman “Business, Ethnicity, Politics,” 91.

The Planters' Association of Ceylon was instrumental in pushing for legislation and policies for recruitment. The Ceylon government partnered with the planters in instituting schemes such as the tin ticket system in 1901, which gave laborers passes in their home districts that indicated which estate they would go to before leaving India and secured their transport directly there. The government also financially supported the development and growth of the Ceylon Labour Commission (CLC) in 1904, which similar to the TDLA of Assam was a planter-supported business that had agencies in south India, through which recruiters, known as *kanganies*, were supervised.<sup>25</sup>

The Government of Ceylon was supportive of the tea planters—primarily because the plantations of Ceylon were instrumental to the economic flourishing of the island.<sup>26</sup> However, the Ceylon Government did have to work with the Government of Madras. A Ceylon ordinance in 1923 (the Indian Immigrant Labour Ordinance No. 1 of 1923) was passed to implement reforms required by the Government of India for countries receiving Indian immigrant laborers. In 1927, the Minimum Wages for Indian Immigrant Labour Ordinance 27 guaranteed a set wage for Indian laborers heading to Ceylon—though this fluctuated during the Depression (1929-1939).<sup>27</sup> The CLC had been exempted from the Emigration Act of 1871 which had governed emigration of Indian laborers from India to other colonies of the British empire until 1923.

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<sup>25</sup> Roland Wenzlhuemer, "Indian Labour Immigration and British Labour Policy in Nineteenth-Century Ceylon," *Modern Asian Studies* 41, no. 3 (2007): 598-600; Staff of the *Ceylon Observer*, "Ferguson's Ceylon Directory for 1923" Planters' Association of Ceylon (Colombo: The Ceylon Observer Press, 1923), 316, accessed May 30, 2021.

<https://www.historyofceylontea.com/ceylon-publications/fergusons-directory/1923-fergusons-ceylon-directory/quick-view/index.php>; Patrick Peebles, *Plantation Tamils of Ceylon* (Leicester: Leicester University Press, 2001), 65–79.

<sup>26</sup> Patrick Peebles, *Plantation Tamils of Ceylon* (Leicester: Leicester University Press, 2001), 72–73

<sup>27</sup> Patrick Peebles, *Plantation Tamils*, 141; ILO, "Minimum Wages (Indian Labour) Ordinance (No. 27 of 1927)," accessed May 30, 2021. [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=&p\\_isn=37393](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=&p_isn=37393).

Representatives from the planters' associations often sat on the governing bodies of the regions that they represented; chapter four gave a few examples of employees from Finlay that took on that role.<sup>28</sup> In these various positions, employees of companies represented both the specific company's interests and the wider planters' associations interests. These representatives were "constantly... consulted by the Government of India and Local Governments in regard to labour policy and laws that were being considered in the legislatures."<sup>29</sup> G.E. Raynor of Finlay, for example, attended TDLA meetings, Tea Cess Committee meetings, ITA meetings, Assam Labour Board meetings (until it was closed down in 1933), attended the Assam Legislative Council in 1929, was a representative for Assam on the Legislative Assembly in 1931, and was also consulted for the 1931 Whitley Commission.<sup>30</sup>

In addition to the power that they were able to exert in lobbying the government and getting concessions, which included the overturning of the Assam Labour and Emigration Act in 1901, the preservation of the practice of replacing wage increases with social welfare services as chapter four illustrated, as well as the assurance of income tax exemption (discussed more later in this chapter); these associations also exerted pressure on the company members *within* the organization to agree to policies and standards to be implemented across the industry, outside of direct government control. For example, the International Labour Organization noted that any "local variations in wages [were] largely eliminated by 'wage agreements' among the planters" enforced throughout the districts, in both the north and south of India.<sup>31</sup> As chapter three discussed, this occurred in the payment of wages for employees (managers and assistants) and

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<sup>28</sup> K. Ravi Raman, "Business, Ethnicity, Politics," 81.

<sup>29</sup> International Labour Organization (ILO), *Industrial Labour in India*. Studies and Reports. Series A (Industrial Relations) 41. London: P.S. King & Son, 1938, 116.

<sup>30</sup> Letters concerning G.E. Raynor UGBA FMALIC UGD 91/1/6/3/1/16, 571–590.

<sup>31</sup> ILO, "Industrial Labour in India", 246–247.

for laborers; these wage agreements were entered into to prevent the movement of workers from one plantation to another in search of better terms. Essentially, “by controlling production and other means, these associations [could] influence the labour policy of their members in regard to such matters as recruitment, wages, hours, and trade unions.”<sup>32</sup>

There were also agreements entered into among the different regional planters’ associations partnered together across northern India, southern India and Ceylon. Two examples are the production restriction schemes of the 1920s and 30s (e.g.- International Tea Agreement). They also cooperated to persuade the British government and British colonies for preferential treatment in imports as British-grown teas. There were also times, however, when the relationships between the regional associations were not congenial—even if companies (like Finlay) operated across those regions and participated in the various regional associations. Each association operated with the best interest for its respective region. For example, the Planters’ Association of Ceylon pushed for the taxation of Indian tea passing through the port of Colombo (to places like Russia), while the Indian Tea Association tried to persuade the Indian and Ceylon government that the tax shouldn’t be implemented. The Ceylon planters didn’t want their tea to be associated with the blends from India, nor disadvantage their teas in the same markets, and thus were able to persuade the government to issue the tax.<sup>33</sup>

However, on the international stage, there was significant unification of these planters’ groups. Their effective communication networks with both their associational representatives in London and their companies’ board of directors enabled them to do so. As these companies recognized the increased attention to workers’ rights internationally, they also sought to gain

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<sup>32</sup> ILO, “Industrial Labour in India,” 121.

<sup>33</sup> For more information on the competition between the planters’ societies of the “tea colonies” of India and Ceylon, see Erika Rappaport, *A Thirst for Empire: How Tea Shaped the Modern World* (Princeton: Princeton University Press, 2017).

influence in organizations monitoring the advance of workers' rights internationally, such as the International Labour Organization.

The International Labour Organization of the League of Nations (of the United Nations from 1946) was formed after the first world war; India was an initial signatory in 1919 and a permanent part of the governing body from 1922.<sup>34</sup> It was created with a tripartite structure—workers, employers, and governments—to respond to the needs and protections of working people. Social unrests worldwide, and worker expectations for better conditions after contributions in the war, led to the creation of an organization dedicated to enhancing the conditions of workers without the kind of political response to industrialized capitalism exemplified in the Bolshevik Revolution.<sup>35</sup>

The ILO had an office in India from 1928 with a role in the country that was twofold: to detail reports on the labor conditions within India and provide them to the intergovernmental organization, and to suggest ways to ameliorate the conditions of laborers to the Indian government so that it could better comply with international standards. Because the ILO required representatives from each of the classes of government, employers and laborers; the planters' associations tried to wield influence at the ILO international meetings through delegations and membership on the Governing body of the ILO “for two years in three, attending as a deputy member during the third year.”<sup>36</sup> Because the planters were more unified in their demands and sometimes had the same views as the British government, which also had representatives, they were able to have more influence on labor standards in India than the representatives of workers.

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<sup>34</sup> Gerry Rodgers, “India, the ILO and the Quest for Social Justice since 1919” *Economic and Political Weekly* 46, no. 10 (March 5–11, 2011), 51.

<sup>35</sup> Gerry Rodgers, “India, the ILO and the Quest for Social Justice since 1919,” *Economic and Political Weekly* 46, no. 10 (March 5–11, 2011), 46.

<sup>36</sup> ILO, “Industrial Labour in India,” 122.



The All-India Trade Union Congress (AITUC) was created in 1920, in part, to provide representatives for workers to the ILO.<sup>37</sup> However, the lack of unionization amongst tea plantation workers was a noted problem. British managers and companies didn't want to provide laborers with greater power or give power to an external body like the AITUC when widespread strikes and protests were already occurring. However, "nationalist leaders were keen to integrate the labour movement within the nationalist movement," and were active in trying to gain laborer connections across the industries.<sup>38</sup>

Unionization began to take place among railway workers, factory workers, and more, but the tea industry didn't have strong unions until after independence. The ILO noted in 1938 that some of the obstacles to trade union growth on the tea estates were the migratory nature of the workers, the exhausting and all-consuming nature of the work (which left little time for union organizing), the cost of subscriptions to unions for individuals that were impoverished or in debt, and the linguistic and cultural differences of the individuals that made up the work environment (recruitment from different people groups).<sup>39</sup> The fragmentation of the tea industry, caused by different labor regimes and differing laws across disparate regions of the subcontinent, was also a contributing factor that also led to difficulty in the implementation of labor laws in the decades to follow.

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<sup>37</sup> S. Venkatanarayanan, "United to Struggle or Struggling to Unite: Growth and Diversification of the Indian Labour Movement" in *The Internationalisation of the Labour Question: Ideological Antagonism, Workers' Movements and the ILO since 1919*, eds. Stefano Bellucci and Holger Weiss Palgrave Studies in the History of Social Movements. (Cham: Palgrave Macmillan, 2020), 305-306.

<sup>38</sup> S. Venkatanarayanan, "United to Struggle," 305.

<sup>39</sup> ILO, "Industrial Labour in India," 131.

At the beginning of the twentieth century, there was a commitment by the British colonial government to the growth of industry. Chapter four examined that commitment to growth in relation to the way that the government thought that private industry could provide monsoon-dependent agricultural laborers with a greater security. This section explains how government commitment to the flourishing of tea plantations allowed for special provisions and exemptions for British tea planters and influenced labor legislation that supported the plantation companies. However, this commitment to industry began to change in the face of nationalist sentiment spreading across India. The government began to correct and admonish the actions of plantation companies, to align with the burgeoning movement, yet welfare laws for the plantations were still not created. This set the stage for the transition to the post-independence period when there was a hard legislative crackdown on the behaviors of the tea plantation companies; many companies didn't know whether they would be welcome to stay.

Several histories of the interwar period, WWII, and independence, cite changing political conditions as the reason why there began to be a disconnect between government policy and old tea company flourishing. However, B.R. Tomlinson also refers to economic changes that provided great opportunities to new entrepreneurial and multinational corporations to expand into manufacturing that the older companies didn't, or couldn't, take advantage of.<sup>40</sup> This could, in part, be related to financial leanness as a result of tea markets internationally, combined with the practice of the managing agencies of tea companies to reinvest financial reserves into companies of the same group that were struggling—rather than invest elsewhere.<sup>41</sup>

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<sup>40</sup> B. R. Tomlinson, "Colonial Firms and the Decline of Colonialism in Eastern India, 1914–47" *Modern Asian Studies* 15, No. 3. Power, Profit and Politics: Essays on Imperialism, Nationalism and Change in Twentieth-Century India (1981): 457–458.

<sup>41</sup> B. R. Tomlinson, "Colonial Firms and the Decline," 459, 463–464.

In addition, the financial resources of the company were constantly being transferred back to shareholders in the metropole. Less money was reinvested in India, particularly as company agents were unsure what their positions would be after WWII. Marwari businessmen, for example, with access to more freely available capital in the 1920s-40s were able to invest in new opportunities, and therefore were able to gain significant economic power in Calcutta and Bengal.<sup>42</sup> In addition, international companies that had had partnerships with the old managing agencies began to develop direct subsidiaries in South Asia.<sup>43</sup> The combination of political and economic changes are worth examining in the light of the decline of British colonial business power in India. To this narrative could also be added increased monitoring towards international standards of labor welfare through international organizations like the ILO and enhanced communication networks, which enabled greater shareholder oversight of the way company money was used.

