

# **TEXTILE LABOUR IN BOMBAY**

## **MEMORANDUM**

SUBMITTED TO THE

**ROYAL COMMISSION ON LABOUR**

BY THE

**Bombay Textile Labour Union**

1930

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## TABLE OF CONTENTS

				PAGE.
INTRODUCTION ... ..				1-2
<b>CHAPTER I—RECRUITMENT</b>				
PARAS.				
1-3	<i>Origin of Labour</i>	... ..		3-5
1	Extent of Migration	... ..		3
2	Causes of Migration	... ..		3
3	Changes in recent years	... ..		5
4.	<i>Contact with Villages</i>	... ..		5-6
4	Extent and Frequency of Return	... ..		5
5-15	<i>Methods of Recruitment</i>	... ..		6-14
5	Existing Method	... ..		6
6	Present Position	... ..		6
7-9	Evils of the System	... ..		7
10-11	Powers of the Jobber	... ..		9
12	Tariff Board and Millowners	... ..		11
13	Possible Improvement	... ..		13
14-15	Public Employment Agencies	... ..		13
16-17	<i>Extent and Effects of Disturbance of Family Life</i>	... ..		14-15
18-29	<i>Unemployment ...</i>	... ..		15-23
19	Extent	... ..		15
20	Retrenchment	... ..		16
21	Rationalisation	... ..		17
22-23	Under-employment	... ..		18
24	Possible Methods of Alleviating and Remedying Distress	... ..		19
25-27	Unemployment Insurance	... ..		20
25	Fawcett Committee's View	... ..		20
28-29	International Unemployment Convention	... ..		23
30-33	<i>Labour Turnover</i>	... ..		24-26
30	Average Duration of Employment	... ..		24
31	Extent of Casual Employment	... ..		24
32-33	Absenteeism	... ..		24
<b>CHAPTER II—STAFF ORGANISATION</b>				
34	Managing Agency System	... ..		27
35	<i>Selection of Managing Staff</i>	... ..		27-28
36-37	<i>Recruitment and Training of Supervising Staff</i>	... ..		28-29
36	Recruitment	... ..		28
37	Training	... ..		28

PARAS.		PAGE.
38-49	<i>Relations between Staff and Rank and File</i> ...	29-43
38	Relations generally ...	29
39	Value and Defects of Employing Jobbers ..	30
40	Works Committees ...	30
41	Works Councils and Industrial Councils ...	31
42	Whitley Scheme ...	32
43-44	Bombay Conditions Examined ...	35
45	Trade Boards ...	36
46	German Works Councils ...	37
47	Provision against Dismissals ...	39
48-49	German Councils and Trade Unions ...	41

### CHAPTER III—HOUSING

50	<i>Extent to which Housing is Provided</i> ...	44-45
50	(A) By Employers ...	44
50	(B) By Government or other Public Agency ...	44
50	(C) By Private Landlords ...	44
50	(D) By Workers ...	45
51-55	<i>Nature of Accommodation</i> ...	45-53
51	Prof. Burnett-Hurst on Housing ...	45
51	Lady Doctor's Experience ...	48
52	Mr. Tom Shaw's View ...	49
53	British T. U. O. Delegation's Opinion ...	50
54	Provision for Lighting, etc., ...	53
55	Rent Rates ...	53
56-58	<i>Special Housing Problems</i> ...	54-55
56	Sub-letting ...	54
57	Occupation of Employers' Houses by Non-textile Tenants and Evictions ...	54
58	Necessity of Housing under Public Control ...	54

### CHAPTER IV—HEALTH

59-67	<i>General Health Conditions of Workers</i> ...	56-61
60	Figures of Mortality ...	56
61	Birth Rate and Infant Mortality ...	57
62	Working Conditions at Work Places ...	58
63	—And at Home ...	59
64	Dietary ...	59
65	Physique ...	60
66	Effects of Disturbance of Sex Ratio... ..	60
67	Relation between Housing and Mortality ...	61

PARAS.		PAGE.
68-70	<i>Extent of Medical Facilities</i> ... ..	61-62
68	Provided by Employers ... ..	61
68	"    by Government ... ..	61
68	"    by other Agencies ... ..	61
69	Provision for Women Doctors, Midwives or Dais ... ..	61
70	Utilization of Medical Facilities ... ..	61
71-75	<i>Sanitary Arrangements</i> ... ..	62-64
71	Latrines ... ..	62
72	Drinking Water ... ..	62
73	Bathing and Washing ... ..	63
74	Official Supervision ... ..	63
75	Temperature and Humidification ... ..	63
76-77	<i>Disease</i> ... ..	64
76	Industrial Diseases ... ..	64
77	Cholera, Malaria, etc. ... ..	64
78-85	<i>Sickness Insurance</i> ... ..	64-72
78	International Labour Convention ... ..	64
79	Introduction of Other Systems ... ..	65
80	Voluntary and Compulsory Insurance ... ..	67
81-82	Contributory or Non-contributory Basis ... ..	68
83	Benefits ... ..	70
84-85	How to Meet Difficulties? ... ..	71
86-88	<i>Maternity Benefits</i> ... ..	72-73
86	Existing Schemes ... ..	72
87	History of Legislation ... ..	72
88	Possibility of Legislation ... ..	73

CHAPTER V—WELFARE

89	Utilization of Workers' Spare Time ... ..	74
90	Refreshments, shelters and Crèches ... ..	74
91	Results Achieved ... ..	74
92	Educational Facilities ... ..	75
93	Provision for Old Age and Premature Retirement ... ..	75
94	Co-operation and Welfare Fund ... ..	76

CHAPTER VI—EDUCATION

95	—of Children not in Employment ... ..	77
96	—of Children in Factories ... ..	77
97	—of Adults ... ..	77
98	Illiteracy—a Menace ... ..	78
99	Education and Standard of Living ... ..	78

PARAS.		PAGE.
<b>CHAPTER VII—WORKMEN'S COMPENSATION</b>		
100-102	General .. ...	79
✓ 103-104	Compensation under Common Law ...	79
✓ 105-106	Employers' Liability Act ...	80
107	Accidents due to alleged Workers' Negligence ...	82
108	Extension of the Act ...	83
109	An Alternative ...	84
110	Hazardous Industries ...	84
111-112	Case of Seamen ...	84
113	Compulsory Insurance... ..	85
114	Commissioner's Discretion ...	85
✓ 115-116	Scales of Compensation ...	85
✓ 117	Fatal Accidents ...	86
118	Alternative Proposals... ..	86
119-122	Waiting Period ...	86
123	Dependents ...	88
124	Contractor's Responsibility ...	88
125	Penalty for Failure to Submit Returns ...	89
✓ 126-127	Dependents' Right to approach Commissioner ...	89
128	Period of Appeal ...	90
129	Evidence for Fatal Accidents ...	90
	Appendix ...	91
<b>CHAPTER VIII—HOURS</b>		
130-132	<i>Hours Worked per week and per day</i> ...	93-94
130	Normal Daily and Weekly Hours ...	93
131	Exceptions ...	93
132	Days worked per week ...	94
133-134	<i>Effect of Daily and Weekly Hours Restriction</i> ...	94-96
133	—On Workers ...	94
134	—On Industry ...	94
135-140	<i>Possibility of Reduction in Maxima</i> ...	96-103
135	Reduction—a Necessity ...	96
136	—And a Possibility ...	97
136	Output Not Affected ...	97
137	Stabilization of output ...	99
137	How to effect stabilization? ...	99
138	Effects on costs ...	100
139	Other Effects of Reduced Hours ...	102
140	Conclusion ...	103
141-145	<i>The Interval</i> ...	103-105
141	Existing Practice ...	103

