



## A Study on Problems of Tea Plantation Workers in Nilgiris District, Tamilnadu, India

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### Abstract

*The Nilgiris district resides inside the Indian state of TamilNadu and a part of a larger mountain chain known as the Western Ghats. The Nilgiris district is mainly an agriculture district and its economy mainly depends upon the success or failure of crops especially the plantation crops like tea and coffee. The climatic environments and troposphere of the area make the Nilgiris District the appropriate place in South India for cultivation of tea as a result the zones under tea cultivation in Nilgiris are massive and spread. The cultivation of tea is mainly based on the tea plantation workers and the study is to analyze about the problems of tea plantation workers in Nilgiris District. The miserable living conditions and the wages of the tea plantation workers are identified. The importance of considering these factors is analyzed and suggested as per the results inferred from several tea estates and unions resides in Nilgiris District.*

**Keywords:** Tea, Plantation, Workers, Nilgiris District.

### Introduction

Tea is the most preferable average by millions of people across the globe. Tea plantation is located in Darjeeling and Assam, Terai and Dooars in the North Bengal and Mysore, Coorg, Manjsholai and Nilgiris. The Tea industry in India has given occupation to the major work force in which Nilgiri is also take part. Out of total 172000 hectares under tea cultivation in South India, Nilgiris individually accounts for about 90000 hectares and these results in produces tea of about 30 million kg of tea annually which is nearly 60% of the total population<sup>1</sup>. As per the recommendations given by the plantation enquiry committee in 1956 about the benefit of the small growers, the Tamil Nadu government implemented the recommendations as suggest by the committee and placed co-operative tea factories in Nilgiris. This taken into account about the existence of the Industrial Co-operative Tea Factories (INDCO) in Nilgiris and the first INDCO tea factory was launched at Kundah in the year 1962 and currently there are 17 INDCO tea factories in Nilgiris district. The total earning of the foreign exchange through Tea Industry is equivalent of Rs.2300 croes but it is regretted that the tea plantation workers are still getting below the minimum wage of Agricultural workers. The wage of the tea industry labour has increased numerically since 1947, there has been no increase in real wages. It is thus very significant to know the problems of the industry in this area and finding remedies to the tea plantation workers would go a long way in solving the great number of issues to the workers involved in Tea plantation<sup>2</sup>.

The work timings in the tea estates are from 8 am to 5 pm in standard Indian time. The legally permissible lunch interval is 12 – 1 pm. But during the season of high growth of tea leaves, the workers are ordered to report for work nearly 12 hours from 6 am to 6 pm or even sometimes it exceeds to 7 pm with a very short lunch break without any rest intervals. The legally permissible temporary leave and medical leave are not granted. In some places, if leave beyond the granted leave are taken due to ill health without medical certificate, then 5 days wages are deducted from the salary. Every year hundreds of tea plantation workers are affected from water-borne diseases, like Gastro-Enteritis. There is no drinking water facilities and drainage systems is most of the plantations. Most of the workers are suffering from Anemia and Tuberculosis, where malaria is widely spread. It affects the children and the women mostly. Leech bite and Snake bite are the major problem in the plantation field but no proper medical treatment and prevention measures are totally out of clutch. Wild animals are often seen in the plantation field and no proper security measures are provided<sup>3</sup>. The death ratio due to the above said bites and the wild animals is consistent. The health system is not effective.

Most of the tea workers are tribal, schedule castes and repatriates. So they are not able to protect against the atrocities and to enjoy the special status as they are crushed. For a tea plantation workers whose forefathers were indentured immigrants and where born and brought up inside the tea gardens and dismissal means not only the loss of livelihood but threat to their general existence. Eventhough the plantation workers are considered to Tea labor and Ex-tea working community, their children are compelled to join the Tea-

Labour work force as unskilled workers after passing from the lower primary schools of gardens. In addition, the children not receive any educational and alternative employment opportunity; of late certain slight exemptions are happening in this district<sup>4</sup>.

The data collected and analyzed in various headers such as to know the number of working days per day and the number of working hours per day, working days per week, to know the way of payment the workers received such as cash, coupon, food or some other mode. The details about the work contract whether direct contract with the company or subcontracting company and the contract is taken as verbal contract or in written contract. The wage paid by the company or from others and they paid for extra working hours. The workers are agree with the current wages and if any physically challenged person is working in tea plantation<sup>5</sup>.