Within India, the government was made painfully aware of the discontents in the tea industry through the prevalence of labor strikes; laborers had been effectively brought into a cash-wage system and were not inclined to go back to payment-in-kind from employers. Outside of the estates, the growing middle class and elite-educated young people were growing frustrated with the lack of opportunities available to them after receiving an extensive education. They understood this to be because of the continued favoritism offered to British companies and workers—economically and politically.<sup>44</sup> Many of the poorer young people took up positions on the plantations as clerks, medical babus, and more, but still faced scorn and disdain from the

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<sup>42</sup> B. R. Tomlinson, "Colonial Firms and the Decline," 460.

<sup>43</sup> Stephanie Jones, *Merchants of the Raj: British Managing Agency Houses in Calcutta Yesterday and Today* (London: Palgrave MacMillan, 1992), 2.

<sup>44</sup> Jayeeta Sharma, *Empire's Garden: Assam and the Making of India*. (Ranikhet: Permanent Black, 2012), 166.; Jayeeta Sharma, "'Lazy' Natives, Coolie Labour, and the Assam Tea Industry." *Modern Asian Studies* 43, no. 6 (2009).

European managers and assistants on the estates.<sup>45</sup> Inherent contradictions in the government's commitment to the tea industry (particularly as it related to welfare) were becoming clearer as more people had access to the gardens, company records, or reports made by the ILO.

Recognition of collusion between the government and the tea companies was voiced publicly in the local newspapers. One particular case of this was the area of taxation.

During the first few decades of the twentieth century, tea plantations received considerable tax breaks. The tea industry, represented by the large company plantations, was viewed as industrial sites, though agricultural in nature. The tea industry was, according to a government report in 1931, "the development of the agricultural resources of tropical countries in accordance with the methods of Western industrialism."<sup>46</sup> By default, this meant that the industry should have been subject to the industrial taxes that factories and mining operations were subject to under the Income Tax Act VII of 1918.<sup>47</sup>

However, just after the first world war, local "native" newspapers reported that there was a "sly but influential movement [that was] afoot to secure for the tea industry its old time privileges at the expense of the public revenue."<sup>48</sup> They observed that the plantation companies were able to secure exemptions on income and profit, as well as exports, at various times in their history because of the relationship that these businesses had with the government, and because of the prevailing view in times past that the tea enterprise was cultivating and taming wild lands.

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<sup>45</sup> Jayeeta Sharma, *Empire's Garden: Assam and the Making of India*. (Ranikhet: Permanent Black, 2012), 163.

<sup>46</sup> John Whitley, "Report of the Royal Commission on Labor in India" (London: His Majesty's Stationary Service, 1931), 349.

<sup>47</sup> Arnab Dey, *Tea Environments and Plantation Culture: Imperial Disarray in Eastern India* (India: Cambridge University Press, 2018), 50. This book provides a thorough examination of the debates around whether the tea plantations were considered agricultural or industrial concerns, as well as the court case between tea estates of the ITA against the government of India to determine whether the tea industry should, then, pay income taxes.

<sup>48</sup> India Office Library Records "Protest against the attempt made by the European tea-planters to be relieved of the export duty on tea" *Bombay Chronicle* (1) 28 Dec. 1920, *Report on the native papers for the week ending in 01/01/1921*. <https://www.jstor.org/stable/saoa.crl.25637202>; *Report of the Indian Tea Association, 1918* (1919), 5–8, 105–143, accessed June 22, 2021. <https://archive.org/details/in.ernet.dli.2015.23129/page/n35/mode/2up>.

The newspapers stated that the companies raised a “hue and cry” to the possibility of taxation, and exemption was granted (at least until the following year).<sup>49</sup> This was seen as discrediting to the government and its voiced commitment to the welfare of the people of the country. A newspaper journalist raised the following point:

While the requests made by Indians for improving education and sanitation are rejected on the score of want of funds and lack of scope for fresh taxes, the foreigners are allowed to trade in this country to the detriment of the interests of the people and they are given all facilities to carry away in various ways as much of profits and interest as they possibly can.<sup>50</sup>

Articles in these newspapers didn’t think that this exemption and the concessions for tea plantations would change, arguing that “these unrestricted powers will remain in future also in the hands of the authorities just as at present and they will, doubtless, be exercised exactly as they are being exercised now.”<sup>51</sup> These correspondents found that the exemption was hypocritical on two grounds: that it wasn’t equal taxation for all industrial concerns, and that the lack of taxation actually harmed any claim that the government made that taxation and revenue was to benefit the infrastructure of the country and the welfare of the people.

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<sup>49</sup> India Office Library and Records, “Comments on the exemption of tea and indigo income from income tax” *Kesari*, 118 (20<sup>th</sup> August 1918). *Report on Native Papers for the Week ending in 24/ 08/1918*. Accessed February 13, 2020. [https://www.jstor.org/stable/saoa.crl.25637079?seq=15#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/saoa.crl.25637079?seq=15#metadata_info_tab_contents); India Office Library and Records, *Young India*, 14 (21<sup>st</sup> August 1918), 13. *Report on Native Papers for the Week ending in 24/ 08/1918*. Accessed February 13, 2020. [https://www.jstor.org/stable/saoa.crl.25637079?seq=15#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/saoa.crl.25637079?seq=15#metadata_info_tab_contents). “First of all, Government told the planters that profits from tea estates could not be regarded as ‘agricultural income’ and, treating them as industrial profits, they decided to levy the tax. But following on the planters’ hue and cry, because their self-interest was threatened, we are now told that the tea estate profits will be exempted from taxation up to April 1919. Could there be anything more discreditable to a Government than this surrender of a vital principle of equal taxation?”

<sup>50</sup> India Office Library and Records “Alleged Preferential treatment of Tea Planters in respect of Income Tax” *Gujarati*, 17 (15 Sept. 1918), 14. *Reports on Native Papers for the week ending in 21/9/1918*, accessed February 13, 2020. [https://www.jstor.org/stable/saoa.crl.25637083?seq=15#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/saoa.crl.25637083?seq=15#metadata_info_tab_contents).

<sup>51</sup> India Office Library and Records, “Comments on the exemption of tea and indigo income from income tax” *Kesari*, 118 (20<sup>th</sup> August 1918), 13. *Report on Native Papers for the Week ending in 24/ 08/1918*. Accessed February 13, 2020. [https://www.jstor.org/stable/saoa.crl.25637079?seq=15#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/saoa.crl.25637079?seq=15#metadata_info_tab_contents).

The debate was interesting, because it shifted the tea enterprise, legally, from one bearing similarities to agriculture, to one bearing similarities to modern industrialism. This difference in the legislature was significant. A case about this was brought to the Calcutta High Court against the Government of India in 1920 by the Killing Valley Tea Company, which was under the managing agents of Finlay from 1908.<sup>52</sup> The verdict was that tea was *both* an agricultural and industrial enterprise and a percentage of the income from the enterprise should be taxed—presumably the part of the enterprise that was industrial. It wasn't until 1927, however, that that percentage was decided at 40 percent.<sup>53</sup>

Historians have found that this change in income taxation for tea companies and managers was simply because land revenue wasn't providing ample income to the government's coffers, proportional to the growth of industry. Therefore, taxes on income, export and import, and excise taxes had to increase to make up for decreases or stagnation in land revenue.<sup>54</sup> Debates on taxation between the Assam government and the Indian Tea Association continued throughout the half century, with several debates being settled in favor of the tea companies. In 1939, the Assam Finance Act—which taxed agricultural concerns, particularly tea—was also passed, but in the years that followed, the tea industry raised concerns and were given some protection against the taxation.<sup>55</sup> The Government of Bengal similarly sought to impose income

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<sup>52</sup> Arnab Dey, *Tea Environments and Plantation Culture: Imperial Disarray in Eastern India*. (India: Cambridge University Press, 2018), 68–71; Percival Griffiths, *The History of the Indian Tea Industry* (United Kingdom: Weidenfeld & Nicolson, 1967), 559; UGBA UGD 091/1/3/1/2, 43.

<sup>53</sup> Arnab Dey, *Tea Environments and Plantation Culture: Imperial Disarray in Eastern India*. (India: Cambridge University Press, 2018), 73.

<sup>54</sup> Arnab Dey, *Tea Environments and Plantation Culture: Imperial Disarray in Eastern India*. (India: Cambridge University Press, 2018), 74; Tirthankar Roy, *The Economic History of India, 1857–1947* (New Delhi: Oxford University Press, 2011), 252–257; P. J Cain and A. G Hopkins. *British Imperialism: Crisis and Deconstruction, 1914–1990* (London: Longman, 1993), 173.

<sup>55</sup> Percival Griffiths, *The History of the Indian Tea Industry* (United Kingdom: Weidenfeld & Nicolson, 1967), 563–565.

tax on the tea industry and finally did so in 1944, though it was similarly implemented in a way that was amenable to planters.

Similar concessions were given to the tea industry in regard to export duties. Export duties were not levied against the industry prior to 1916 but were introduced in India that year. The Indian Tea Association and UPASI quickly banded together to get it abolished. They finally succeeded in 1927, though excise duties were introduced by the Government of India in 1944. The interim government just before Indian independence in 1947, added a further export duty on tea to raise revenue.<sup>56</sup>

It was because of specific exceptions like taxation that the tea industry was viewed by Indian nationalist groups as a standing order of British colonialism that wouldn't change or adapt unless it experienced disruption. The labor strikes and protests that occurred in the 1920's were related to wages in the industry, but may have also been "a combustible combination of worker grievances, anti-colonial sentiment and Gandhian inspiration."<sup>57</sup> As the protests continued into the 1930s, there was sincere engagement by the government with these protests, not so much for changing the policies of planters, but to make sure that the protests didn't continue to spread. Previous tolerance towards planters in their actions towards laborers was curtailed. Government officials quickly wrote letters to company officials to make sure any incendiary behaviour of managers or assistants was quickly dealt with and prevented from happening again.<sup>58</sup>

In the public sphere, the government also passed reforms and laws directed, in part, at the welfare of the laborers—Worker's Compensation Act of 1923, Maternity Benefits Bill of 1929,

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<sup>56</sup> Percival Griffiths, *The History of the Indian Tea Industry*, 566–7.

<sup>57</sup> Jayeeta Sharma, "'Lazy' Natives, Coolie Labour," 1319.

<sup>58</sup> Letter from B.C. Allen Esq., C.S.I., I.C.S. Commissioner, Assam Valley Division to Messrs. James Finlay & Co. Limited, Managing Agents, Hathikuli Tea Estate, Calcutta. (Gauhati: December 7, 1922), UGBA FMALIC UGD 91/1/6/3/1/6, Insert between p. 113–114. The letter written by the commissioner of the Assam Valley challenges the firm to respond accordingly to address a manager's actions and "ensure that conduct of this kind is not repeated." The incident referred to is detailed in chapter four of this dissertation.

Payment of Wages Act of 1936—but these acts were also meant to enhance the laborers’ efficiency.<sup>59</sup> The companies resisted government influence in their industries (tea, jute, mining, etc.), but the central government was determined to make changes that would influence all of the British companies (in tea and other industries).<sup>60</sup> Historian Maria Misra situates the reconstitution of the legislature due to the Mantagu-Chelmsford reforms in 1919 as one of the ways in which the close relationship between the provincial governments and the plantation company community started to dissipate. There was greater representation given to non-European groups on the legislatures, and even when a boycott of the assemblies was initiated by the Indian National Congress (one of the leading Indian political parties pushing for self-rule in India), there was pressure by the government for the British tea companies to begin to consider the interests of the Indian planting community.