PARAS.		PAGE.
141	Tariff Board's Proposal ... ..	103
142	Fawcett Committee's View ... ..	104
143	Three Recesses Necessary ... ..	104
144	Holidays ... ..	105
145	Day of Rest ... ..	105
<b>CHAPTER IX—WOMEN AND CHILDREN</b>		
146-148	<i>Women...</i> ... ..	106
146	Working Period ... ..	106
147	Maternity Leave ... ..	106
148	Crèche ... ..	106
149	<i>Children...</i> ... ..	106-107
149	Working and Rest Periods ... ..	106
150	<i>Training of Young Adults</i> ... ..	107
150	No Facilities ... ..	107
151	<i>Single &amp; Double Shifts</i> ... ..	107-109
152	<i>Work in Factoriss not subject to Act</i> ... ..	109
<b>CHAPTER X—WAGES</b>		
153-156	<i>Labour Office Enquiries</i> ... ..	110-112
153	Defects in Previous Enquiries... ..	110
154-155	1926 Enquiry ... ..	111
156	Rates and wages ... ..	112
157-158	<i>Remittances to Villages</i> ... ..	113-114
157	Erroneous Impression ... ..	113
158	Dr. Mann's View ... ..	114
159	<i>Method of Fixing wages</i> ... ..	115-118
159	No Method ... ..	115
160	<i>Standardization</i> ... ..	118
160	Workers' Demand... ..	118
161-170	<i>Minimum Wages</i> ... ..	118-123
161	Geneva Convention ... ..	118
162	Alleged Difficulties in adopting the Convention ... ..	119
163	Difficulties not insuperable ... ..	119
164	Basis for a Minimum wage ... ..	120
165	Condition of the Industry ... ..	120
166	Rs 30—a Minimum Wage ... ..	121
167-169	Basis for Rs. 30 ... ..	121
170	Machinery ... ..	122
171	<i>Deductions</i> ... ..	123
172	<i>Periods of Wage Payments</i> ... ..	123-126

PARA.		PAGE.
173	<i>Indebtedness</i> ... ..	126
174-175	<i>Leave</i> ... ..	126-127
174	Without pay ... ..	126
175	With pay ... ..	127
176	<i>Fair Wages Clause</i> ... ..	127
<b>CHAPTEER XI—WORKERS' EFFICIENCY</b>		
177	An Improvement ... ..	128
178	Comparison ... ..	128
179	Efficiency of Management ... ..	129
<b>CHAPTER XII—TRADE COMBINATIONS</b>		
180	Extent ... ..	130
181	Effect ... ..	131
182	Benefits to Members ... ..	131
183	History ... ..	131
184-187	<i>Employers' Attitude</i> ... ..	132-135
184-185	Hostility ... ..	132
186	Organisation of Company Unions ... ..	133
187	Attitude towards Labour Legislation ... ..	134
188	<i>Trade Unions Act</i> ... ..	135
189-191	<i>Miscellaneous Questions</i> ... ..	135-136
189-190	Methods of Negotiations ... ..	135
191	Results of Non-cooperation ... ..	136
<b>CHAPTER XIII—INDUSTRIAL DISPUTES</b>		
192	Avoidable Strikes ... ..	137
193	Trade Disputes Act ... ..	137
194-195	Government Attitude ... ..	137
<b>CHAPTER XIV—MASTER AND SERVANT</b>		
196	Repeal of Madras Planters Act ... ..	139
<b>CHAPTER XV—ADMINISTRATION</b>		
197	<i>Legislatures</i> ... ..	139-140
197	Attitude ... ..	139
198	<i>Relations between Central and Provincial Governments</i> ... ..	140
199	<i>British India and Indian States</i> ... ..	140
<b>CHAPTER XVI—INTELLIGENCE</b>		
200	Inadequate Statistics ... ..	140

#### APPENDICES

Appendix A.—Reduction in the number of workers in a mill put on the Efficiency System ... ..	i
Appendix B.—Resolutions on Rationalisation passed by the World Economic Conference at Geneva, May 1929 ... ..	vii



## INTRODUCTION

The textile industry in Bombay and other parts of India formed, in 1926, a subject of investigation by the Indian (Textile) Tariff Board which were asked, *inter alia*, to report whether the industry was in need of protection, demanded by the Bombay and Ahmedabad Millowners' Associations. During the course of that investigation, the conditions of the textile workers received some attention at the hands of the Board; but owing to the emphasis of their terms of reference being more on the financial side of the industry than on labour conditions, the Board's consideration of the latter could not but be limited. However, the recommendations made by them to improve some of the labour conditions have their value and can not be lost sight of in any future enquiry. Again, the Bombay Strike Enquiry Committee presided over by the Hon'ble Sir Charles Fawcett, went deeper into some of the important questions such as the Standardization of Wages, Standing Orders and "Seventeen Demands" of the workers and made recommendations some of which, if adopted and carried into effect, both in the letter and in the spirit, by the Bombay millowners, are likely to change for the better some of the existing conditions. The Fawcett Committee were also bound down by their terms of reference and could not deal with many other equally important problems. The list of subjects prepared by the Chairman of the Royal Commission, covers practically the whole field of labour conditions; and in dealing with it no apology from the Bombay Textile Labour Union is, it is hoped, necessary either for the somewhat exhaustive character of its Memorandum or for its drawing upon, with the object of making the Memorandum by itself as full as possible, the Tariff Board and Fawcett Committee Reports and other important publications.

The Memorandum follows very closely the arrangement in the Schedule of Subjects sent out to the Union by the Joint Secretary to the Commission. An attempt is made to confine the Memorandum, as far as possible, to the subjects relating to the textile workers and to refrain from giving statistical information which can be obtained by reference to Government and semi-Government publications. A few tables have been given only for the purpose of emphasising some of the points the Memorandum tries to lay stress on. The Union should have liked to deal in detail with some of the subjects which will be found to have been dealt with rather briefly and touch such others as, though relating to the textile industry, are not touched at all; but it could not do so, not

because it considered them of comparatively minor importance, but either because the time at its disposal was too short to do adequate justice to them or because it had not the necessary material at its disposal. The Union has not endeavoured to go into the financial aspects of the many remedial measures which it has either supported or proposed in its Memorandum. The task it has assigned to itself is to present the workers' grievances and suggest, as far as possible, suitable remedies.