Under social security and health conditions, the data collected and analyzed about any social security cover given to workers, availability of pension schemes, holding any unemployment insurance, the details about the medical assistance given by the company, whether the workers are part of the union, to know whether the union safeguards the workers' rights<sup>6</sup>. The rest interval given by the company for the workers and check whether any child labour employed here. To know their average monthly income and about the carry home pay. To know whether the payment based on per contract, per hour, based on task, based on acre, based on leaf weight or other mode<sup>7</sup>.

The data collected and analyzed about whether the management providing leave with wages, dearness allowances or sickness benefits are provided or not, the workers are getting any benevolent benefits<sup>8</sup>. To know whether the management providing payment at the correct time and the workers are satisfied with the present system of fixation of wages<sup>9</sup>. To identify any physical and mental harassment, Cruel, unusual, unnatural punishment at unfair trial, to identify any Human rights violation or any Fundamental rights violation, any isolation physically and mental because of ruthless attitude of the management, any exploitation based on socio-economic status by means of cost and creed.

To know among the workers about the awareness of the historical hunger strike and labor oppression in Nilgiris district and the subsequent order passed by the State human rights commission in December, 2000 to pay an amount-Rs.31,30,200 as compensation to the victims as the Nilgiris police violated the human rights<sup>10</sup>.

The data collected and analyzed about the periodical update of work related training is provided sufficiently and any self-employment promotion scheme provided by the company<sup>11</sup>. To identify the management are capable in segregating the

workers as skilled and unskilled one, check whether the management maintaining the service records and field records.

## Literature Review

**Minimum wage act (1948) and dearness allowance in tea-plantation:** The basic assumption regarding the theory of the wages are, the workers primary object is higher wages and each employer is in business for one purpose only i.e., to maximize the profit. There is always an economic reward for labour. The terms which have occurred currency in discussing wage problems since 1948 are the Statuary Minimum Wage, the Bare of Minimum Wage, the Minimum Wage, the Fair Wage, the Living Wage and the need based Minimum Wage.

The passing of Minimum Wage Act 1948 is a landmark in the history of Labour Legislation in the Country. The statutory minimum wage is the wage determined according to the procedure prescribed by the relevant provisions of this act. "The dearness allowance as its name implies as an allowance given to the workers and salaried employees to compensate them fully or partly, for the loss in real earnings caused to them by increase in the cost of living from time to time". The said act applied initially to thirteen employment including employment in agriculture. Fair wages committee observed that "it is clearly necessary for this country to continue to pay dearness allowance and neutralize, wholly or at least substantially, the increase in the cost of living. The Varadhachariar commission had also felt that as long as the cost of living continued to be substantially high, some system of dearness allowance over and above pay must continue in operation" But the minimum wage act does not contain any clue as to the principles, criteria or norms to be followed in the fixation of the minimum wage rates that too in plantation side. Each enquiry committee is thus left free to choose for itself what principles or standards it will follow. The said dearness allowance is a continuing component of wages came to be firmly established in the conditions created by the Second World War.

The Gregory Committee Recommended that "Dearness Allowance should be granted for the purpose of compensating changes in the cost living or changes in the purchasing power of money". The Supreme Court seems to have persuaded to the view that employees getting the same wages should get the same Dearness allowance irrespective of nature of their work and that clerical staff sub-ordinate staff and factory workmen in the same establishment must be given the same scales and the rates of "Dearness Allowance". The Court further "Time has now come when employees getting the same wages should get the same dearness allowance irrespective of whether they are working as clerks or sub-ordinate staff or factory workmen. The pressure of high prices is the same on various kinds of employees.