The planters’ association of planters’ associations in south India (UPASI), began to do just that in 1937 by reorganizing itself to admit British and Indian (tea, rubber, coffee, and spice) planters on an individual or company basis.<sup>61</sup> The intention was to develop a coalition that would still have necessary influence with the government because of its size and breadth in the industry and be able to secure its interests no matter what form the coming government would take. There was the growing expectation that independence in India would come and there was uncertainty about the power of the companies in the newly-independent country, when British compatriots in the government left. But absolute integration was slow in coming. Other company associations resisted attempts to add Indian companies into their associations—instead arguing for continued preferential treatment. They aimed to secure protections prior to independence that would protect

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<sup>59</sup> Maria Misra, *Business, Race, and Politics*, 157.

<sup>60</sup> Maria Misra, *Business, Race, and Politics*, 160–162.

<sup>61</sup> K. Ravi Raman, “Business, Ethnicity, Politics,” 91.



the companies as a class, particularly as the promises by the British government during WWII in order to secure Indian participation implied that independence would occur soon after.<sup>62</sup>

### *Independence and post-independence*

Just before and in the decade after independence a significant number of laws were passed to limit the power of the international companies (particularly tea companies) and to expand the social welfare programs that the “newly foreign” companies were required to offer Indian citizens. In application, these laws specifically seemed to target British companies, although they did technically apply to any Indian companies that met the criteria (further discussed below). The laws were a step towards the nationalization of industries in India, though only a few industries were initially targeted in the government’s first five-year plan with that aim. The laws were also created simply to address what was never legislated by the prior British government. This section focuses primarily on the changes that happened in post-independence India; East Pakistan (Bangladesh) and Ceylon (Sri Lanka) are also part of this larger narrative but are not discussed in great detail here.

Prime Minister Nehru, in his parliamentary speech in 1949, intended to reassure those that operated British companies in India, or who were thinking about their investment in British companies in India, that the Government did “not intend to place any restrictions or impose any conditions [on foreign companies] which [were] not applicable to similar Indian enterprises.”<sup>63</sup> He stated that the money invested by British people could be withdrawn at any time, if

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<sup>62</sup> Maria Misra, *Business, Race, and Politics* 172–173.

<sup>63</sup> United States Office of International Trade, *Investment in India: Conditions and Outlook for United States Investors* (United States: U.S. Government Printing Office, 1953), 110. Nehru’s speech is recorded in the documents of the US government office focused on international trade.

necessary, and that British capital was welcomed in what he considered a joint enterprise of stimulating the Indian economy. He also noted that if foreign concerns wanted to sell, they wouldn't be cheated, rather "compensation [would] be paid on a fair and equitable basis." Further, he implied that even though there was a desire for growth in Indian executive leadership in companies, there would be some leeway in the implementation of those policies. He finished by describing how there was still "considerable scope for the investment of British capital in India."<sup>64</sup>

There were, however, several laws passed that had caused company officials to worry. Just before independence, the passing of the Capital Issues (Control) Act of 1947 seemed to do the opposite of what Nehru had articulated; it placed restrictions on the movement of foreign capital in the country. The act required companies to obtain permission from the central government in order to make an issue of capital or securities outside of India. This was most likely meant to prepare the way for increases of Indian ownership and management of companies in India through the acquisition of stock and the opportunity to invest.<sup>65</sup> In India and Pakistan (which included East Bengal), a prior act, the Foreign Exchange Regulation Act of 1947, had given the Reserve Bank the power to authorize companies to deal in foreign currency using the rates approved by the bank.

Other policies were directed at industrial operations: The Industrial Dispute Act of 1947, provided for arbitration in the case of dispute between employers and organized workers; the Employees State Insurance Act of 1948 provided for healthcare for factory workers and their dependents (including maternity benefits), which shifted some of the obligations from employers

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<sup>64</sup> United States Office of International Trade, *Investment in India: Conditions and Outlook for United States Investors* (United States: U.S. Government Printing Office, 1953), 110.

<sup>65</sup> United States Office of International Trade, "The Capital Issues Act, 1947" *Investment in India: Conditions and Outlook for United States Investors* (United States: U.S. Government Printing Office, 1953),

to the government. Still other laws addressed provisions for laborers in different industries across India: the Minimum Wages Act of 1948 gave government power to determine wages for workers and the Factory Act of 1948 outlined safety measures for factory workers.<sup>66</sup>

However, all of these above acts had limited application to the tea industry, in part due to the tea plantations' unique status as both agricultural and industrial concerns. Much of the previous legislation was specifically targeting factories, mines, and railways; plantations were generally not included. The introduction of the Plantation Labour Act of 1951, then, was meant to address a dearth of labor laws that applied to plantations. This was noted in the prefatory notes of the act itself:

“In spite of the fact that the plantation industry provides employment for more than a million workers, there is at present no comprehensive legislation regulating the conditions of labour in the industry. The Tea Districts Emigrant Labour Act of 1932, which applies only to Assam regulates merely the conditions for recruitment of labour for employment in the tea gardens of Assam. The Workmen's Compensation Act, 1923, which applies to estates growing cinchona, coffee, rubber or tea also does not confer any substantial benefit on plantation labour as accidents in plantations are few. The other Labour Acts like the Payment of Wages Act, 1936, Industrial employment (standing Orders) Act, 1946 and Industrial Disputes Act, 1947, benefit plantation labour only to a very limited extent.”<sup>67</sup>

The note goes on to acknowledge that the unique conditions of the plantations (most likely because they were also considered to be agricultural concerns) made typical industrial labor

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<sup>66</sup> ILO NATLEX, “The Factories Act, 1948 (Act No. 63 of 1948),” accessed June 30, 2021. <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/32063/64873/E87IND01.htm>

<sup>67</sup> Assam Government, “Plantation Labour Law, 1951- Prefatory Note.” Accessed July 3, 2021. [https://aasc.assam.gov.in/sites/default/files/swf\\_utility\\_folder/departments/aasc\\_webcomindia\\_org\\_oid\\_4/portlet/level\\_3/PLANTATIONS%20LABOUR%20ACT%2C%201951.pdf](https://aasc.assam.gov.in/sites/default/files/swf_utility_folder/departments/aasc_webcomindia_org_oid_4/portlet/level_3/PLANTATIONS%20LABOUR%20ACT%2C%201951.pdf); Referred to also in Atul Sarma, Vandana Upadhyay, Deepak K. Mishra *Unfolding Crisis in Assam's Tea Plantations: Employment and Occupational Mobility* (India: Taylor & Francis, 2014), 190.

codes more difficult, and probably less likely to be implemented. Therefore, legislation specifically for plantations was created.

Though the legislation, in theory, was meant to apply to all tea plantations, the stipulations of the act made it applicable primarily to plantations run by British companies. The act was only to apply to large plantations with over thirty people employed. Most of the larger plantations were owned by British companies. Even when there were Indian-owned plantations of that size, British officials felt that the actual enforcement of the law was one-sided.

The British foreign office compiled labor reviews on India in the years following independence. These reports were written by the Labour Advisor to the High Commissioner for the United Kingdom in India, J.J. Keane. In his travels around India, he found that “since the departure of the British Raj, the Congress Government and the trade union movement [had] shown an increasing interest in the tea industry.”<sup>68</sup> On his tour of the tea plantations in the south of India, he wrote about his observations in the Nilgiri Hills. He mentioned that across that region, the tea estates were generally still run by managers working as employees for managing agencies, though there were a few independent planters and an occasional British manager working for an Indian company.<sup>69</sup> He alleged that those that were of the first group experienced more difficulty with their labor force because they had to defer to a higher authority and because they were targeted by agitators:

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<sup>68</sup> “Report No. Ind.4/53: Conditions on the Tea Gardens of Northern India,” (7 December 1953). *Labour reviews of India; report on conditions in the tea gardens of Northern India* (Government Papers, The National Archives, Kew, 1953), 57. Accessed June 15, 2021.

<sup>69</sup> Labour Advisor to the High Commissioner for the United Kingdom in India written to the Secretary, Ministry of Labour and National Service (Overseas Dept.) “Madras and South India Tour- Labour Review” (30 March 1953). *Labour reviews of India; report on conditions in the tea gardens of Northern India* (Government Papers, The National Archives, Kew, 1953), 31. Accessed June 15, 2021.  
[http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO\\_371\\_106864](http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO_371_106864).

The less responsible trade union leaders—usually outsiders, but sometimes men sponsored by the I.N.T.U.C.—undoubtedly go out of their way to harass large ‘foreign’ concerns (‘foreign’ in this context usually means ‘British’) ... large Managing Agencies employ a Labour Officer and sometimes a Legal Adviser to study labour legislation and brief their members on their course of action. The Association has to have a uniform policy, and in the formulation of this policy complaints and enquiries from individual Managers have to be examined and dealt with according to the approved pattern. This all leads to a certain amount of delay, and the employee Manager may feel a little remote from the centre of things and sometimes wonders whether he is a Manager or just a mouth-piece for the Managing Agency.”<sup>70</sup>

Increased unionization was a marked feature of this period; there were several competing union organizations wanting to represent the majority of working people in India--some while partnering with international organizations of socialist, democratic, or communist persuasion.<sup>71</sup> Unionization of tea laborers was still slow and the workers were often represented by people that didn’t work on the plantations, but the unions held power with the local governments and were able to persuade them to enforce certain measures on the tea plantations.

Keane’s reports further described what he saw to be lessened power that managers had in their local districts when responding to disturbances or complaints on their gardens. The 1951 act had created inspectors under the state governments that had the liberty to enter estates at any reasonable time in order to make sure that there was compliance with the provisions of welfare.<sup>72</sup> Kean complained that any grievances were escalated directly to outside activist groups before the manager could address it. Keane found that sometimes if the police were called in regard to

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<sup>70</sup> Labour Advisor to the High Commissioner for the United Kingdom in India written to the Secretary, Ministry of Labour and National Service (Overseas Dept.) “Madras and South India Tour- Labour Review,” 31.

<sup>71</sup> S. Venkatanarayanan, “United to Struggle or Struggling to Unite,” 315-317.

<sup>72</sup> Plantation Labour Act, 1951. Accessed June 22, 2021. <https://labour.gov.in/sites/default/files/The-Plantation-Labour-Act-1951.pdf>.

laborers' actions, the resolution of the case could take up to 18 months—simply because district officials decided to delay the process. Laborers involved in cases of disturbance lived on the estate rent-free and without doing work that entire time.<sup>73</sup> Keane considered part of this delay was because of the labor unions' power and ability to influence the local governments, while also having representatives on the estates. Their power was recognized by the Indian government as well, and the government began to try to suppress the power of the workers' movements and unions in the 1950s/60s—even while it promoted ILO involvement internationally.<sup>74</sup>

Keane also did acknowledge that many of the companies had been slow to implement welfare measures on the plantations after independence which made them particularly susceptible to labor union intervention in the 1950s. Indeed, some managers simply were holding onto funds until they retired, not wanting to spend much on renovation or changes on the estates in favor of laborers. Some were determined to have money and resources to shift back to the UK when they left, which meant they did low maintenance on the estate. When it was time to sell, the local companies that purchased the estates bought plantations that hadn't been updated, kept, or expanded, and were thus low-yield.<sup>75</sup>

The Indian Government continued to pass legislation meant to curb the power of the companies and speed up the process of Indianization of the companies' core executive staff. The general trend of the government towards the Indianization and the nationalization of the country's industries was another way to encourage more Indian executive leadership.<sup>76</sup> Keane describes a questionnaire sent around by the Ministry of Commerce and Industry to determine

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<sup>73</sup> "Labour reviews of India; report on conditions in the tea gardens of Northern India" (Government Papers, The National Archives, Kew, 1953), 59. Accessed June 15, 2021. [http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO\\_371\\_106864](http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO_371_106864).