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## CHAPTER I—RECRUITMENT

### ORIGIN OF LABOUR

1. Bombay was a comparatively small fishing village when the seeds of the textile industry were sown in her soil in 1854. Labour, therefore, had to be recruited from outside. In the earlier period of the growth of the industry, the workers came to Bombay according to the requirements of the industry and, from that point of view, the extent of migration during that period could be said to be almost hundred per cent. It was in this period that a large number of Mussalmans came to Bombay from Upper India and took to the textile industry, mostly, as weavers. Their number gradually increased and now stands at, it is calculated, roughly between 15,000 to 20,000. They are now settled down in Bombay and form her permanent population. In the case of the other workers, mostly Hindus, who came here from other parts of the Bombay Presidency, excluding Gujerat and Sind, in varying proportions, it can be said that a large number of them now form permanent population of this city with periodical visits to their villages.

2. The obvious cause for the migration of the Mussalmans from Upper India seems to be that, in the textile industry of Bombay, they got a new field to continue their hereditary occupation. They were all born weavers working in the hand loom industry. Either because of a setback which the hand loom industry seemed to have received about the time the textile industry began to grow in Bombay and elsewhere, or because of its ceasing to continue to be sufficiently remunerative, the workers must have felt that, instead of exploring other avenues of employment in which they had never worked before, it would be profitable to migrate to Bombay and prefer the textile industry. So far as the workers migrated from other parts of this Presidency were concerned, the changing character of the village life seems to be the primary cause of their migration. In his book, "Land and Labour in a Deccan Village", Study No. 2, Dr. Harold H. Mann, late Director of Agriculture, Bombay Presidency, emphasises this point thus:—

"The precariousness of the agricultural returns as a result of the very variable character of the rainfall in this part of the Deccan is the primary feature that must be noticed. In a sense that hardly applies anywhere else in India, the life of the people here is 'a gamble in rain.' If a good season does come, in spite of everything the people do fairly well, from their own standard. But good

seasons only occur about two to four times in ten years, or nine times out of the last twenty-four, and an average year seems (if our investigations and calculations give anything like a true picture of the village life), to leave the village under-fed, more in debt than ever, and apparently less capable than ever of obtaining, with the present population and the present methods of cultivation, a real economic independence. This state of things is emphasised by the recent increase in prices."

"As a result of this economic stress, there has here been a general exit to Bombay and other large centres for work, without those who go in any way severing their connection with the village." (pp. 158-59).

At another place in the same book, Dr. Mann observes :—

"The people of this village have been in the habit of going to Bombay for work for the last twenty or twenty-five years, from the accounts given to us by the villagers. At the time of our enquiry nine families (out of the total number of 147) belonging to the village were away in Bombay, and about eleven others whose families were not away, had gone to Bombay or Poona.....From the families recorded as belonging to the village, nearly 200 people (out of the total of 736)—men, women and children—were away in Bombay before 1916. Many of these used to go for part of the year—four to eight months—while a few settled in Bombay more or less permanently, only paying an occasional visit to their old home." (pp. 110-111).

It will thus be seen that the changing economic character of the village was largely responsible for the migration of the villagers to the industrial towns like Bombay. It should not, however, be supposed that this migration relieved the workers of their economic distress to a great extent. "The actual advantage", says Dr. Mann in the book quoted above, "to the village (by migration) in reducing the pressure on the land is great, but there appears to be considerable doubt as to whether it receives very much actual direct financial advantage." (page 159). Added to this economic aspect of the question, there were the allurements and inducements held out before the villagers by the recruiters sent out to the villages by the pioneers of the Bombay mill industry. The cities always present some glittering features of life which the villages do not possess; and when they are presented to the ignorant masses in a highly coloured fashion without their dark side, it is only natural that they should lure the economically affected people.

3. The only change in recent years is, as far as can be observed, towards the direction of settling down in Bombay. The economic condition of the villages continues to be as before and the Bombay mill industry has considerably developed during the last two decades. It is, therefore, natural that the workers should show a tendency to stick on, as far as possible, to the industry in which they are engaged. As far as could be ascertained from the individual complaints received by the Union, it can be said that a very large majority of the complainants had been and have been engaged in the textile industry for a period extending from five to twenty-five years.

#### CONTACT WITH VILLAGES.

4. It is admitted that the workmen go to their villages periodically either to see their relatives, or to look after their land or to recoup their health. In this sense it may be said that they have maintained their contact with the villages just as the middle and higher classes have maintained their contact with their towns or villages by paying periodical visits to them or the members of the European community have done by going Home at stated intervals. But a consistent and persistent endeavour has been made by the employers to spread an impression in the public that the Bombay labour is migratory and in support of this statement they point out to the frequency of the workers' visits to the villages. The Union has in the past challenged this statement and does so even today: If by occasional visits the Bombay labour becomes migratory, practically the whole of the population in this city will have to be brought under that category. Such visits take place, in the case of some, once a year, in the case of others, once in two or three years and in the case of some Mussalman weavers from Upper India, once in five or even more years. This is, of course, an inference drawn from such contact as the Union has had with the workers since the beginning of 1926. On the other hand, "there is very little possibility of contact between workers and Mill-owners" (Report of the Court of Enquiry, 1929, Bombay, page 38, paragraph 86); and yet, without any such contact, the latter have been, in season and out of season, repeating their parrot cry that Bombay labour is migratory. What is still more unfortunate is that even Government join in this cry and mislead the public. If the frequency of the workers' visits to the villages had been so great as is alleged to be, the mills should have experienced some shortage of labour. But a reference to the files of the Bombay "Labour Gazette" since 1921 shows that there is no such shortage ever experienced in the Bombay mills even during the

monsoon time when the exodus of the workers is supposed to be great. The Union, therefore, believes that a vast majority of the textile labour in Bombay is more or less permanent and cannot be called migratory.

#### METHODS OF RECRUITMENT.

5. There is only one method of recruitment of labour in the Bombay textile industry and that is through the head-jobbers and jobbers. There are no special qualifications which entitle these men to do the work of recruitment except perhaps the fact that they save the trouble of the millowners of doing their legitimate work. Their educational or technical qualifications are just as good or just as bad as those of the workers who work under them. The length of their employment in the mills may be considered a factor in their favour; but there are many workers whose length of employment can be compared very favourably with theirs. In the early stage of the growth of the industry when adequate labour force was not available, this agency of the head-jobbers and jobbers might have been helpful to the millowners in getting their labour. In those days it might have been perhaps necessary to invest these men with some authority so as to enable them to keep their men sufficiently long in Bombay. The people so recruited used to work, as far as possible, under those who recruited them and live together in the same or neighbouring locality and in this way the village ties used to be maintained in a large measure. Almost every one of these facilities or advantages derived from the system of recruitment through head-jobbers and jobbers has now practically disappeared; and yet the system continues merrily to the detriment not only of the operatives but of the industry as a whole.