**About the plantation labour act of 1951 and tamilnadu plantation labour rules 1955:** An Act to provide for the welfare of labour and to regulate the conditions of work in Plantation. After independence the plantation industry is being covered by labour legislation namely Plantation Act 1951. The labour Laws and the Plantation Act in Tea industry, is the women who have been the prime target of deprivation and exploitation. Ten years before they were paid less than the men but they have been subjected to long working hours and heavy work load which includes the pregnant women. The majority of the temporary workers are the women and the social welfare benefits of the Plantation Labour Act including the maternity and medical benefits do not exist. Even the permanent women workers, parents are not regarded as dependents and their husbands are not entitled to subsidized food grains and other benefits. Section 21, 23 of plantation act and rule 70 supports only the management. The labour appellate tribunal report of 1955 runs as follows: "it is the ordinary function of the management to employ their subordinates in capacity where their service can most usefully utilized". So the employer has the right to affect transfers according to his whims and fancies. Section 2(a), 2(c) of Plantation Labour Act defines adolescences and child labour and section 24 of the said Act prevents Child Labour activities. But many adolescences are seen in the plantation field expecting their future. The Supreme Court has ruled out very clearly that free and compulsory education should be given to all children until the age of 14 years. But the same is thrown in winds.

**Industrial Dispute Act:** The objective of the Industrial Disputes Act is to secure industrial peace and harmony by providing machinery and procedure for the investigation and settlement of industrial disputes by negotiations. Various studies indicate that Indian labour laws are highly protective of labour, and labour markets are relatively inflexible. These laws apply only to the organized sector. Consequently, these laws have restricted labour mobility, have led to capital-intensive methods in the organized sector and adversely affected the sector's long-run demand for labour. Labour being a subject in the concurrent list, State-level labour regulations are also an important determinant of industrial performance. Evidence suggests that States, which have enacted more pro-worker regulations, have lost out on industrial production in general. -- Ministry of Finance, 2006, p. 209 the Industrial Disputes Act (IDA) of 1947. Particular attention has been paid to its Chapter V-B, introduced by an amendment in 1976, which require firms employing 300 or more workers to obtain government permission for layoffs, retrenchments and closures. A further amendment in 1982 (which took effect in 1984) expanded its ambit by reducing the threshold to 100 workers. It is argued that since permission is difficult to obtain, employers are reluctant to hire workers whom they cannot easily get rid of. Job security laws thus protect a tiny minority of workers in the organized sector and prevent the expansion of industrial employment that could benefit the

mass of workers outside. It is also argued that the restriction on retrenchment has adversely affected workplace discipline, while the threshold set at 100 has discouraged factories from expanding to economic scales of production, thereby harming productivity. Several other sections of the IDA allegedly have similar effects, because they increase workers' bargaining strength and thereby raise labour costs either directly through wages or indirectly by inhibiting work reorganization in response to changes in demand and technology. The Act also lies down i. The provision for payment of compensation to the workman on account of closure or lay off or retrenchment. ii. The procedure for prior permission of appropriate Government for laying off or retrenching the workers or closing down industrial establishments. iii. Unfair labour practices on part of an employer or a trade union or workers.

**Provident fund ACT 1952:** A provident fund is created with a purpose of providing financial security and stability to elderly people. Generally one contributes in these funds when one starts as employee; the contributions are made on a regular basis (monthly in most cases). Its purpose is to help employees save a fraction of their salary every month, to be used in an event that the employee is temporarily or no longer fit to work or at retirement. The investments made by a number of people / employees are pooled together and invested by a trust.

**Employee Provident Fund (EPF)** is implemented by the Employees Provident Fund Organization (EPFO) of India. An establishment with 20 or more workers working should register with EPFO. Typically 12% of the Basic, DA, and cash value of food allowances have to be contributed to the EPF account. EPFO is a statutory body of the Indian Government under Labor and Employment Ministry. It is one of the largest social security organizations in the world in terms of members and volume of financial transactions undertaken. The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 is enacted to provide a kind of social security to the industrial workers. The security, however, differs from the security provided to them under the Workmen's Compensation Act or the Employees' State Insurance Act. The Employees' Provident Funds and Miscellaneous Provisions Act mainly provide retirement or old age benefits, such as Provident Fund, Superannuation Pension, Invalidation Pension, Family Pension and Deposit Linked Insurance. Provision for terminal benefit of restricted nature was made in the Industrial Disputes Act, 1947, in the form of payment of retrenchment compensation. But this benefit is not available to a worker on retirement, on reaching the age of superannuation or voluntary retirement. The Employees' Provident Funds and Miscellaneous Provisions Act are intended to provide wider terminal benefits to the industrial workers. For example, the Act provides for payment of terminal on reaching the age of superannuation, voluntary retirement and retirement due to incapacity to work.