<sup>74</sup> S. Venkatanarayanan, "United to Struggle or Struggling to Unite," 314–315.

<sup>75</sup> K. Ravi Raman, "Business, Ethnicity, Politics," 89–90

<sup>76</sup> Maria Misra, *Business, Race, and Politics*, 187–188.

the number of Indians in “technical and managerial posts” in foreign companies. They were disappointed with the result and were considering further legislation “to increase the pace of ‘indianisation.’”<sup>77</sup>

Further legislation included the Employees' Provident Fund and Miscellaneous Provisions Act, 1952, which required all employees to have contributions made on their behalf to provident funds by their employers—something that had been previously limited to European employees on the tea plantations or Indian employees at a certain level (see Appendix II for more details on Finlay's Provident funds). The Collection of Statistics Act of 1953 allowed for the government to collect from managing agencies, trading firms, and corporations any statistics they needed, but particularly those statistics pertaining to the health and welfare of laborers: “living conditions including housing, water-supply and sanitation; indebtedness, rents of dwelling houses; wages and other earnings; provident and other funds provided for labor; benefits and amenities provided for labor; hours of work; employment and unemployment; industrial and labor disputes; labor turnover; trade unions” and more.<sup>78</sup> The Companies Act of 1956 limited the role and salary of managing agents (paving the way for the system to be abolished in 1968), placed restrictions on new licenses for companies and how the companies could be structured, and pushed against the hierarchical structure of certain companies.<sup>79</sup> The act required specific licenses for companies to operate in India, greater Indianization in executive positions, and the government auditing of company accounts. Still other legislation pushed for

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<sup>77</sup> “*Labour reviews of India; report on conditions in the tea gardens of Northern India*” (Government Papers, The National Archives, Kew, 1953), 21. Accessed June 15, 2021. [http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO\\_371\\_106864](http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO_371_106864).

<sup>78</sup> Government of India, Ministry of Statistics and Programme Implementation “14.12 Collection of Statistics Act, 1953.” Accessed June 15, 2021. <http://www.mospi.nic.in/1412-collection-statistics-act1953>; “*Labour reviews of India; report on conditions in the tea gardens of Northern India*” (Government Papers, The National Archives, Kew, 1953), 21. Accessed June 15, 2021. [http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO\\_371\\_106864](http://www.archivesdirect.amdigital.co.uk.proxy3.library.mcgill.ca/Documents/Details/FO_371_106864).

<sup>79</sup> Maria Misra, *Business, Race, and Politics*, 188–190.

the rupeeisation of sterling companies. In the years that followed, many British tea companies sold their assets to Indian concerns and left India.<sup>80</sup>

### *Ceylon*

The legislation passed in India could be compared to that which was passed in Ceylon in the period shortly after independence. Fiscal policies implemented by the government to restrict the movement of capital, and to increase taxation also occurred.<sup>81</sup> Between Ceylon's independence and 1972 (the year the country's name was changed to Sri Lanka), the percentage of total acreage under tea owned by companies registered in the UK dropped from 69 percent to 30 percent.<sup>82</sup> Many of the large companies were sold and divided into smallholdings.<sup>83</sup> The Land Reform Laws in Ceylon in 1972 and 1975 led to the acquisition of public companies by the government, which especially effected tea plantations.<sup>84</sup> Twenty years later (1992), the Ceylon government returned the plantations to private management, offering companies like Finlay the opportunity to manage large plantations in the country again.

Much more of the immediate legislation after 1948 was linked to plantation labor than it was to the companies themselves. Fearful of coalition between Sri Lankan Tamil populations and the Indian Tamil population that lived on the tea plantations, the Sinhalese party in power pushed for the immediate disenfranchisement of Indian Tamils and, essentially, the removal of any gains for the group given prior to or just after independence. The Indian and Pakistani Residents' (Citizenship) Act No.3 of 1949 solidified bills that had been put forth to advance heavy

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<sup>80</sup> Maria Misra, *Business, Race, and Politics*, 209.

<sup>81</sup> G.H. Peiris, "Land Reform and Agrarian Change in Sri Lanka" *Modern Asian Studies*, 12, no.4 (1978), 613.

<sup>82</sup> G.H. Peiris, "Land Reform and Agrarian Change in Sri Lanka," 613.

<sup>83</sup> G.H. Peiris, "Land Reform and Agrarian Change in Sri Lanka," 614.

<sup>84</sup> G.H. Peiris, "Land Reform and Agrarian Change in Sri Lanka," 611.



stipulations regarding who could legally become a citizen in the country.<sup>85</sup> Many tea plantation workers did not qualify, since they had to prove generational continuity on the island—often with documentary evidence that most did not have—or evidence of their continued presence there for seven years (if married) or 10 years (unmarried).<sup>86</sup> One section of the act stipulated that applicants for citizenship had only two years to take advantage of an offer of citizenship. Another act tied citizenship to the right to vote, meaning that laborers who were stripped of citizenship could play no part in political processes.

The conversation regarding the citizenship of these individuals lasted for decades, into the twenty-first century, as both India and Ceylon/Sri Lanka debated who would receive the laborers as citizens. This story of labor disenfranchisement can be situated in attempts by Ceylonese groups to secure political power in the post-independence era but can also be situated within larger narratives of Indian/Ceylonese inter-country movement and labor flows.<sup>87</sup> Laborer mobility from India to Ceylon had fluctuations and periods of restriction throughout the century. The migration of laborers to Ceylon had been previously limited in 1917, for example, but the two governments eventually came to an agreement about required laborer protections. A later act led to 25,000 Indian Tamil workers being forcibly repatriated to India in 1930, and a further 27,000 in 1932 during the Great Depression.<sup>88</sup> Regulations on movement between the two countries continued until 1939, when the emigration of laborers to Ceylon was completely

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<sup>85</sup> Indian and Pakistani Residents (Citizenship) Act (Sri Lanka: Blackhall Publishing, 2019). Accessed May 2, 2020. <https://www.srilankalaw.lk/Volume-IV/indian-and-pakistani-residents-citizenship-act.html>. The act granted citizenship to those who had special residential qualifications: “(1a) in the first instance, of uninterrupted residence in Ceylon, immediately prior to the 1<sup>st</sup> day of January 1946, for a period not less than the appropriate minimum period hereinafter specified; and (b) secondly, of uninterrupted residence in Ceylon from the aforesaid day to the date of the application made in that case for registration under this Act.”

<sup>86</sup> Amita Shastri, “Estate Tamils, the Ceylon Citizenship Act of 1948 and Sri Lankan Politics,” 77.

<sup>87</sup> D. M. Forrest, *A Hundred Years of Ceylon Tea: 1867-1967* (London: Chatto & Windus, 1967), 242.

<sup>88</sup> D. M. Forrest, *A Hundred Years of Ceylon Tea*, 242.

banned.<sup>89</sup> This ban on emigration was lifted in 1942, but the post-independence citizenship acts made these laborers a highly marginalized group.<sup>90</sup> They were excluded from the protections of full citizenship both in Ceylon and India, which led to years of statelessness; India was not prepared to receive many workers back as citizens of the newly-independent nation. In addition, ethnic disagreements in Ceylon (Sri Lanka in 1972) persisted between Sinhalese and Sri Lankan Tamil groups, erupting into civil war in 1983.

### *Conclusion*

The British Indian Government's Labour Investigation Committee's main report in 1946 found that "the early legislative measures taken in connection with the recruitment of labour from distant places to the Assam tea gardens were more protective of planters than of labour."<sup>91</sup> Similarly, other legislation (beyond recruitment legislation) also served to provide exceptional circumstances for British tea planters, as this chapter discussed. As the half century (1901–1951) wore on, this began to change. During the period of India's interim government and shortly after independence, several laws were quickly passed to curb the power of the companies, and to demonstrate that some of the former allegiance between the companies and the government had gone with, or shortly after, the colonial government.

The transition in government, passage of laws, and change in economic conditions as the century progressed were the impetuses for company dissolution (or sale to Indian companies) in the latter half of the decade. As chapter four demonstrated with the Chargola Tea Association

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<sup>89</sup> D. M. Forrest, *A Hundred Years of Ceylon Tea*, 242.

<sup>90</sup> D. M. Forrest, *A Hundred Years of Ceylon Tea*, 243.

<sup>91</sup> D.V. Rege, *Report of the Labour Investigation Committee*, Labour Investigation Committee (Delhi: Manager of Publications, 1946), 57.

case, increased expenses for laborer welfare, pressure to change the executive leadership, and a fear that companies would not be able to shift profits out of India at a later date led some companies to sell in the early 1950s. Others partnered with Indian companies—like Finlay did with Tata Beverages in the 1960s. When the willingness was there to work for the economic advancement of the newly-independent India, there was still some government leniency.<sup>92</sup> Yet, there was a marked initial and continued push to bring tea companies under greater post-colonial government control or supervision through legislation. The Plantation Labour Act of 1951, though absolutely key, was only one of several laws that were implemented in this fashion. It served to shift protections for laborers' welfare on company plantations in a new, official direction in the post-colonial period.

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<sup>92</sup> Maria Misra, *Business, Race, and Politics*, 197–198.

## Chapter 6: Conclusion

The Plantation Labour Act was passed in 1951 to establish regulations for the welfare of laborers on tea plantations. The Act remained largely in force, with occasional minor adaptations, for 70 years, until early 2021 when it was repealed and replaced. The Act, initially targeting larger plantations, was intended to bring British tea companies under greater supervision by the newly-independent Indian government. As chapter five suggests, further legislation by the post-colonial government hastened the demise of colonial-type company structures. Nevertheless, as the 1951 Act demonstrates, certain colonial policies, practices, and structures were extended beyond independence—assisted by the continued presence of British tea companies.

The conclusion of the dissertation, then, provides an exploration of Finlay in the post-colonial era and the vestiges of colonial business that were left behind. It also gives a summary of the main themes covered in this dissertation, and how they demonstrate the significant impact of colonial businesses on the development of labor policy both during and after the colonial period in India. Finally, it concludes with a summation of twenty-first century plantation policies—the challenges and criticisms voiced in response to corporate social responsibility, international human rights concerns, sustainability debates, and supply chain investigation—to elucidate the changes to labor laws and policies from 1951 to the present.