6. The chief duty of the headjobbers and jobbers under this system was to go to the villages and recruit labour. This they are not required to do now. Scarcity of labour there is none; if anything, there is superfluity of it. None has heard in recent years of the head-jobbers and jobbers having gone out of Bombay in normal times for the purpose of bringing labour. In times of strikes these men are seen running about from locality to locality in the city to find out labour to break the strikes; and on some occasions some of them or their agents are reported to have gone, or sent false telegrams, to the villages asking men to come back or trying to get new recruits. And yet, the strikes have taken place in the past, continued much longer than expected even by the workers and many times fought successfully. It will thus be seen that (1) in normal times the head-jobbers and jobbers are not required to recruit labour by going to the villages; (2) in times of strikes they play the role of strike-

breakers by dividing the ranks of the workers; and (3) their influence has completely disappeared in so far it used occasionally to do some good to the workers. It may also be stated that the old days of the head-jobbers and jobbers employing their villagers in the same mills and living together in the same locality have, in a majority of cases, gone and with the knowledge they have acquired of the industry and the wages, the workers go wherever they get suitable employment in the mill industry.

7. This system of recruitment through the head-jobbers and jobbers has introduced, developed and perpetuated such evils in the industry that they have proved to be a menace of a very serious character. It has also contributed very materially to the growing discontent among the operatives. It is notorious that several head-jobbers, jobbers and the women over-seers called the "*naikins*," in the winding and reeling departments, receive bribes or *dasturi* from the operatives at the time of their employment and even during the continuance of their service. The rate of the *dasturi* varies generally from Rs. 1 to Rs. 5 and sometimes the *dasturi* takes the form of providing wine or monetary assistance to the head-jobber and jobber. Mr. S. M. Rutnagar, in his book, "Bombay Industries: The Cotton Mills," published in 1927, says as follows on pages 319-322 :—

"As a matter of fact some of the labour leaders have recently been openly pointing not only to their own difficulties with the work-people but to the waning influence of the mill jobbers and *naikins* over the male and female workers who have learnt to protest against the blackmail and bribery levied by the former not only for securing a job but also for maintaining it. The earnings of the jobber and the *naikin* (female supervisor) may be three or four times in excess of the pay of the individual male or female workers and yet the latter have to submit more or less to the extortions of the former for fear of dismissal or fines. Thus the new arrival from up-country has by no means an easy entry in the mill as a paid hand. He has of course to learn and act as a *badli* or substitute or a mere helper to a friend or relation in the department. In the first place he will have to pay the jobber on admission and then the Time Keeper or Muster Clerk who keeps him in suspense till he pays him for his "trouble" in entering his name on the *badli* or substitute register. The probationer will thus be in debt before he can be sure of regular employment and soon realises the difficulty and time required in getting the big wage in the mill compared with his meagre earnings in the village."

These admissions are of special significance in view of the fact that they come from a gentleman who, in his book at any rate, has not shown himself to be a sympathiser of labour; if any thing, he has shown a bias in favour of the employers.

8. The Commission may realise how difficult it is to detect and prove such cases of bribery and corruption. So long as the worker is in the employment of the mills, he dares not, for fear of losing the job, come forward and say openly that he has been paying bribes to a jobber. After dismissal, he finds himself unable to secure witnesses to prove his case as those witnesses still continue to work in the mills. In spite of these difficulties, the Union got a few cases of bribery and brought them to the notice of the management concerned; but the latter declined to do anything in the matter. The following extract from the first annual report of the Union for the year 1926, speaks for itself:—

“During the period under report the Union received a few complaints about the receipt of *dasturi* from the Jam mills. After making thorough enquiries into the matter, the Union was convinced that the complaints were genuine and placed all the information received by it before the Manager and the Agents of that mill. In the presence of the Manager and the Weaving Master, the winders admitted that they were paying *dasturi* to their *naikin*. But the Management of the Jam Mills refused to take notice of the evidence placed before them and to set the matter right.” (page 16).

On the other hand, the Agent told the Union quite bluntly that such practice of taking bribes prevailed in all the mills and that, if he were to take notice of it and adopt measures to stop it, he would soon require to close down his mill! In 1927, the Agents of another mill used to receive a number of anonymous letters from their workers about the practice of the jobbers and head-jobbers taking bribes from the workers. Here is an extract from the Union's report for that year:—

“They (the Agents) took the help of the Union, asked it to make investigation and promised to deal with the corrupt people in a way which might lead to the discontinuance of this bad practice. The Union made very detailed and minute enquiries, engaged a special investigator for this work and placed before the Agents the facts as found out. The Agents were satisfied with the investigation and immediately discharged a *naikin* (head woman), one or two jobbers and gave severe warnings to others against whom the Union had found some evidence.” (page 20).



In 1928, the Union received three complaints of bribery and corruption ; but it had to drop them as the complainants did not think it safe to proceed with them, as they had become very eager for work after six months' stoppage of the mills.

9. This system of recruitment gives rise to favouritism and harrassment. The head-jobbers and jobbers being in sole charge of their departments, the distribution of piece work is entirely in their hands. To supply good and enough yarn to those who give illegal gratifications and to give them better machines to work upon, are a common feature in the working of the mills. The temporary vacancies in higher posts such as line-or doffer jobbers are generally filled in by those who by illegal means swell the pockets of the head-jobbers and jobbers. Such grievances are always narrated in the mill and centre committees of the Union. As regards the harrassment, the following passage from Mr. Rutnagur's book, referred to above, illustrates the point without any further comment :—

“The Lancashire managers and their Parsee assistants found the jobbers useful in extracting the work from the mill hands who would put up meekly with the threats and abuses of the jobber who was familiar with their vagaries and skulking habits. They would also submit to the corporal punishment which the jobbers had to resort to with the more troublesome of the work people who did not mind being useful to him by massaging his body and limbs in a corner of the factory and giving him other relief when he was indisposed. Thus the jobber proved useful to the mill-owner not only in keeping the machinery in working order but in extracting work from the operatives and in maintaining the production up to the required standard.” ( page 326 ).

It may be noted here that the wages of the head-jobbers and jobbers are, in a majority of cases, calculated on the amount of production in their departments; and they have to, therefore, in their own self-interest, as they generally do, squeeze out as much work out of the operatives as they can, without any consideration to the quality of the material supplied to them. The Union has received innumerable complaints of bad raw material and harrassment of the head-jobbers and jobbers for obtaining the required production.