## Research Plan

**Objectives of the study:** i. To analyse the problems of tea plantation workers in Nilgiris district. ii. To find out and analyze the working conditions of the plantation labour with respect to wages. iii. To find out and analyze the maximum welfare measures available in the Tea- Industry regarding the wages. iv. To enlighten the inability of the trade unions in the Plantation sectors in handling wage disputes. v. To build a good relationship between the plantation labours and the management in fixing the wages of plantation labours as their human rights.

**Scope of the study:** i. If the Government is really interested in safe guarding the minimum interest and rights of the plantation workers, the findings in this research will suitably vouch a landmark achievement in their target. ii. The implementation of these research findings will uplift the plantation labour community in all status and it will be the great example for a Government which is really interested in democracy. iii. Democracy means equality in all aspects which will be proved by amending these findings which has to be supervised by a committee and the committee should have an administrative and judicial powers as the execution of Law is more important than the making of it. iv. The suggestions stated in this research where born after the great painful efforts and if the suggestions are amended in the plantation labour act and plantation labour rules with suitable provisions that proves that Law will sleep but never die. v. Many people will get job opportunity and the plantation labour community will also reach a good status in the society thereby proving all are equal before Law and in the society.

**Limitations of the study:** In spite of detailed analysis made in the present study, this study is not free from limitations. The following are the important limitations: i. The study is purely based on the views of 245 respondents only and hence the results may not be universally applicable. ii. The geographical area of this study is confined only to Nilgiris District. iii. The study is period specific. iv. The survey is collected from various tea estates and union selected using convenient sampling method. v. The limitations of this method are applicable to this study.

## Research Methodology

The Tea Plantation workers working in Nilgiris district are considered as the target audience for the research study. The primary data collection is done by person administered survey for analysis and interpretation; the secondary data collected from various magazines and journals discussed earlier related to the research study.

**Type of research:** A descriptive type of Research is undertaken to determine the cause and effect of the tea plantation workers in Nilgiris district.

**Sampling technique:** Area Sampling is applied and it is quite close to cluster sampling and is often talked about when the total Nilgiris District area of interest happens to be big one. Under area sampling we first divide the total Nilgiris District into a number of smaller non-overlapping areas, generally called geographical clusters, then a number of these smaller areas are randomly selected, and all units in these small areas under Nilgiris District are included in the sample. Area sampling is especially helpful where we do not have the list of the population concerned. It also makes the field interviewing more efficient since interviewer can do many interviews at each location.

**Sample Size:** The workers of the tea plantation in nilgiris district are the target population. The total population of this study is 245.

**Area of the study:** The method of research which the Researcher have undertaken is based on the analytical (Present position), Historical (previous position), Comparative (comparison with other places), statistical (collection of details and conditions), Critical (finding out the defects and suggestions), The Researcher has selected the following managements for this study namely

1	Forest Dale Estate, Coonoor,
2	Graigmoreplantation, Coonoor
3	Coonoor Tea Estates, Coonoor,
4	Tan-Tea Pandiyaru Division,
5	Tan-Tea, Cherangode,
6	Tan-Tea, Tiger Hill Division,
7	Non-Such Tea Estate, Coonoor,
8	Orchidin Estate, Coonoor,
9	Dun Sandal Estate, Ooty,
10	Glenmorgan Estate, Ooty,
11	StanesAmalgamatedeCo.,Ltd,Ooty
12	Kariyabetta Estate, Kotagiri,
13	Kodanadu Estate, Kotagiri,
14	Kil-KotagiriEstate, Kil-Kotagiri,
15	Manjushri Plantations, Gudalur,
16	Rock wood Estate, Gudalur
17	Harrison Malayalam Plantations, Gudalur,
18	May Field Estate, Gudalur,
19	Silver Cloud Estate, Gudalur,
20	Devarsholai Estate, Gudalur

From the above 20 Estates, 170 respondents are selected on Area random sampling method.