### *Dissertation Summary*

The dissertation began with a quote from a travel memoir written by Gordon [Brook-] Shepherd, a British intelligence officer turned foreign correspondent, who in 1960 acknowledged the lasting impact of British business influence in India over a decade after independence. The

tea companies in India, particularly Brooke Bond and Finlay, outlasted colonial rule in India by several decades:

Thanks to their own almost unaided feats of courage and character, they have remained, as they began, the real centres of British influence. In India, trade did not follow the flag. It went before the flag, and has now survived it.<sup>1</sup>

Companies such as Brooke Bond and Finlay represented to [Brook]-Shepherd the remnants of colonial presence—a kind of “continuity in a fixed pattern”—though their economic power and presence slowly dwindled as the twentieth century went on.<sup>2</sup> The steady rise of Indian nationalism and the Indian government’s desire to increase Indian economic independence influenced the structure of the firms. The transition from sterling companies to rupee companies, for example, was described by Brook-Shepherd as a “commercial Bridge of Sighs.”<sup>3</sup> Such changes were necessary, he noted, but the change to Indian ownership and the process of Indianization in the companies’ executive leadership was not the reason for a decline in commercial viability. Their commercial value was damaged by the failure of British managers to properly maintain estates in the post-colonial era because they considered that their departure was inevitable, even imminent, and thus sought to hold onto profits or commissions made from the estates rather than work to improve future yields.<sup>4</sup> The passing of labor legislation also increased overall expenditure for companies implementing social welfare programs for laborers on their estates.

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<sup>1</sup> Gordon Shepherd, *Where the Lion Trod* (New York: St Martin’s Press, Inc., 1960), viii. Accessed on October 28, 2019. <https://archive.org/details/wheretheliontrod010379mbp>.

<sup>2</sup> Gordon Shepherd, *Where the Lion Trod*, 6.

<sup>3</sup> Gordon Shepherd, *Where the Lion Trod*, 7–8.

<sup>4</sup> K. Ravi Raman, “Business, Ethnicity, Politics,” 89–90

This dissertation offers a new perspective on the power of colonial businesses to influence the passing of labor legislation—and prevent comprehensive labor legislation—from 1901 to 1951. The vast majority of business histories of the tea industry focus on international economic markets, advertisement, and profits and losses, and neglect how business decisions and company structures affected plantation laborers supervised by company employees. Several histories of plantation management have examined the members of the “Planter Raj” without extensive reference to their position as employees of larger tea companies. Further, labor histories of the tea industry have primarily focused on the nineteenth century, or on the legacies of the nineteenth-century indenture system into the early twentieth century, with minimal attention to the impact of company personnel structure on the workings of company-led plantations. Using the archives of a major trading and management firm, Finlay, which held four large tea companies in India and Ceylon (Sri Lanka) while managing several more, this dissertation seeks to rectify this lacuna in the literature. Concentrating on the first half of the twentieth century, it brings together labor and business histories to explore the contours of the human factor in business history, and the business aspect in labor history.<sup>5</sup>

Chapter one provides the background to the development of the tea industry in South Asia, demonstrating the growth in the presence and influence of international (mainly British) tea companies in the industry from the late nineteenth century. The chapter indicates the industry’s main concerns that were present in the industry from the beginning—problems concerning transport, labor recruitment, communication, and function. Solving these issues required the elaboration and creation of a clear management structure with enforceable contracts that

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<sup>5</sup> “The Human factor in Business History” was the title of an Association of Business Historians Conference that I attended in Glasgow, UK in 2017, while I was conducted research at the Finlay archive. It was hosted by the Centre for Business History in Scotland at the University of Glasgow. The title of this conference was in recognition of how the human factor (aside from, perhaps, CEOs) is often left out of business history discussions.

governed behavior and action at great distances. The chapter introduces the managing agency system that was central to tea industry operations and industry standards, and that governed South Asian tea company personnel structures detailed later in the dissertation. Finlay provides a solid example of this system, as Finlay operated as both a managing agency for other companies and held a significant percentage of the South Asian tea industry through its own “leviathan” companies. Because of the influence of companies in the industry, from the start of the tea industry, their perspective on policy was valued by the colonial government well into the twentieth century.

Chapter two examines the tea industry in light of major international and regional economic and political events during the period under review (1901–1951). Competition in the early twentieth-century tea industry—between India, Ceylon, the DEI, and China—led to market saturation. Periods of war increased production because a good percentage of the tea crop for India and Ceylon was purchased by the British government. However, war also disrupted shipping abilities, leading to stockpiles in warehouses in Calcutta and Colombo that, as soon as hostilities ended, flooded the market and drove tea prices down. This led tea companies to forge agreements to reduce production, which, in turn, had a deleterious impact on laborers who experienced both stagnant or decreased wages and higher rates of unemployment. Labor strikes and protests occurred in the tea-planting regions that reverberated throughout India and Ceylon. The effect of international events on company decisions, and ultimately, the lives of laborers is an important connection that this dissertation emphasizes.

Chapter three further analyzes company dynamics and their impact on labor by demonstrating how the personnel structure of companies influenced industry practice and policy in the early twentieth century. Through a detailed examination of their contracts, it examines the

major differences (and some similarities) in the way that the companies treated employees and plantation laborers. The two groups were socially and racially demarcated and the contracts reflected that distinction. Employee contracts were civil and relational. Should an employee break the contract, he would face a fine, and possibly, negative social consequences. By contrast, laborers who broke their contracts faced criminal charges and imprisonment—well into the twentieth century. This, in part, had to do with the articulation of plantations as sites of relief—where laborers facing difficult circumstances were brought to the plantations, given advances and expected to complete their contract.

Chapter four demonstrates in greater detail that plantations were often considered sites of relief for laborers during times of famine and natural disaster. Plantations were framed in similar ways to the late nineteenth-century famine relief camps, which implemented food-for-work programs at remote locations. One key difference was longevity; the famine relief camps were meant to deter dependence for extended periods of time, whereas plantations seemed to encourage dependency because laborers were paid in social welfare services that could not be monetized or saved. Tea industry representatives used the idea of social welfare to limit wage increases by insisting that the provisions offered on the estates were wage supplements, and therefore a significant part of the laborer's wages. This payment-in-kind policy continued long into the twentieth century though laborers protested this practice on many occasions. Though discussed at length by official government committees, social welfare measures were rarely enforced on the tea plantations. Only following independence was more comprehensive social welfare reform for laborers implemented. The actual enforcement of these reforms proved very expensive for the companies, many of which sold their estates and left South Asia.



Chapter five explores the relationship that companies and government officials had with each other, facilitated through government committees, associational bodies, and lobbying processes. The relationship directly influenced the passing of recruitment legislation and contributed to other legislation not being passed or enforced. The tea industry received tax breaks and often were excepted from other industrial labor legislation. Nevertheless, as Indian nationalism grew, the government pressured the tea companies to increase Indian representation in the planters' associations and in the management of the companies. However, the government did not enforce such representation. Neither did it push for greater protections for laborers on the company tea estates. After independence, the Indian government immediately passed legislation to address these and other issues in the industry. This dissertation ends its scope in 1951 to coincide with the Plantation Labour Act of 1951, which was a significant government act meant to secure provisions for social welfare for laborers on tea plantations.

The Plantation Labour Act of 1951 initially only applied to large plantations, though it was later modified to include all plantations over 5 hectares in area. The act guaranteed specific welfare measures for all laborers. Laborers were classified in the Act as workers who earned less than a set wage (adapted over the years for inflation) and were excluded from certain management positions on the estates—medical officer, managing agent, manager, or superintendent. This reinforced, in practice, the wage and employee structure of the British tea companies. The application of social welfare measures for those who earned under a certain set wage, was a solidification of payment-in-kind policies implemented by companies earlier in the century. A brief summary of the post-independence period, particularly post-1951, demonstrates the effects of this Act in the latter half of the twentieth century and into the twenty-first century.

In India, British companies had to face post-1947 government legislation aimed at increasing India's independent economic viability. Consequently, companies that were willing to adapt to include diverse shareholders and executives, and to transition to public companies open to Indian participation, tended to last longer.<sup>6</sup> The longevity of Finlay's tea companies in India was, in part, due to the firm's acknowledgement of this process and willingness to adapt.

Thus, in 1962, Finlay created a partnership, called Tata-Finlay, with the Indian conglomerate Tata Group. In 1977, an agreement was reached which resulted in the sale of Finlay and McLeod Russel's (another tea company in India) sterling tea companies and plantations to Tata-Finlay.<sup>7</sup> Both Finlay and McLeod Russel retained equity shares and provided technical expertise for another five years. Ownership and governance completely passed to Tata Tea Limited in 1983 with the transfer of shares. In 2005, Tata Tea Limited turned over the shares of its south India holdings (Kanan Devan Hills Plantations Company Private Limited) to its workers, though it has remained in a close, influential relationship with the company.<sup>8</sup> John Swire & Sons (another trading firm and managing agency, established in Liverpool in 1816) purchased shares in Finlay's global enterprises in 1976, and in 2000, they acquired Finlay as a wholly-owned subsidiary company still operating under the Finlay name.

Finlay's presence in other South Asian countries (Bangladesh and Ceylon) also continued after they gained independence. However, they likewise experienced considerable changes. The

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<sup>6</sup> Geoffrey Jones, *Merchants to Multinationals: British Trading Companies in the Nineteenth and Twentieth Centuries* (Oxford: Oxford University Press, 2004), 118–119.

<sup>7</sup> "Agreement between James Finlay & Co., Limited, McLeod Russel & Co. Limited, The Consolidated Tea & Lands Co., Limited Teith Holdings Limited, Cessnock Holdings Limited and West Nile Holdings Limited, Re Subsidiary Companies Reorganisation" (February 11, 1976), UGBA UGD 091/58/3/4.

<sup>8</sup> Ravi Raman, *Global Capital and Peripheral Labour* (London: Routledge, 2009), 165–168. Tata remained in a close, influential relationship with the company, however, so that process is not without its critics.

Sri Lankan government, via the Land Reform Acts of 1972 and 1975, confiscated vast amounts of land in the country, particularly the surplus from companies that held above the maximum threshold of 50 acres.<sup>9</sup> The land reforms that were taking place in Ceylon were part of the readjustment and reacquisition of land from colonial bodies in the aftermath of independence, with the aim of developing economic independence for the country and distributing land to tenants for subsistence and wealth accumulation.<sup>10</sup> The government nationalized private tea plantations, and encouraged more Sri Lankan nationals and citizens to gain employment on these sites to counter the predominance of Indian Tamil laborers on those sites. The Indian Tamil laborers were obliged either to return to India or apply for Ceylonese citizenship; neither option was made easy for them. In 1992, the Sri Lankan government authorized private companies, including Finlay, to again assume management of tea plantations.

In Bangladesh (East Pakistan until 1971), British tea companies remained active in the years following independence and Partition from India. The East Pakistani (Bangladeshi) government implemented plantation labor legislation from 1962, with the Tea Plantations Labour Ordinance of 1962 and the Tea Plantations Labour Rules of 1977. These legally obliged plantation owners to provide social welfare for their laborers. Tea plantation laborers in East Pakistan, as in India, fell under industry-specific, rather than wider, occupational legislation.<sup>11</sup>

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<sup>9</sup> Vijaya Samaraweera, "Land Reform in Sri Lanka" *Third World Legal Studies* 1, no. 7 (1982): 114–115.

<sup>10</sup> Yujiro Hayami and A. Damodaran, "Towards an Alternative Agrarian Reform: Tea Plantations in South India." *Economic and Political Weekly* 39, no. 36 (2004): 3994.

<sup>11</sup> Faisal Ahmmed and Md. Ismail Hossain, "A Study Report on Working Conditions of Tea Plantation Workers in Bangladesh" (Bangladesh: ILO Country Office for Bangladesh, 2016).