10. Coupled with this system of recruitment, are the powers of the head jobbers and jobbers which still farther reduce the operatives almost to the condition of the slaves. The powers of dismissals, fines, grant of leave, engagement of *badlis* or substitutes, though *now* supposed to be exercisable by

Powers of the  
Jobber.

departmental heads, are in practice exercised by the head-jobbers and jobbers and are, in many cases, abused by them with the result that inefficiency in the industry has increased, stability of employment, so essential even for the smooth working of the factories, is absent and the accumulation of discontent is a normal feature. An efficient worker is conscious of his ability and does not always countenance the frowns of the head-jobbers and jobbers and is more often than not reluctant to give illegal gratification; while an inefficient worker cannot hope to get, and continue in, employment without keeping the head-jobbers and jobbers contented, which he can do only by means of satisfying their wants by illegal means. The former class of men are thus under a perpetual risk of receiving all sorts of punishments from the supply of inferior or inadequate raw material down to the dismissal while the latter class goes on merrily with the unhealthy support of its superiors, always adding to the general inefficiency of the industry. The experience of the Union is that among the workers there are often two camps—one pro-jobber and the other anti-jobber—fighting against each other and occasionally going to law courts and adding to the litigation.

11. It is pointed out above that in normal times the labour is plentiful and that the head-jobbers and jobbers are not required to do the work of recruitment which is supposed to be their main job. During abnormal times when a strike is threatened or has actually taken place, they are a source of mischief to the employers as well as to the workers. To the former they hold out false hopes that there would not be a strike and, if one had taken place, they mislead the owners by saying that it would end very soon. Among the latter they do the work of creating divisions and breaking up their solidarity. The following two cases are typical of the extent to which these people are capable of going in playing their mischievous game. In one of the mills where the Union had good membership, it declared a strike recently over the wrongful dismissal of a worker after going through all the stages of negotiations which lasted for full three months. This period of three months was utilised by a head-jobber and an assistant time-keeper in that mill with the help of a few of their men, not necessarily connected with the mill, in sowing the seeds of disunity among the ranks of the workers to such an extent that towards the end of that period the workers practically ceased to attend the Union's propaganda meetings. Between the forty hours' period that passed between the time when the strike notice was given to the mill and the time when the strike was actually declared, their propaganda with adequate financial backing became so oppressive to the workers that even those of the Union's committee members who had voted in favour of the strike, had to go to the mills in spite of the

picketing by the Union officials. In another mill, the workers declared a strike on the summary dismissal of about half a dozen workers and discharging about 100 men on the ground that there was no work for them. The mill immediately declared a lock-out. During the few weeks that followed, the head-jobber of the mill worked his mischievous plans so well that he created a division in the ranks of the workers who were all on strike and most of whom were Union men and made them go back to the mills on reduced wages—the reduction being on an average above 10 per cent. After the mill restarted, the head-jobber took care not to re-engage those whom he considered to be prominent Union men in spite of the definite instructions of the Agents that men should not be refused employment on the ground that they were Union men. He thus succeeded in shutting out most of the important Union men and filling the mill with his own “safe” men without any consideration to their efficiency or otherwise. One can easily realise the serious effects of such sinister propaganda of the head-jobbers and jobbers not only on the organisation of the workers but on the industry as a whole.

12. In paragraph 63, pages 138-39, of their report, the Indian (Textile) Tariff Board have drawn the attention of the Government, the millowners and the public to the existing system of recruitment and its abuses and recommended that all labour should be engaged directly by the officer of the mill in charge of the department which required it or by a responsible officer. The Union also desires to draw the attention of the Commission to the oral evidence on this subject of recruitment of the representatives of the Bombay Millowners' Association which appears on pages 347-352 of Volume II of the Board's report and the Commission will come to know the warmth and vigour with which the representatives of the Association supported the existing system of recruitment. As against that oral evidence the Commission should, the Union further suggests, place paragraph 7 of the Millowners' Association's reply, dated 10th of January 1928, to the letter of the Collector of Bombay, dated 4th October 1927, in which the latter had asked for a report of the action taken by the millowners in respect of the recommendations contained in paras 59-71 of the report of the Indian Tariff Board, and then compare the statements contained in the two. This reply appears as Appendix Y to the statement submitted to the Strike Enquiry (Fawcett) Committee by the Bombay Millowner's Association, pages 65-74. Its paragraph 7 runs as follows:—

“7. Para 63:—A special enquiry has been made by the Association since the publication of the Tariff Board report with a

view to ascertaining the exact practice in regard to recruitment of labour and the results definitely prove that the practice of direct recruitment is making rapid strides throughout the Bombay Mill industry and this movement is receiving every encouragement from the Association and from the management of individual mills..... The enquiry just completed has shown that so far as the daily replacement of absentees is concerned, operatives as a rule are not finally engaged by the jobber. They may, it is true, be brought to the mills by the jobbers, but even this practice is becoming more rare and it is now the more general rule for the jobber to obtain replacements for his absentees from the applicants for work who daily attend at the mills. Whatever the method adopted by the jobber to obtain the work people necessary for replacing absentees, the final selection and appointments are made by the heads of the departments concerned, and in many cases even the preliminary assembling of applicants for replacements for casual vacancies is conducted by the heads of departments and not by jobbers.

“ There may in the future still be occasions when, owing to extraordinary shortage, jobbers will be still required to recruit labour, but these revivals of the powers of the jobbers are likely to be temporary and infrequent.

“ The millowners have always strongly discountenanced the practice of extorting commission from work-people by jobbers, and where charges of this nature are substantiated, the most severe disciplinary action is taken against the jobbers concerned.”

In the opinion of the Union the above statement is inaccurate. In the first place, it is stated that the practice of direct recruitment is making rapid progress. When was this practice instituted? Were any written instructions issued by the Millowners' Association to the mills to stop the recruitment through the head-jobbers and jobbers and start direct recruitment? Were these instructions given before the Association held their special enquiry or after it? The wording in the statement gives one an impression that, if any instructions had been given at all, they had been given before the special enquiry. If this impression is correct, where was the necessity to hold a special enquiry for the purpose of “ascertaining the exact practice in regard to recruitment of labour” as those instructions implied that the Association knew what the practice was and felt that it should change. If the instructions had been given after the special enquiry, the Association could not know its results as they said they did. In the second place, it is equally important to know whether the mills, in which “direct recruitment is making rapid strides,”

have any records to show that they have changed the system of recruitment and whether they have any register wherein the names of the operatives, seeking employment, with their past record are registered. Thirdly, it is interesting to know how many cases of extortion of commission by the jobbers had been dealt with by the mills and the Association and in how many cases "the most severe disciplinary action" had been taken against them. Fourthly, it is worth noticing that the Millowners' Association's statement does not at all refer to the powers of the head-jobbers and jobbers to which paragraph 63 of the Tariff Board report has drawn pointed attention. With the knowledge that the Union possesses about the existing practice of recruitment, it can assert that the practice is the same as it existed before the Tariff Board made their report. No change worthy of consideration has been effected and the workers' woes on this score have not been reduced by a jot or tittle. The Union has no hesitation in characterising the Millowners' Association's statement as an eye-wash calculated to mislead the Government and the public.

