

From: mahasweta sen [<mailto:mahasweta.sen@gmail.com>]
Sent: mercredi, 18. novembre 2009 18:08
To: sue.longley@iuf.org
Cc: iuf@iuf.org
Subject: APPL's response

18th November, 2009.

Dear Ms Longley,

We are writing with regard to the article "Ethical? Tetley's Tata Tea Starving Indian Tea Workers into Submission" that has been posted on your website since 12th November 2009.

At the onset we would like to underline that all Tata Companies are governed by the Tata Code of Conduct. Decades before socially responsible corporate activity became the byword in industry circles, Tata companies were following the letter and spirit of the rules that define ethical business behaviour.

Nowera Nuddy Tea Estate is independently managed by Amalgamated Plantation Pvt Ltd. (APPL). Tata Tea is a majority shareholder of the business. APPL follows a strict ethical code in conducting its business and relation with workers. The estate has two recognized unions with whom APPL works closely.

It might be of some help to your perspective on the situation to return to the incident which sparked the current situation at the plantation. By way of a background, it is important to establish that there are two long-established and legally recognized trade unions in place at the plantation who work closely with the management on all employment related issues.

The employee who found himself at the centre of a rapidly developing and potentially life-threatening situation was Dr.R.K.Ratan Singh, a Medical Officer for the Nowera Nuddy Estate that provides free medical care to all employees, dependents and local residents. He has lodged a FIR (a formal complaint) with the local police for his sustained physical assault by members of Akhil Bhartiya Adivasi Vikas Parishad (ABAVP).

Dr Singh has set out all of the incidents related to his experience both in the FIR and in a letter to the Estate Manager. We have attached a copy of his letter with this note. The text is clear and harrowing. It points to a radically different version of events to those being put forward by other interested parties.

You must, of course, form your own opinion on this situation. It is clear that there are many different points of view depending on the positions of the different parties involved. However it is incontrovertible that the activist group threatened, robbed and physically beat the Doctor while he was attempting to fulfill his duty of care.

It is also fairly clear that the activist group is attempting to undermine the position of the existing legally recognized trade unions on the estate. There are multiple statements to the fact that later in the day of the events reported by the doctor, the two Trade Union flags that fly over the estate were torn down by members of the activist group.

In the light of such potentially life-threatening circumstances to an employee, whose only intention was to provide medical care and attention, APPL has temporarily closed down operations at the Nowera Nuddy Tea Estate in the interests of protecting all its employees from physical violence.

APPL is in touch with the authorized unions and the West Bengal Government to find a

speedy resolution to the issue and the peaceful well being of all the estate employees is foremost in its considerations. Tripartite discussions are continuing.

On a final point of information, all tea grown at the Nowera Nuddy Tea Estate is sold for use in Tata Tea brands. Contrary to inaccurate reporting none of this tea is used for the Tetley brand.

In light of the facts put before you we would be grateful if you could remove the abovementioned article from your website.

We look forward to a positive response from IUF.

Sincerely yours

Mahasweta Sent
on behalf of
Amalgamated Plantation Pvt Ltd

The Manager
Nowera Nuddy Tea Estate

Sir,

On 10th Aug 2009 at around 8.30 am while I was on duty in the Newra Nuddy Tea Estate hospital ,I got a call from the Manager of the Estate that he has been reported that a female worker by name of Mrs.Arati Oraon seems to have developed some medical problems due to pregnancy in the garden and he asked me whether she reported to the hospital before she went for plucking . I said I am aware of this said worker's case but her date of delivery is due sometime after 2 months and she did not report to the hospital before she went for plucking on that particular day and even she has not been attending the pre-natal clinics on regular basis.

Suddenly I realized that a mob comprising of about 600 workers and non-workers approaching the hospital and they started shouting and hurling abuses on me saying that why Mrs.Arati Oraon was not given maternity leave and now she has delivered a baby in the garden. I kept saying that it is not possible because she is only 30 weeks pregnant and I kept requesting to get the patient to the hospital so that I can examine her.

At that very moment garden executive Mr.Surojit Goswami arrived and pacified the mob and arranged to get the said patient to the hospital .On examining Arati Oraon , nothing abnormal was found either with the mother or the fetus and the fact was that she had not given birth to any child. She verbally also confirmed that she is okay and it is just that she was feeling weak – after which she was administered Intra Venous Saline Drip.

And when I was writing the prescription for her and also explaining the mob regarding the norms of maternity benefits (which is 6 weeks before and 6 weeks after delivery) and showed them the records of Arati Oraon's irregularities in attending the clinics and hospital - they tried to snatch away and destroy these medical records and the mob surrounded me and I was dragged out by 2 male workers namely Kishore (father of Mrs.Arati Oraon) and Sudhir and few non-workers and then they along with the other workers assembled there , started manhandling me. I was kicked , boxed and was hit with stones , bricks and umbrellas by them

– which continued for about 15 minutes till I became semi-conscious. Meanwhile they robbed me off my belongings like my wallet , gold chain and gold ring .Eventually I was bailed out by Health Assistant and was taken back to my chamber. I was bleeding profusely but the mob did not allow First-Aid to me for stopping the bleeding or any basic medical treatment to me till 9 pm – for almost about 12 hours. I was having tremendous pain in my chest (as I am a cardiac patient) and the wounds but was not even allowed to have even a glass of water. My food was thrown away by the workers and they kept guarding my chamber and kept hurling abuses on me. Mr.Goswami repeatedly requested the mob to allow medical treatment to me but they did not pay any heed to the requests whereas Mrs.Arati Oraon was sent to a nearby hospital – who actually did not require any medical attention at that moment of time. No executive or medical staff was allowed to come close to me – only my wife forced her way through the crowd and was with me but without being of much help medically.

At 9 pm I was bailed out by Police along with the garden management and was rushed to a nursing home for immediate treatment.

The mob instrumental in this whole incident belong to an NGO called Akhil Bhartiya Adivasi Vikas Parishad (ABAVP). This is an upcoming organization which wants to establish themselves by showing total disregard towards the trade union , management and law and order and stooping down to illegal activities .They also physically manhandled the established operating trade union leaders of the garden and have tried to overthrow the recognized trade unions of the garden.

The whole incident has left me under a tremendous mental agony .I failed to understand that this is what a medical practitioner has to undergo for being working honestly and ethically ?!

Even now I am continuously getting life threat from unknown people from the tea estate saying that if any action is initiated against any one , me and my family will bear the consequences .I am also losing faith on the local and district administration as they have failed to arrest the perpetrators or take any action against them in spite of repeated requests and 2 F.I.Rs being lodged .I am apprehensive about my own and my family's safety.

It has been a well known practice in the garden that any grievance is addressed appropriately by grievance redressal procedure which is a fully established fact in the tea industry and also in the garden .Such spurt of violence on an issue which could have been easily sorted out by the unions and the management , were totally flouted and by demonstrating the mob mentality ,these anti social elements – having allegiance to ABAVP - took the law in their own hands.

I sincerely hope that good sense would prevail in the mind of the workers and they would realize the truth rather than getting misguided.

I also hope that district administration would now at least initiate action against the culprits so that law and order is restored in the tea estate.

Regards.

Dr.R.K.Ratan Singh
Reg.No.49862
Medical Officer
Newra Nuddy Tea Estate