## *International Criticism of Labor Conditions on South Asian Tea Plantations*

Finlay's plantations in Bangladesh and Ceylon came under international scrutiny and criticism from the 1970s. The Scottish Education & Action for Development Campaigns published a booklet entitled *Unacceptable Faces of Tea: James Finlay of Glasgow* in 1983, placing pressure on the company to end colonial practices that had persisted into the post-colonial era in Bangladesh—the exploitation of laborers and their continued impoverishment.<sup>12</sup> Two TV episodes of *World in Action* in 1973 and 1983, and documentaries on fair trade, also highlighted living conditions on estates of tea companies such as Finlay and Lipton during the last few decades of the twentieth century and the beginning of the twenty-first.<sup>13</sup> War on Want (an anti-poverty, human rights organization) highlighted the exploitation of laborers on British company-owned tea plantations in Sri Lanka in 1977, notably Brooke Bond and Consolidated Tea and Lands, Company. However, it also indicated that the smaller tea estates in Sri Lanka provided even less social welfare to laborers than larger companies.<sup>14</sup>

In 2010, War on Want issued another report concerning tea plantations in India and Kenya, and the failings of social welfare provisions (such as that instituted by the Plantation Labour Act in India).<sup>15</sup> The report also urged “Unilever (UK/Netherlands [which owns Lipton]), Van Rees (Netherlands), James Finlay (UK) and Tata Tetley/Stansand (UK),” the four

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<sup>12</sup> Peter Lee-Wright, *Child Slaves*. Aid and Development Set, vol. 2 (London: Earthscan, 2013), 80–83.

<sup>13</sup> See for example, *The Bitter Taste of Tea*. Directed by Tom Heinemann. (Denmark: Heinemann Media, 2008).

<sup>14</sup> Edith M. Bond, *The State of Tea: A War on Want Investigation into Sri Lanka's Tea Industry and the Plight of the Estate Workers* (London: War on Want, 1974), Accessed August 4, 2021. <https://waronwant.org/sites/default/files/the%20state%20of%20tea%201974.pdf>.

<sup>15</sup> Anna Morser, “A Bitter Cup: The exploitation of tea workers in India and Kenya supplying British supermarkets” *Report for War on Want* (London: War on Want, 2010). Accessed August 4, 2021. <https://waronwant.org/sites/default/files/A%20Bitter%20Cup.pdf>

companies that directed the global buying and packing of teas, to ensure that producers be better paid.<sup>16</sup>

Investigative reports into social and economic inequities on Indian plantations were especially prominent in the second decade of the twenty-first century. From 2013 to 2015, *The Guardian* published articles that called into question the “fair trade” certification processes of Rainforest Alliance (which certifies Lipton), the Ethical Tea Partnership (which certifies Twinings and Tetley), and Fairtrade (which certifies Waitrose, Tesco, and Sainsbury’s brands), when they found children laboring on fair trade plantations. They further revealed evidence that the limited financial opportunities on tea plantations also served to bind laborers and their families in other forms of unfree labor and exploitation that were linked to wider networks of sexual, industrial, and domestic bondage.<sup>17</sup>

In 2013, a partnership between leading tea brands and fair-trade certifiers, Tea 2030, was created to integrate sustainable practices in the entire process of tea development— “from crop to cup.”<sup>18</sup> Members of Tea 2030 include the aforementioned fair-trade certifiers (Rainforest Alliance, Ethical Tea Partnership, and FairTrade) as well as major tea supplying companies (Tata, Finlay, and Unilever--which owns Lipton). Their goal is to make significant changes in the industry by creating sustainability throughout the supply chain and addressing challenges to the industry brought on by environmental and social concerns.<sup>19</sup> A similar development project

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<sup>16</sup> Anna Morser, “A Bitter Cup: The exploitation of tea workers in India and Kenya supplying British supermarkets” *Report for War on Want* (London: War on Want, 2010), 2.

<sup>17</sup> “The Real Cost of a Cuppa” BBC World News (12 Sep 2015); Gethin Chamberlain, “How Poverty Wages for Tea Pickers Fuel India’s Trade in Child Slavery,” *The Guardian* (July 20, 2013). <http://www.theguardian.com/world/2013/jul/20/poverty-tea-pickers-india-child-slavery>; “The Tea Pickers Sold into Slavery,” *The Guardian* (March 2, 2014). <http://www.theguardian.com/global-development/2014/mar/02/tea-workers-sold-into-slavery>.

<sup>18</sup> Forum for the Future, “Tea2030,” Accessed October 1, 2019. <https://www.forumforthefuture.org/tea-2030>.

<sup>19</sup> Forum for the Future, “The Future of Tea: scenarios,” (October 2, 2020). Accessed August 4, 2021. <https://www.thefuturescentre.org/tool/the-future-of-tea/>.

to Tea 2030, started by the International Finance Corporation of the World Bank Group and Tata (who owns Tetley) in 2015, which was meant to provide a worker-shareholder model on 24 tea plantations, came under review for non-compliance; they were not able to meet their goals.<sup>20</sup>

A study by social scientists and economists conducted in 2011 linked some of the ineffective nature of development projects on the tea estates, to the “historical continuity in the range of constraints faced by plantation labour.”<sup>21</sup> They cited five organizational structures in the Assam tea gardens that prevented occupational mobility and change: a clear class hierarchy between management staff and laborers, high percentage of women workers (largest amount in the organized sector, making up about 45 percent of workers), employment of adolescent and child labor, largely ineffective unionization, and wages that were significantly lower than that of laborers in other industries. They noted that “the low occupational mobility among tea garden labourers has been mainly because of the continuation of the form of production within the tea plantations...the legacy of the indenture system.”<sup>22</sup>

Given that the indenture system as it relates to tea plantations in South Asia, was officially abolished in 1917 (though it lived on for a few years in criminal clauses of laborer contracts, possibly until 1931), it seemed, as a historian, necessary to investigate to what extent the claims of connectivity and continuity were valid.<sup>23</sup> British companies, their direct successors, and post-independence legislation shaped post-indenture plantation structures. Continuity existed in company tea plantation wage structures (less pay for women and children), company management-laborer dichotomies, and limitations on unionization on tea estates; continuity can

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<sup>20</sup> Accountability Counsel, “Mission, History & Partners” Accessed March 20, 2015. <https://www.accountabilitycounsel.org/client-case/india-assam-tea-plantations/#overview>.

<sup>21</sup> Deepak K. Mishra, Atul Sarma, and Vandana Upadhyay. “Invisible Chains? Crisis in the Tea Industry and the ‘unfreedom’ of Labour in Assam’s Tea Plantations.” *Contemporary South Asia* 19, no. 1 (2011): 76.

<sup>22</sup> Deepak K. Mishra, Atul Sarma, and Vandana Upadhyay. “Invisible Chains?” 77, 88.

<sup>23</sup> John Whitley “Royal Commission on Labour,” 59.

be applied even more explicitly to rigidity in company policy and practice that led to labor legislation in the years after indenture was abolished. Long after the indenture system, powerful contemporary actors continued to direct the structure of plantation life for generations.

### *Conclusions: Changes to Legislation in 2021*

Since the Plantation Labour Act of 1951 until 2021, court cases centered on the tea industry in India have raised persistent questions about the effective implementation of the 1951 Act, and have resulted in consequential changes to labor welfare legislation. One example was a case in 2009 brought by the Kerala Plantation Workers Federation (more specifically the unions representing them) before the Kerala High Court against the Government of India. The plaintiffs claimed that the welfare provisions stipulated in the Plantation Labour Act were limited to workers earning Rs.750 a month, which by 2009 was so far beneath the minimum wage that no tea worker in Kerala was paid that amount. The amount had not been updated since 1981, though the devaluation of the rupee had occurred at an exponential rate. The Kerala plantation workers asked for an amendment to the law which set a higher cap on the wage for laborers, so that they would still benefit from welfare measures. This was especially because plantation laborers were exempted from welfare protections that applied to laborers in other industries—like the Employees’ State Insurance Act of 1948.<sup>24</sup>

The Plantation Labour Act of 1951 was amended in 2010 to accommodate an increase in plantation laborers’ wages (the maximum was increased from Rs. 750/mth to Rs. 10,000). In addition, employment of children as plantation laborers was forbidden, and increased protections

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<sup>24</sup> “O.P. No. 35432 of 2001 (R): Kerala Plantation Workers Federation & Another v. Union of India & Another” Kerala High Court (Feb. 25, 2009). Accessed July 30, 2021. <https://www.casemine.com/judgement/in/560957c5e4b014971129d439> and <https://vlex.in/vid/kerala-plantation-workers-federation-572350106>.

were offered for laborers using insecticides and other chemicals.<sup>25</sup> But the limitations of the Act were only made clearer. Kerala was one of India's few tea-planting regions where plantation workers, received higher wages and social welfare benefits—in part, because of the higher rate of effective unionization.<sup>26</sup> Laborers in other tea planting regions of India, like Assam, didn't benefit nearly as much from the legislation.

In 2020, *The Times of India* reported that the Indian government was considering a repeal of the Plantation Labour Act of 1951 in its entirety. Consequently, tea plantation companies and tea planters pressured the government to either contribute more to covering the costs of laborer social welfare measures or set a monetary value for the welfare services to be provided by companies and decrease the minimum wages of laborers to accommodate that expenditure. This reveals tensions and debates very similar to those of the 1920s and 1930s concerning payment-in-kind and wage stagnation. In 2020, tea companies protested the effects of a bill passed in 2019 that set limitations on payment-in-kind services; no more than 15 percent of a laborer's total wages could be paid in services. This meant companies could not decrease their workers' wages past 85 percent of their promised money wage, even if the cost of providing benefits like housing, healthcare, and food subsidies increased.<sup>27</sup>

Early in 2021, the Plantation Labour Act of 1951 was subsumed under the national “Labour Code on Occupational, Safety, Health and Working Conditions, 2020 and Social Security Code, 2020.” This gave tea plantation employers the option of enrolling their workers in

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<sup>25</sup> “Section 18A” No. 17 of 2010: The Plantation Labour (Amendment) Act, 2010. Accessed August 4, 2021, [https://www.indiacode.nic.in/show-data?actid=AC\\_CEN\\_6\\_6\\_00037\\_195169\\_1517807327451&sectionId=42192&sectionno=18A&orderno=30](https://www.indiacode.nic.in/show-data?actid=AC_CEN_6_6_00037_195169_1517807327451&sectionId=42192&sectionno=18A&orderno=30).

<sup>26</sup> K. Ravi Raman, "Plantation Labour: Revisit Required," *Economic and Political Weekly* 21, no. 22 (1986): 960–62.

<sup>27</sup> “Government to repeal Plantation Labour Act; tea industry concerned” *The Times of India* (24 Jan 2020). Accessed June 7, 2021. <https://timesofindia.indiatimes.com/india/government-to-repeal-plantation-labour-act-tea-industry-concerned/articleshow/73585452.cms>.



the Employees State Insurance Corporation, which already covered workers in other industries.<sup>28</sup> This decision dissolved a significant piece of legislation—one that had been in place for 70 years and that reflected colonial company structures and interests—and established greater government control and responsibility over the tea industry. This is, perhaps, part of a wider trend towards the restructuring or creation of greater social insurance and assistance programs by governments across the global south.<sup>29</sup> The impact of this change in legislation from 2021 will be fascinating to monitor as it begins its implementation processes—to determine what changes and what persists in the business of tea.

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<sup>28</sup> Press Information Bureau Government of India, Ministry of Labour & Employment “Social Security Schemes for Tea Garden Workers” (10 Feb 2021) Accessed June 7, 2021.