13. The only way in which the system of recruitment can be mended is by ending it. There does not seem to be any half-way house between the present system and the public employment agencies. The Tariff Board had recommended recruitment through a departmental head of each mill. The Union in its representation to the Board had suggested that the mill agents should recruit their labour directly, that the head-jobbers and jobbers should no longer be invested with such powers as those of dismissals or fines and that they should be appointed on fixed wages irrespective of the production in their departments. While the Union stands by its other recommendations then made, it cannot but withdraw their former suggestion of recruitment in favour of the public employment agencies. The millowners were given full two years to carry out the recommendation of the Tariff Board and they wasted that precious time without doing anything. It is risky both from the point of view of the industry and the workers to allow them to make any further experiments. The present system must, therefore, be ended immediately.

14. The Union is strongly in favour of starting public employment agencies. The State is responsible for the well-being of every section of the population under its control and it is its duty to protect adequately the interests of the working class section which has been suffering from the harrassment and tyranny of the employers and undergoing serious financial loss. It is, therefore, its duty to see that the grievances of this section of the population are redressed and its recruitment placed on a sound basis.

The Union realises the difficulty of starting public employment agencies in towns and small cities where industrial population is comparatively small and where, therefore, the cost of starting and maintaining these agencies is likely to be heavy. The Union, therefore, suggests that the public employment agencies should be first started in large industrial cities such as Bombay, Calcutta, Madras, Cawnpore, Nagpur, Kharagpur, and, with the experience that may be gained, similar agencies may be started at smaller industrial cities and towns.

15. After securing the evidence from all the industrial centres in India, it is for the Commission to think out a practical scheme and consider its possibility. The Union desires to emphasise that the Commission should not be deterred by the cost of the employment agencies because it considers that this cost is essential for the social and economic well-being of a very large section of the working class population. The Union takes its stand on the fact that the present system of recruitment is a thoroughly discredited and ruinous system and must be ended and that the industrially advanced country like England has by experience found that the public employment agencies are the only effective remedy to stop the abuses arising out of the bad systems of recruitment and have been successful. The disease being common in both the countries, there is no reason to suppose that the remedy which has proved to be efficacious in one country should not prove to be so even in India. The Union considers that the scheme of public employment agencies is perfectly possible and should be given effect to as soon as possible.

#### EXTENT AND EFFECTS OF DISTURBANCE OF FAMILY LIFE.

16. In the opinion of the Union, the family life of the operatives is disturbed a great deal owing to many causes. In the first place, not being sure of his employment, a worker does not generally bring with him his family to Bombay. In the second place, after he gets an employment, he does not get his wages for six weeks after commencing work. By this time he generally falls into some debts without repaying which he cannot possibly bring his family to Bombay. Thirdly, his wages are generally such as cannot afford him to maintain himself and his family and lead in Bombay even such a standard of life as a textile worker generally leads. Fourthly, there being no security or permanency of employment, he cannot be sure whether he can stay sufficiently long in Bombay if he brings his family. Fifthly, his periodical illness adds to his indebtedness and further reduces the chances of staying with his family. It should be understood that the above remarks are of a general character which apply generally to the operatives in the preparatory departments whose wages are less than Rs. 30 per month and to the

low paid weavers and other workers on the manufacturing side. No statistics on this as on many other points are available and the Union can express an opinion only on the knowledge and information secured by its contact with the workers through the committees and the meetings.

17. Such being the disturbance of the family life, it is conceivable that its effects can be unhealthy and, in some cases, even ruinous. The workers are exposed to the temptations of a city life and some may be falling victims to them. The Union has no information in its possession to express a definite opinion on this point.

#### UNEMPLOYMENT.

18. There are no statistics available in Bombay, and for that matter in the whole of India, to ascertain the extent of unemployment in the industrial population. Nor is there any agency, Government or otherwise, which is in a position to produce any statistics based on definite data. The *Bombay Labour Gazette*, which is the only agency which attempts to collect some statistics and publishes it periodically, has always to say, whenever the industry is in its normal state, that "in the textile industry, as a whole the supply of labour was equal to the demand." But it has not, so far as the Union is aware, made any enquiry into the fluctuations of the demand and the extent of such fluctuations. The Union's remarks, therefore, on this subject are based mainly upon the experience and knowledge it has gained through its working and its contact with the workers.

19. From its observation and experience, the Union is satisfied that there is considerable unemployment in the textile workers of Bombay. It is highly probable that a fraction of the unemployed may be constantly leaving for the villages after waiting for some time for jobs. So, the full extent of the unemployed people cannot be accurately ascertained even if some attempts are made to do so. However, the average number of workers employed in the Bombay industry during the last seven years may give some idea about the extent of unemployment. The following figures are taken from the reports of the Millowners' Association :—

Year.	Mills.	Spindles.	Looms.	Average No. of workers.
1922	82	3,117,284	65,521	149,224
1923	81	3,349,052	68,946	148,771
1924	82	3,427,621	71,133	148,414
1925	82	3,456,233	72,266	153,009
1926	83	3,472,642	73,701	149,069
1927	83	3,466,826	74,545	154,398
1928	82	3,451,176	74,825	129,275

In commenting upon the average number of workers employed in 1928, the Chief Factory Inspector of Bombay has pointed out on page 5 of his Annual Factory Report of the Presidency of Bombay for that year that the Bombay mills had not uniformly made allowances for the effects of the strike. He, therefore, obtained fresh information for the month of December which month was comparatively free from strikes and calculated that the number of operatives employed in the cotton mills in the Presidency was 2,39,488 as compared with 2,45,509 for the previous year. December figures for the cotton textile industry in Bombay were 1,38,677 as compared with an average of 1,45,005 in 1927. Another set of figures may also be given. In the two abstract statements, submitted to the Fawcett Committee, for (1) the spinning and preparatory and (2) the weaving and manufacturing departments for the month of July 1927, containing the actual number of men, wage bill and the average pay for that month and the number of men, wage bill and the average pay under their standardization scheme, if it had been in operation in that month, the Millowners' Association gave the actual total number of workers working in July, 1927, at 1,14,005. It is thus clear from the above data, inadequate though it may be, that there is not only serious unemployment in the Bombay textile industry but that it fluctuates violently.

