To,
The Honourable Chief Minister
Govt of Assam

Sub: Regarding Land Acquisition of Doloo T.E. and Cabinet Decision thereon.

Ref: Cabinet Decision dated 29th May as revealed in your social media post.

Sir,

With reference to above, at the outset, we highlight the fact that you, in your Cabinet meeting, have taken cognizance of the plight of the workers of Doloo T.E. emerged due to the uprooting of 30 lakhs tea-bushes. Two of the clauses of the said Cabinet decision are directly pertaining to the effected workers who are apprehensive of losing jobs or the change of their job-character to more excruciating one than the present nature of work in the 2500 Bighas of plantation field which has been forcefully cleared. The existing balance between employer and the workers has been suddenly and drastically changed in favour of the owner employer. Such changes in favour of the owner employer demand Government intervention in favour of the workers. Though we are not averse to the idea of Government’s grant amount of Rs. one lakh to the workers from the Government, but we are of the opinion that the workers due compensation and rehabilitation must precede such grant of the Government. The legal obligations of the owner and administration to secure workers life and livelihood must be given primacy. In this regard, we would like to place here below the provision of the clause 9A and 9B of Industrial Dispute Act in verbatim for your ready reference.

ID Act, Clause 9A. Notice of change.-

No employer, who proposes to effect any change in the conditions of service applicable to any workman in respect of any matter specified in the Fourth Schedule, shall effect
such change,— (a) without giving to the workmen likely to be affected by such change a notice in the prescribed manner of the nature of the change proposed to be effected; or in the Official Gazette, apply.

ID ACT, Clause 9B. Power of Government to exempt.—

Where the appropriate Government is of opinion that the application of the provisions of section 9A to any class of industrial establishments or to any class of workmen employed in any industrial establishment affect the employers in relation thereto so prejudicially that such application may cause serious repercussion on the industry concerned and that public interest so requires, the appropriate Government may, by notification in the Official Gazette, direct that the provisions of the said section shall not apply or shall apply, subject to such conditions as may be specified in the notification, to that class of industrial establishments or to that class of workmen employed in any industrial establishment.

Asom Mojuri Shramik Union affiliated to NTUI (New Delhi) and the workers of Doloo T.E. are not aware of any such notices either from the Employer or from the Government. Moreover, concerned citizens have been raising the questions of environmental degradation and curtailment of workers’ rights due to destruction of greenery containing 30 lakhs tea-bushes and more than ten thousand shed trees. The social audit and environmental audit (EIA) to be conducted by expert central agencies is of paramount importance in this regard and mandatory by law.

Out of the two clauses as mentioned in the Cabinet decisions, it is stated in one clause that the workers (both permanent and casual) are entitled to get 10% of the total compensation received by the owner employer. But prior to the land transfer or acquisition, the first notice, final notice and Award notice are not available in the public domain. We approached the Cachar District administration to obtain the copy of such notices but could not find such notices and subsequently submitted RTI petition for the same. The detail of the compensation amount and the workers’ entitlement can only be
known to all concerned from this Award notification prior to land acquisition or transfer and this is stipulated as per law.

As per another clause, Cabinet decided to pay Rs. One lakh to each of the 1263 worker families. On the one hand, this number of families does not cover all the effected workers, both permanent and casual, and on the other hand, the proposals put forward by the workers in their two public hearings conducted at the behest of the District administration has not been taken into cognizance. As desired by the Administration, 2328 workers of the public hearings also submitted five point proposals in writing and this proposals need to be addressed adequately.

The two public hearings at Doloo T.E. at the behest of the Cachar District administration raised the issue of alternative land of 2500 bighas for new plantation of tea saplings. But workers opinion from public hearing has not been given due cognizance and no such land is now ready for the workers to work and thus the balance between total plantation area vis-a-vis production and the total number of workers has been shifted in a way to adversely impact the life and livelihood of the workers. The workers also proposed to give them a blue print on how the work will be allotted to all the workers, both permanent and casual, on every working-day. It is worth-mentioning here that the garden management is not providing works to all the workers, both permanent and casual, post-uprooting of 30 lakhs tea-bushes and thus violating the existing laws and their commitment. Both from the point of view of workers’ life and livelihood and the environmental aspect, this needs to be addressed first. The Social and Environmental Audit by concerned expert department and/or agency will reveal these aspects authentically and convincingly. The fulfillment of workers’ proposals from public hearing or ‘Gonosunani’ needs to be given priority. Otherwise, the goodwill gesture of the Government appears to be infructuous to the effected workers.

In addition to that, the workers raised their demand of Patta of the land. The tea-workers’ of Assam has been agitating since long for increase of their daily wage to a minimum
level of Rs. 351/- and Government’s goodwill would have been best authenticated had
the Government taken a cabinet decision in favour of such wage-revision for tea-workers.

We, therefore request you to look into the concerns of workers and citizens, and we are
hopeful that in addition to the goodwill move, your Government will ensure the due
process to address the proposals of public hearing or ‘Gonosunani’ and the concern of the
citizens.

Yours faithfully

MRINAL KANTI SHOME  BIPUL HAZARIKA  MANAS DAS
General Secretary  President  President
Asom Mojuri Shramik Union  Asom Mojuri Shramik Union  NTUI, Assam State Council

Copy to:
(1) Honourable Cabinet Minister of Civil Aviation, GoI, New Delhi.
(2) Deputy Commissioner, Cachar
(3) Asstt. Labour Commissioner, Silchar

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