<https://pib.gov.in/Pressreleaseshare.aspx?PRID=1696814>; Ajay Singh Solanki, Archita Mohapatra, Savantani Saha, and Vikram Shroff (Nishith Desai Associates), “India Consolidates and Codifies Its National-Level Labour Laws,” *The National Law Review* 11, no. 15 (January 15, 2021). Accessed June 7, 2021. <https://www.natlawreview.com/article/india-consolidates-and-codifies-its-national-level-labour-laws>.

<sup>29</sup> Carina Schmitt, “The Colonial Legacy and the Rise of Social Assistance in the Global South” in *From Colonialism to International Aid: Global Dynamics of Social Policy*, ed. C. Schmitt (Palgrave Macmillan, Cham, 2020), 137–160. According to a recent study on contemporary social assistance programs, the practices implemented during the colonial period determined the kind of programs implemented through the government in response to social inequities in the post-colonial period. Comparisons were made between French colonies and British colonies, the prior existence of poor laws, and whether the country had been an ILO signatory. India’s history, according to this study inclines it towards creating non-contributory social assistance programs focused on relief, rather than income maintenance.

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**Maps Created by Sabrina Szeto. July 2021.**

## Appendix 1- Sample Finlay Contract

Agreement for Work with James Finlay Company  
For George Norman Patrick Hodder  
IOR: MSS Eur F 0233/93.

This Agreement entered into between James Finlay & Co., Limited, having their registered office at No. 22 West Nile Street, Glasgow (hereinafter referred to as “the first party”), of the first part and **George Norman Patrick Hodder, 14 Rutland Park Gardens London N.W. 2.** (Hereinafter referred to as “the second party”) of the second part, Witnesseth that Whereas the first party through their Branches in Calcutta and Colombo act as agents for sundry estates in Cachar, Sylhet, Assam, and Dooars, Darjeeling, Travancore, Ceylon and elsewhere and that the second party has agreed to enter into the employment of the said Agents to the effect hereinafter mentioned, Therefore the parties have agreed and do hereby agree and bind and oblige themselves as follows, viz.:-

1. The second party hereby agrees to enter the employment of the branch office of the said James Finlay & Co., Limited, at Calcutta or Colombo as he may be directed as Assistant and/or Manager in connection with the Tea, Coffee, Cinchona, Cardamom, Coconut, Rubber, or other Estates under their charge and undertakes to proceed to India or Ceylon as soon as required and by the steamer prescribed by the first party and shall on his arrival in India or Ceylon forthwith proceed to such estate or estates and in such part of India or Ceylon as the said James Finlay & Co., Limited, or their said branch offices or their Manager or Managers therein may direct and shall give them his best services in the cultivation and manufacture of Tea or other products and in such other matters in connection with the business of a planter and manufacturer as they may from time to time require and that for the term of **Four** Years to be calculated from the date of his arrival at the estate or estates to which he may first be directed to go. For the purposes of this agreement the said branch offices and the manager or managers therein shall be deemed to be the employers of the second party and hereinafter referred to as “the Employers.
2. The second party may be transferred from one estate to another as often as the employers may think fit, and he shall during the said term proceed to such estate or estates and to such place or places as they or their agents shall from time to time direct or appoint.
3. The duties of the second party shall be the ordinary duties of an Assistant and/or Manager ( as may be directed) at a Tea, Coffee, Cinchona, Cardamom, Coconut, Rubber, or other estate in respect of the extending and improving of the estate or estates where he may from time to time be stationed and the cultivation manufacture and dispatch of the products thereon thereat and therefrom the erection and repairing of buildings and machinery and the keeping same in proper order and all other things relating to the affairs of such estate or estates, as the Employers their Agent, Superintendent, or Manager, shall from time to time direct.
4. The second party shall during the continuance of this agreement devote his whole time and attention to the service of the Employers and shall be true and faithful to them and use his utmost endeavour to promote their objects and interests and shall observe and perform all lawful commands given by them or their Agents, Superintendents and Managers and shall faithfully and diligently do and perform all such services acts matters and things on or about or relating to the business or affairs of the estate or estates to which he may from time to time be appointed as they shall from time to time direct order or appoint and shall not absent himself from such estate or estates without leave nor give his services or advice to any other person or company whatever nor engage in any enterprise or undertaking either alone or jointly with others or another for trading or speculating in shares or in land or for the cultivation or manufacture of Tea or other produce or in any trade business or enterprise whatsoever either in India Ceylon or elsewhere without having first obtained the written consent of the Employers thereto.

5. In the event of the second party absenting himself from the duties of his situation on any occasion without the consent of the Employers except in the case of unavoidable illness or in the event of insubordination neglect of duty or breach of the provisions of this agreement on his part or in the event of the second party being guilty of drunkenness or at any time indulging to excess in the use of stimulants or of his otherwise misconducting himself either during or outside the hours of business then and in any of these events he shall be liable to dismissal without notice and shall forfeit his salary or such part thereof as may be due or unpaid at the time and all other rights under this agreement.
6. The second party shall forthwith study and take means to acquire a practical knowledge of the vernacular language in use among the natives over whom he may from time to time be placed and shall control his temper and live a strictly moral life. He shall also make himself acquainted with the habits and peculiarities (sic) of such natives and shall by combining tact and firmness with fair dealing and kindly consideration endeavour to secure their confidence and respect and thus acquire an influence over them beneficial to themselves and calculated to promote the interest of the estate or estates at which he may from time to time be stationed.
7. If during the first **three** years of this engagement the second party has acquired a thorough knowledge of the vernacular language in use among the natives over whom he has from time to time been placed he shall be allowed a bonus of Rupees Two hundred at the end of the **third** year of this agreement but on the other hand if the second party has failed to acquire a knowledge of the vernacular language to the satisfaction of the Employers the increase of remuneration provided for in the **fourth** year under clause 10 of this agreement will not take effect until the Visiting Agent reports to the Employers that the language has been acquired and the remuneration will therefore continue at the rate of Rupees **three hundred** per mensem until such report is furnished to the Employers.
8. In view of the acknowledged evils and dangers of intemperance particularly during the initiatory residence in India or Ceylon and having regard to the ample medical testimony in favour of total abstinence the second party binds himself to abstain as far as possible from the use of spirituous and intoxicating liquors and beverages during the continuance of this agreement.
9. The second party shall keep proper books of accounts in which all transactions relating to his employment from time to time, and in connection with the estate or estates at which he may from time to time be stationed (especially showing the disposal of any sum or sums of money which may pass through his hands) shall be duly entered. He shall furnish such reports, statements and other information, and in such form as may from time to time be required.
10. In remuneration for his services the second party shall during the subsistence of this agreement receive a salary of
  1. Rs. 250/- per mensem for the first year
  2. “ 275/- “ “ “ “ second “
  3. “ 300/- “ “ “ “ third
  4. “ 325/- “ “ “ “ fourth
  5. *\* the list above didn't have listing numbers beside them*

commencing from the date of his arrival at the estate to which he may first be directed to go. He shall also be provided with a passage (second class) by steamer to India or Ceylon, and shall be allowed all rail and other necessary travelling expenses on the journey to destination. All necessary travelling expenses incurred in India and/or Ceylon in connection with the duties of his situation shall also be paid by the Employers. Further, the second party shall during the subsistence of this agreement and while resident on the estates for which the Employers act as agents be provided with suitable house accommodation and with necessary medicines and ordinary medical attendance free of charge. In the event of the second party leaving the estates temporarily, say, for a period not exceeding three months, for treatment in hospital or sanatorium or elsewhere he shall be entitled to the benefit of the allowances set forth in the Companies' "Rules relating to Furlough and Sick Leave" so far as these rules apply to the case of sickness and as these rules may be modified from time to time. Should, however, the absence

from the estates on sick leave exceed the period of three months the payment of remuneration and/or sick leave expenses shall form the subject of special arrangement. If considered necessary for his work by the Employers he shall be entitled to an advance not exceeding Rupees Three Hundred for the purchase of a pony and saddlery and to draw the customary allowance for upkeep. On the expiry of this agreement or of its determination under clause 12 hereof or in the case of failure of his health from innocent causes but not otherwise the second party shall receive a passage to Great Britain free provided he proceeds Home at once.

11. The second party if appointed to any of the estates belonging to The Consolidated Tea and Lands Co., Ltd., The Amalgamated Tea Estates Co., Ltd., The Kanan Devan Hills Produce Co., Ltd., of The Anglo-American Direct Tea Trading Co., Ltd., agrees to become a subscriber to the Provident Fund of these Companies and to be bound by the Rules and Regulations of that Fund, a copy of which Rules and Regulations has been handed to him.
12. The Employers may at any time during this agreement with or without reason assigned and on paying the second party by way of compensation a sum equivalent to the salary due him in respect of three calendar months or in lieu of such payment on giving him three calendar months previous notice in writing and on providing him with a second-class passage from Calcutta or Colombo to Great Britain if he elects to proceed home at once but not otherwise determine and put an end to this agreement and thereupon this agreement shall cease and determine.
13. The first party and the second party bind and oblige themselves to implement and discharge their respective parts of the premises to each other under the penalty of Five hundred pounds sterling to be paid in name of liquidate damages by the party failing to the party performing or willing to perform the same over and above performance. In Witness whereof these presents consisting of this and the four preceding pages are executed by the said James Finlay & Co., Limited, whose name per procuration is adhibited by **William Warrington** Merchant n Glasgow, art Glasgow on the **twenty-first day of December** in the year one thousand nine hundred and **twenty three** before the witnesses under named and designed, and they are subscribed by the said                      at                      in the year one thousand nine hundred and **twenty three** before the witnesses also undernamed and designed.

Executed by the said James Finlay & Co., Limited, per procuration of **William Warrington** Merchant in Glasgow, before and in presence of **J Jenkins (?)** Witness 22, West Nile Street, Glasgow  
**Edith B. Massey** Witness 22, West Nile Street, Glasgow

Signed by the said **George Norman Patrick Hodder** before and in the presence of

**Thos. H. Hade**  
**35 Sidney Rd.**  
**W. Margarets on Thames**  
**Middsc**

**G.H. Patrick Hodder**

*\*each page has signatures and "per pro. James Finlay & Co., Limited."*

## Appendix 2- Referenced Examples from Letterbooks

### 1. Story of A.E.T. Corrie and Siria (Chapter 3)

“I regret having to report trouble with the Khadim women and the above assistant. The trouble was over a trivial matter and was easily settled, but the labour are on edge and very little would cause a bad flare up against him. I regret, but I must ask you to shift this assistant in the interests of the garden. Mr. Corrie’s brother has anchored here, I understand he has been dismissed from a billet in Assam. It is not in the garden interests having him about the place, or fair to the other assistant sharing the bungalow.”

“G.V. Innes to Calcutta (Private)” Letters concerning A.E.T. Corrie (14 May 1926) UGBA FMALIC UGD/ 091/1/6/3/1/15, 150.