20. The Commission may be aware that the Millowners' Association has prepared a Standardization Scheme whose main object is to regularise the number of operatives per unit of work and also to regularise the wages, but whose main features turned out to be to retrench the operatives in the spinning and preparatory departments and to make a cut in the wages of the weavers. This Scheme and its attendant unemployment were fully discussed before the Fawcett Committee. Mr. S. D. Saklatwala, speaking on behalf of the Millowners' Association, said before the Fawcett Committee:—

Retrenchment. “I might just point out that, as regards the extent of retrenchment (in the spinning section), in the statement that we have submitted we have shown that about 8,000 men will be reduced; 58,000 will be brought down to 50,000. But I might point out that that statement of course refers to July 1927, since when retrenchment has already taken place.” (page 1617 of the printed proceedings, Vol. IV).\*

The statement in the last sentence of Mr. Saklatwala does not seem to have been borne out by the December (1928) figures quoted above, given by the Chief Factory Inspector in his report. In December the number of

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\*The day-to-day verbatim proceedings of the Fawcett Committee were printed by the Millowners' Association. Government have not published them.



operatives had increased and the Standardization Scheme has not yet come into operation. It cannot also be said that in July 1927, there was any shortage of labour as the *Labour Gazette* for August 1927 had declared that in July the supply of labour was adequate to the demand. The Union is, therefore, inclined to take the view that while a small amount of retrenchment may have taken place in the past, it will come into full force as soon as the Standardization Scheme comes into operation. It was admitted in the Fawcett Committee that under the Scheme there would be a retrenchment in the spinning section to the extent of 13·8 per cent. and in the weaving section 3·5 per cent. These figures have got to be taken into consideration in dealing with the unemployment problem.

21. The Fawcett Committee considered two more schemes—now known as the “Efficiency Schemes”—of Messrs. E. D. Rationalisation. Sassoon and Co. and of Messrs. James Finlay & Co. Under the latter’s scheme, “roughly, about 30 per cent. (of the workers) in the spinning department” have been reduced, (Vide page 925 of the printed proceedings of the Fawcett Committee, Vol. II), while under the former, the following estimate of reduction was given by Mr. F. Stones, Superintendent of the E. D. Sassoon & Co., before the Fawcett Committee :—

“ We claim to have carried out this policy, but in the process of doing so it is to be admitted that fully 2,000 men will be displaced over the Millowners’ standard (scheme) in our group alone, and this standard reduced a further 2000 from the old list. In the weaving slightly less than 1000 are displaced—in all a total of 5,100 men out of a former muster of roughly 27,000 men have become unemployed during the last three years.” (Page 1612 of the printed proceedings of the Fawcett Committee, Vol. IV.)

While in no way questioning the *bona fides* of Mr. Stones who, it is admitted, is one of the powerful brains behind the Millowners’ Association and who is a master of the technique of the mill industry, the Union is inclined to feel that the figure of the displaced workers should be higher than 2000. It draws the attention of the Commission to the discussion that took place in the Fawcett Committee on the 4th of December 1928 (pages 891 to 898 of the printed proceedings, Vol. II) in which Mr. R. R. Bakhale, spokesman of the Joint Strike Committee, discussed with Mr. Cottam, Deputy Superintendent, Spinning Section, E. D. Sassoons group of mills, a statement prepared by the former on the basis of the information supplied by Mr. Stones as to the effect that might be entailed upon the workers on account of the introduction of the new efficiency system. That statement is reproduced on pages 929-934 of the printed

proceedings, Vol. II and appended to this memorandum (Appendix A). It relates to only one mill of the Sassons and shows that 223 out of 566 men would be retrenched in that one mill. Mr. Cottam admitted in his evidence (page 828 of the printed proceedings, Vol. II) that it was clear that between 40 per cent. to 45 per cent., of the workers in that particular mill would be retrenched. If similar statements are prepared for the other mills where this system is introduced, the Union takes the view that the retrenchment would be more than that calculated by Mr. Stones.

22. In addition to this kind of unemployment which is now more or less of a general character, there is some temporary unemployment caused by what is known as the "playing off" system of the millowners which adds to the floating population of the city. Occasions frequently arise in the case of almost each and every mill when there is no demand for a particular kind of goods, either cloth or yarn, and the mills generally stop a portion of their looms and spindles for some time. This causes temporary unemployment which is repeated periodically. In the two silk mills of Bombay, the Union understands that a large number of looms have been idle for two or three years in one and for a few months in the other. This under-employment is particularly common in many mills in the reeling and winding departments.

23. Such is the position as it stands today. But with the introduction of the efficiency schemes in the two important groups of the Bombay mills,—schemes which are only a part of what is now generally known as "Rationalisation", and with Sir Victor Sassoon having himself admitted (page 864 of the printed proceedings, Vol. II) that he was going part of the way towards the so called rationalisation, there is every possibility of such schemes soon entering other mills in some form or other. This is inevitable. In fact this has been admitted at least partially before the Fawcett committee as will be seen from the following quotations:—

"Mr. Bakhale—you are going to increase the efficiency, increase the output and lower the cost of production by some method of organisation in the industry. Suppose you succeed in increasing the efficiency, and in increasing the output and in reducing the cost of production. Having seen your results, don't you think that the other millowners will begin to think in the same direction and adopt the same methods?"

"Sir Victor Sassoon:—I think unless they do that, under the stress of competition a large number of them will not be able to continue to exist." (page 863 of the printed proceeding, Vol. II.)

At an earlier stage, Mr. Stones said in reply to a question of the Hon'ble Sir Charles Fawcett:—

“The millowners have considered this (rational) scheme..... They have gone into the scheme but they (the Association) do not recommend this for adoption by all the mills until all the factors contributing to its success are there.” (page 859 of the printed proceedings, Vol. II.)

The moment these factors are there—and they must be there if the mills have to live under the stress of competition—the Millowners' Association will recommend the rational scheme to the other mills. It should further be remembered that such recommendation on the part of the Association is not necessary. From the Union's experience of the working of the mills in Bombay, it can be said that the other mills may soon direct their attention to retrench the men on the lines of the efficiency schemes of the Sassoons or the Finlays and they can do it without the permission of the Association. The point the Union desires to emphasise is that with the introduction of the efficiency schemes by two of the important groups of mills and with the rapidly increasing Indian and foreign competition with Bombay, her mills have no alternative, under the existing capitalist system, but to adopt some remedy under which the workers are bound to be retrenched and unemployment considerably increased. This potential danger cannot be lost sight of in dealing with the problem of unemployment.

24. In considering the possible methods of alleviating and remedying the distress caused by unemployment, the Union thinks that this question should be looked at from two points of view: one, to bring the unemployment level as down as possible and two, to provide for those who may yet remain unemployed. The Union is aware that employment may not wholly disappear unless that problem and many other problems are tackled from all sides; but it feels that unemployment can be reduced under certain conditions. With competition as the basis and profits the object of the industry which is entirely in private hands, it cannot be expected that the workers will get a fair and square deal from the employers. In times of prosperity, the bumper profits go to swell the pockets of the employers and the workers get very little, if any at all, without a struggle. In times of depression, the workers are the first to suffer on the spacious plea that the industry cannot afford to pay. The object of the industry should, therefore, be, not profits, but, public service and it cannot be achieved unless the industry is removed from

private hands and put under public control. As has been already stated, such a change cannot remove unemployment all of a sudden or altogether; but surely it can be reduced by keeping a vigilant eye on all the factors that go to create unemployment. Even under the existing system of the industry, it is not difficult to reduce unemployment if the industry is properly organised under a strong central organisation and internal competition between mills and mills eliminated, or at least, reduced to the minimum. Specialisation is one of the methods now adopted in Germany and even Lancashire and may also help to reduce the ranks of the unemployed.