The following Trade-Unions are also selected for this research. They are

1	Neelamalai Anna Plantation Labour Union [ATP],
2	The Nilgiri District Estate Workers Union [INTUC],
3	Tamilnadu Plantation Labour progressive Union [LPF],
4	Plantation Labour Association [AITUC],
5	Nilgiri Estate Workers Union [CITU],
6	Anna Plantation Workers Union [APWU],
7	Plantation Labour Organization [PLO],
8	Plantation Labour and Supervisor Union [IPWU],
9	Dr. Ambedgar Socialist Estate Workers Union [ASEWU],
10	Anna Government Employees and General Workers Union [ATP],
11	Anna M.G.R Plantation Workers Union [ATP],
12	DesiyaMurpokku Plantation Workers Union [DMDMK].

The researcher has selected 80 members from this union on Area sampling method to conduct his research to find out the solution and to advocate them.

### Data Analysis and Interpretation

The primary data from 245 respondents collected through questionnaire and were analyzed using simple percentage method. It has been interpreted that

**General Information :**0.4 % of the respondents are 'Below 18' years of age, 2% of the respondents are '18-25' years of age, 35.9% of the respondents are '26-35' years of age, 34.7% of the respondents are '36-45' years of age and 26.9% of the respondents are 'Above 45' years of age. 50.2% of the respondents are 'Male' whereas 49.8% of the respondents are 'Female'. 95.1% of the respondents got 'Married' whereas 4.9% of the respondents are 'Unmarried'.

**Working Experience and Timings:**1.6% of the respondents working 'Less than 1 year' whereas 6.9% of the respondents working 'Between 1 and 3 years',30.6% of the respondents working 'Between 3 and 5 years',60.8% of the respondents 'More than 5 years'. Majority 78% of the respondents working 'Between 7 to 9 hours' per day.98% of the respondents working 'Six' days per week and majority 68.6% of the respondents getting salary by 'Cash' only.

**Workers' Contract Information:** 93.5% of the respondents are in 'Direct contract with the company' only.62% of the respondents are 'Written Contract' with the company. 85.7% of the respondents are paid by the 'Company' only. 57.1 % of the respondents never get paid for extra working hours.

Maximum respondents 51.4% are not agreeing with wages.25.7% of the respondents are physically challenged person whereas 74.3% of the respondents stated 'No'. The result shows that the maximum respondents are physically not challenged.

**Social Security Cover and Health information:** 77.1 % of the respondents stated that they do not have any social security cover. Majority 69.8% respondents do not have pension. 89.8% do not have unemployment insurance.53.9 % respondents have not getting company side medical assistance. Majority 57.6% of the respondents having '2 Intervals' during working hours. 94.3% respondents stated that the management is not providing transport facilities for the administration & operative purpose and education of the children of the workers.

**Wages and Other financial benefits:** 94.7% of the respondents receiving between 'Rs.3000-Rs.5000' as their average monthly income. 91.4% of the respondents receiving between 'Rs.2000-Rs.4000' as their carry home pay.66.5% of the respondents stated that the management is not providing leave with wages. 66.1% of the respondents stated that the management is not providing dearness allowance and other benevolent benefits to the workers. 54.7% of the respondents stated that the management is not providing sickness benefits to the workers. 53.9% of the respondents stated that the management is not providing payment at the correct time. 60.8% of the respondents stated that maximum respondents are not satisfied with the present system of fixation of wages.

65.7% of the respondents are not educated with wage notification issued by the state and central authorities.69% of the respondents stated that there is a wage difference between male and female workers.43.3 % of the respondents stated that the management following the provisions of minimum bonus system as 20% bonus system which was introduced by late Prime Minister Indira Gandhi. 65.7% of the respondents stated that the management not providing the Sunday wages to the workers.55.5% of the respondents stated that the maximum respondents stated that the management do not complies with the general provident fund dues act 1925.

**Legal Status :**100% of the respondents stated that the labors are not covered under industrial plantation labor act of 1951 and Tamilnadu plantation labor rules of 1955.60% of the respondents stated that the respondents does not raise comments regarding the section 21, 23 of plantation labor act and rule 70 of Tamilnadu plantation labor rule of 1955.94.7% of the respondents stated that the labors are not covered under the minimum wages act 1948.97.6% of the respondents stated that the labors are not covered under the provident fund act 1925.74.3% of the respondents stated that the company is not following the government orders properly.