A.E.T. Corrie wrote about the incident to the agents to defend himself against the manager’s report of the situation and the manager’s desire for Corrie to be switched to another district. “The facts of the case are as follows: On the afternoon of the 13<sup>th</sup> inst., I proceeded to Section No. 5 in order to supervise the plucking, in which I found some bushes on which a considerable amount of leaf had been left. I immediately called the head plucking Sirdar and asked him which woman had done this work. He then pointed out a certain woman, standing about 15 feet from me, by name Siria, whom I instantly called upon to return and repair her bad work. To my utter astonishment she refused to do so. I again repeated my order, whereupon she started to use foul language directed at me and the Sirdar. Seeing that, for the future discipline of the garden, this woman needed a lesson, I went towards her, seized her arm, and forcibly pulled her towards her neglected work, herebefore mentioned, at the same time ordering her pay to be stopped for that day. I also stayed by her and saw to it that the work was repaired, the sirdar being totally incapable of controlling her. Later, at leaf weighment, I noticed another women[sic], by name Santo, talking in a very loud tone to this woman Siria, and urging her to go to the Division manager with her complaint. I ordered them to be silent until such time as the weighments should be over, after which they were at liberty to go to him. Finding Mr. Innes [the manager] at the factory door, I informed him of the matter in hand, whereupon he ordered the coolies to return in half an hours time, together with the babu and sirdar in question. Some time later when I was in the bungalow, I received a chit from the manager, to the effect that I was to go to the factory to see him. On my arrival there, I was astounded to see Mr. Innes alone and to learn that



he had already held the enquiry. He straightway started to tell me that I was in the wrong, and that it only went to prove that I was incapable of managing labour. The point I wish to emphasise being that I, the accused, was the only one not ordered to be at the enquiry which was held behind my back. My idea of British fairness and Justice being that the accused is always asked to be present at his own trial. Mr. Innes went on to accuse me of paying a fine (Rs.10) which he had inflicted on a coolie, by name Sankar, a year ago, this, of course, being utterly absurd. If Mr. Innes could possibly imagine that I could do a thing like this, why did he not tell me so at the time. He also vilified me about purely personal matters, having nothing to do with him, or the garden, and entirely incorrect. Ever since your last letter I had determined to do my utmost by the Company, but have been unable to do so; the reason being that Mr. Innes has intentionally hindered me at every turn. It is not my wish to be transferred to another Division, if that transfer is to be enacted under a cloud, as I have done nothing wherewith to reproach myself.”

“A.E.T. Corrie to Calcutta” Letters Concerning A.E.T. Corrie (15 May 1926) UGBA FMALIC UGD 091/1/6/3/1/15 151-153.

## 2. Story of Mr. J. Chalk (Chapter 3)

“...we have received a letter from Mr. Noad copy enclosed, advising us that Mr. Chalk, received an offer of an appointment from the manager of the Behubor Company. We have seen the Planters Stores & Agency Co. here, who are agents for this Company, and they inform us that they are merely forwarding agents, the manager having full powers in regard to engaging staff. They have, however, offered to write him, at our request, pointing out that Mr. Chalk is under agreement to us and suggesting that he withdraw his offer. If this is without effect we shall probably ask you to take the matter up with the Directors of the Behubor Company at home.”

“Calcutta to Glasgow” Letters Concerning J. Chalk (21 Dec. 1916) UGBA FMALIC UGD 91/1/6/3/1/4, 55-57, 82, 84.

“...You state that your first responsibilities are to yourself, in spite of the fact that you have signed an agreement to give your services to us for a period of five years. We have paid your passage out from home and have given you your preliminary training in tea planting and as you now intend to pursue the dishonourable course of attempting to break your agreement we can only say that you appear to be unaware of the nature of such an article. We do not propose, however, to accept your resignation and we hereby give you notice that we will hold you to the terms of your agreement.”

“Calcutta to Mr. Chalk” Letters Concerning J. Chalk (19 December 1916) UGBA FMALIC UGD 91/1/6/3/1/4, 96.

“With reference to our previous advices regarding this assistant’s desire to leave, we learn from the agents of the Behubor Company that their manager has agreed to withdraw his offer to Mr. Chalk and has written him to the effect that he will be unable to give him the appointment until he is free to leave our service.”

“Calcutta to Glasgow” Letters Concerning J. Chalk (9 February 1917) UGBA FMALIC UGD 91/1/6/3/1/4, 97.

### 3. Engineering Assistant’s Salary in 1904 (Chapter 3)

“Mr. Mathewson you will recollect was one of the first Assistants to receive a second agreement for five years on Rs. 300/ per mensem for the whole period instead of Rs. 300/-, Rs 300/-, Rs. 350/-, Rs. 350/, Rs. 400/- as had formerly been customary in Northern India. The latter terms we may mention are still being given to all assistants in the Dooars & Assam, with the one exception of Mr. Lefevre of Hattigor. The lower terms were after considerable Hesitation, also accepted by Mr. Buchanan of Powai, but on Mr. Watson representing to us that he (Mr. Buchanan) was much dissatisfied with them and that we might possibly lose his services in consequence we increased his terms to the higher figures. It will be within your recollection that the reduction in terms was instituted at the beginning of the cold weather of 1901/1902 on Mr. Warner’s recommendation. In every instance we had more or less difficulty in inducing men to sign their second agreements on the reduced terms and indications are not wanting that considerable dissatisfaction prevails among the men affected. We have given the matter a good deal of consideration of late and we are doubtful whether it is in the best interests of the Company that men should have nothing more than Rs. 300/- per mensem to look forward to during the tenth year of their service. You recently informed us that the terms offered by you for a first agreement were not sufficiently good to attract freely the Class of man we require, & if it be known that we cannot offer more than Rs. 300/ for a second agreement, we fear you will find greater difficulties than ever in the way of obtaining good Engineer Assistants. We would therefore suggest for your consideration the advisability of making a uniform rate of salary for all men who have proved themselves sufficiently capable to be re-engaged for a second term of five years that these terms should be Rs. 300/- Rs 300/- Rs 350/, Rs 350/ Rs400/- per mensem for the five years as was formerly the custom.

“F.M. Co to J.F. Co.” Letters concerning R.G. Mathewson (14 March 1904) UGBA FMALIC UGD 91/1/6/3/1/1, 446-448.

#### 4. Disposition of J.W. Grant (Chapter 4)

“My name is J.W. Grant. I reside at present in Mauza Hatikuli Tea Estate, Police Station Bokakhat, where I am Manager. I know all the accused. They are coolies of my garden. On the morning of Saturday September 29<sup>th</sup> they obstructed me when I was going down to the office. I argued with them and asked them what they wanted, but they refused to let me pass to office. I had to punish Anand the night before, and they said I had beaten him too hard. They also refused to let me go back to the bungalow. They wanted me to remain there. I still agreed with the them[sic], and said I would have the man taken to hospital, but they were not satisfied. I told them if they were dissatisfied to go to the Police. They had brought Anand there and he was lying down covered up and could not get up. I did not at the time believe that he was hurt, and that he was putting it on. They wanted me to sit down with him. We must have stayed there nearly an hour. Suddenly the accused, and possibly some others set on me. They were 25 or 30 men collected there at the time. They were not armed, except Fagu accused who had a spear. He was talking a lot and leading on the others. Anand II accused caught me by the throat. Khudu Singh accused beat me with his fists. Keria also beat me. Also Kartik. After I escaped Kartik ran after me and caught me again. As to the others, I don’t know exactly what they did, but they were all there, of that I am positive. I escaped to my bungalow with the assistance of my assistant Mr. Paterson. I was very dazed. As to the occurrence of the previous afternoon, the facts are these. I was informed by my godown Babu that my ticca book, in which the Haziras and ticca earnings of coolies are entered, had been destroyed. He said he had given it in charge of Anand and that he had taken it in one of the men’s carts. He is carting Sirdar: and that a cow had pulled it off the cart in his absence and chewed up the leaves. I sent for Anand and gave him a thrashing with an ordinary cane. Ext. I is the cane. I cannot say exactly how many strokes I gave him. It may have been about ten. The man walked away after the beating. No one was present at the time except the godown Babu. He did not go to the hospital, and on Saturday morning also the other coolies would not let him go. On Saturday afternoon Dr. Moloney the Supervising Medical Officer of the garden came down and examined him.”

F.A.S. Thomas “Copy of the Deposition of J.W. Grant, Esq., P.W. No. 1 taken on solemn affirmation under the provisions of the Indian Oaths Act, X of 1873, before me F.A.S. Thomas

Golaghat this 19<sup>th</sup> day of October 1922” (Golaghat: October 19, 1922), Insert between 113–114.  
UGBA FMALIC UGD 91/1/6/3/1/6.

### Appendix 3 - Photographs from the Finlay Collection

*Image 1: Assam National Highway 37, A.T. Road in 1924<sup>1</sup>*



*Image 2: River Steamer on the Brahmaputra River, Guwahati, Assam, 1929<sup>2</sup>*



<sup>1</sup> "Photograph of Assam highway showing elephant pushing car 1924." University of Glasgow Archives & Special Collections, James Finlay & Co Ltd collection, GB248 UGD 091/1/9/3/10.

<sup>2</sup> University of Glasgow Archives & Special Collections, James Finlay & Co Ltd collection, GB248 UGD 091/1/12/2/6 Ass/18/1

*Image 3: Two Large Invoices of Tea Loaded Ready for Despatch[sic] from Factory<sup>3</sup>*



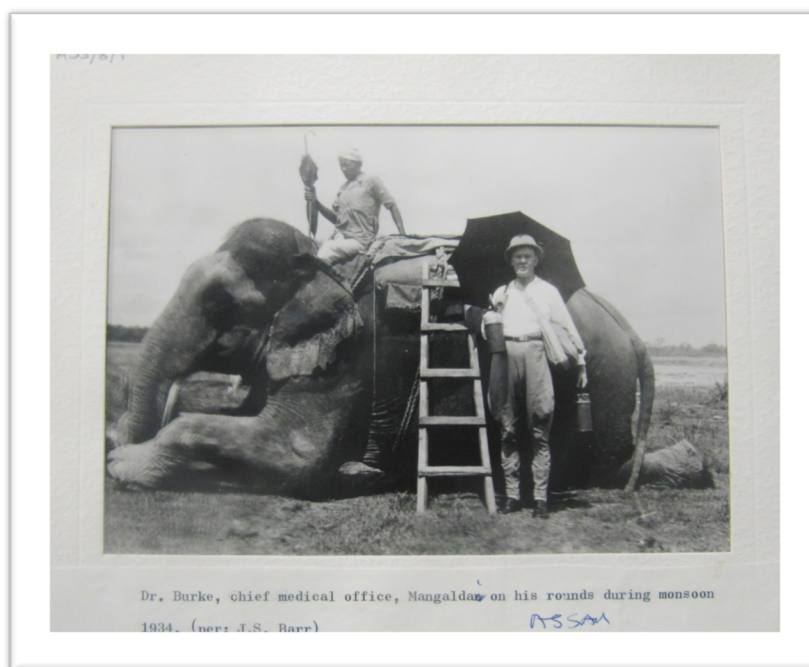
*Image 4: Six Embryo J.F. planters at Karachi en route to their first appointments in India, December 1919.<sup>4</sup>*



<sup>3</sup> University of Glasgow Archives & Special Collections, James Finlay & Co Ltd collection, GB248 UGD 91/1/12/3/6, Ban 18/4.

<sup>4</sup> "Photograph of six James Finlay embryo planters at Karachi including Mr Waterstone Dec 1919," University of Glasgow Archives & Special Collections, James Finlay & Co Ltd collection, GB248 UGD 091/1/9/3/10. Image Title, Back of Photo.

Image 5: Dr. Burke, chief medical officer, Mangaldai, Assam, on his rounds (by elephant) during monsoon. 1934.<sup>5</sup>



<sup>5</sup> University of Glasgow Archives & Special Collections, James Finlay & Co Ltd collection, GB248 UGD 091/1/12/2/9, ASS/8/1.