**Castes:** 67.8% of the respondents are 'Schedule caste' and 26.1% of the respondents are 'Repatriates'. 69.8% of the respondents stated that there is no slavery system.

**Work Relationship:** 82% of the respondents stated that there is no problem with co-workers. 80% of the respondents stated discrimination against sexuality in wages and work. 61.2% of the respondents stated that the management not providing maternity benefits as per the provisions. 79.2% of the respondents stated that there is physical and mental harassment, cruel, unusual, unnatural punishment at unfair trial.

**Socio-Economic Condition:** 90.6% of the respondents stated that human rights violation is happening. 91.8% of the respondents stated fundamental rights violation is happening. 90.2% of the respondents stated that they have isolation physically and mentally because of ruthless attitude of management. 85.3% of the respondents stated there is an exploitation based on socio-economic status. 79.2% of the respondents stated that they are aware of the historical hunger strike and labour oppression.

**Suggestions:** The female workers are not provided job opportunity properly, so sex discrimination should be cussed. Educational status is very poor and separate wing has to be formed for the same to improve the skill in technical and non-technical field. Separate identity card special allowance can be provided for who are working for more than five years. Proper working hours with reasonable break has to be amended and weekly holidays should be mandatory. Getting salary by coupon will lead the high corruption and paying by cash will lead to exploitation, hence bank transaction will save their money. Separate with sanitary good condition toilets are required and first aid boxes, 3-4 medical checkup per year are also needed. The payment has to be provided to the labor sufficiently which is enough to maintain 4 members in a family. Living wage procedure should be followed. Two major and short intervals are necessary for the workers. Wastage disposal should be proper. Drinking water, bore well should be planned properly. Written Contract will safeguard the labour and provides all Legal safety. Extra working hours payment should be double. The Situation has made them to say 'Yes' for the wages. Minimum wage should be provided to them and it should be sufficient to lead their life. As the labours have got their rights to get their wages. Physically challenged persons should be given priority in job opportunity. Separate provisions should be amended for social security coverage and for pension etc which includes unemployment insurance.

Separate medical care council should be formed. The motivation in safety efforts should be given. Gloves, uniforms and weather related clothing should be provided periodically. For accidental claims and compensations, suitable authority should be appointed. If the claims and the compensations are not provided by the management in genuine cases, the

punishment should be severe. Creche facilities should be amended and maintained properly. Educational and housing facilities has to be improved with transportation facilities should be provided. Welfare officers care should be amended properly and record should be maintained with the signatures of the workers.

Positive sign should be maintained to relieve the workers if they get a better fair job. At last, periodical Government supervision regarding the welfare, amended laws and the administration of the management has to be watched. The temporary workers has to be regularized if they complete the regular working days. Leave with wages, dearness allowances maternity benefits, sickness benefits, bonus and other benevolent benefits to the workers should be provided. The early gratuity and other benefits has to be released on the day of retirement. The parents of the women workers should be regarded as their dependents.

## Conclusion

I hereby conclude that the Tea-Workers in my District are paid very less and least beneficiary measures are given to them. The Plantation Labour Act of 1951 and the Tamilnadu Plantation Labour Rules of 1955 and the other Labour acts have to be amended properly after a careful scrutinizing by a committee consisting members from the Labour side also. Rigorous punishments have to be awarded for the violation of Justice. There have been few theories or approaches to achieve Labour welfare. i. The Police Theory of Labour Welfare. ii. The Religious Theory of Labour Welfare. iii. The Philanthropic Theory of Welfare. iv. The Paternalistic or the Trusteeship Theory of Labour Welfare. v. The Placating Theory of Labour Welfare. vi. The Public Relationship Theory of Labour Welfare. vii. The Functional Theory of Labour Welfare. The Tea-Plantation Industry has to be brought under one Ominous Legislation and a separate committee with judicial power has to be formed to regularize it on the other hand the Government has to be allotted to conduct research, Training, Re-Plantation in this District. A separate Board has to be established for the Welfare of the workers and foreign helpful methods and comparison of the same has to be introduced with immediate effect.

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