25. In spite of all the measures suggested above, it is conceivable that unemployment on a limited scale may remain; and it is the duty of the State to provide for the maintenance of those who remain unemployed for no fault of theirs. "Work or maintenance" should be the guiding principle. It is the considered opinion of the Union that every industrial worker who is willing to work but who does not get employment, should be provided with maintenance by the State by some suitable method. To the worker, the loss of employment is a serious thing. The remarks of the Fawcett Committee on this point bear repetition here. They say:—

Unemployment Insurance.

“202. ....and one has only to put oneself in the place of a worker who is threatened with loss of employment to realise that it is a natural feeling. His means of livelihood may be taken away; and it is cold comfort to him to be told that the cheapening of production consequent on his and others' dismissals will bring increased demand, and increased demand for the goods will bring better employment and higher wages. An entire disregard of the suffering entailed by loss of employment is out of place, and has caused much bitterness on the side of labour. This has been the subject of caustic comment by writers on Unemployment; and a more humanitarian principle is now being recognised. The International Labour Conference at Washington in 1919 adopted a recommendation in favour of the establishment of an effective system of unemployment insurance, either through a Government system or through a system of Government subventions to associations, whose rules provide for the payment of benefits to their unemployed members.....Ordinarily, no doubt, the alleviation of *general* unemployment due to trade depression and other world wide causes is a matter mainly for the Government and the general tax-payer to shoulder; but now-a-days

Fawcett Committee's View.

there is surely a good basis for the view that, if an industry seeks to reduce the costs of production by "rationalisation" or scientific management, it is under an obligation at any rate to help towards the mitigation of hardship due to consequent loss of employment by some of its workers. Thus the recent World Economic Conference at Geneva which adopted a resolution (given in appendix) in favour of "rationalisation as a means of increasing output, improving conditions of labour and reducing costs of production, contains the following reservations:—

"It must be applied with care which is necessary in order, while at the same time continuing the process of rationalisation, not to injure the legitimate interests of the workers; and suitable measures should be provided for cases where during the first state of its realisation it may result in loss of employment or more arduous work."

"203. We think that this principle should be given weight in the present enquiry, and that the mere fact that Government have not yet taken up the question of unemployment and provided measures of alleviation such as have been adopted in the United Kingdom and some other countries, affords no sufficient ground for millowners to wash their hands of the whole business. On the contrary, we consider that it is in their own interests to take some steps to mitigate hardships entailed in the introduction of the (Standardization) Scheme, which is in some respects a form of rationalisation and thus lessen the opposition to it or at any rate any reasonable cause for bitterness. This opinion applies *a fortiori* to the introduction of the "Efficiency Schemes." (pages 97-98).

The Union has thus a very weighty support of the Fawcett Committee in its opinion that even for *general* unemployment caused by trade depression or by other causes over which the worker has no control, some suitable provision should be made for the maintenance of the unemployed. If, side by side with such provision, public employment agencies are started, they will endeavour to find employment to some of the unemployed and thereby the register of the unemployed and the maintenance charges will tend to remain on a low level.

26. As has been pointed out by the Fawcett Committee itself, the provision against unemployment is necessary, perhaps more so, when the efficiency or rationalisation schemes are introduced in the industry. The textile industry being one of the most competitive industries in the world, such schemes are bound to come sooner or later, rather sooner than later, and with them a large scale retrenchment. Reference has

been made above to the resolution on rationalisation passed by the World Economic Conference held at Geneva in May 1927 and produced in this memorandum as Appendix B. This resolution lays down certain principles and precautions for the introduction of rational schemes and for them to become successful. From its knowledge of the methods of the Bombay millowners in working their mills and with their loose central organisation at the top, the Union is doubtful whether those principles and precautions would be carried out before introducing the rational schemes; but under stress of competition, they will have no alternative but to introduce those schemes, thereby reducing a large number of operatives. Whatever that may be, it is, in the opinion of the Union, highly essential that some steps should be taken to institute a scheme under which the workers will begin to get some maintenance allowance. In fact the Fawcett Committee have themselves said (page 159, para 291) that "there is some obligation on the Millowners to try and take some steps towards mitigating hardship due to loss of employment caused by the introduction of the "Efficiency" Scheme." The Committee then proceed in paragraph 292 (pages 159-161) to describe their Scheme of "Out-of-work Donation Fund" on a voluntary basis, which, they say, they recommend as a tentative measure "for the consideration of the millowners and the Trade Union leaders" and "with a view to avoid delay in the settlement of this question (of introduction of efficiency schemes) pending the report of the forthcoming Royal Commission on Labour and any action thereon by the State." It is thus clear that the Fawcett Committee have definitely accepted the principle of providing the workers with some maintenance during their unemployment caused either by trade depression or similar circumstances or by the introduction of the efficiency or rational schemes.

27. While appreciating the acceptance by the Fawcett Committee of the principle of unemployment benefits and their Scheme of Out-of-work Donation Fund, the Union is strongly of the opinion that the scheme to be adopted for unemployment benefits should be based on a more sound and permanent basis and administered by the State. A statutory unemployment insurance scheme is what is desirable and necessary. It should be applied to all the important industries and the important industrial towns so as to avoid competition and inequality or unfairness in the financial burden. Owing to the present low level of wages of the majority of the textile operatives, it is doubtful whether the workers will be in a position to pay their share of the contribution if the scheme is based on a contributory basis. The Union is of the opinion that financial burden of the scheme should be borne by the State and the employers until the wage level is sufficiently increased.

28. The only Convention and recommendation which is of a general character and applicable to all kinds of workers and in which the textile workers are interested, are those passed at the Washington International Labour Conference in 1919. In 1921 the Government of India ratified the draft Convention and decided to examine the recommendation in order to determine to what extent it was desirable to give effect thereto. Speaking on this resolution the Hon. Sir Thomas Holland, the spokesman of the Government of India, referred to the despatch of the Secretary of State for India on unemployment with which the Government of India seemed to agree. It is stated that "we are strongly of opinion, and all local Governments who have stated their views are in agreement with us, that no system of unemployment insurance is practicable in India at present", (Legislative Assembly Debates, 19th February 1921, page 263)—a statement which shows the mind of Government on this vital question. The Union is not aware of the steps, if any, the Government of India have so far taken in giving effect to Articles 1, 2 and 5 of the Convention and whether they have supplied any unemployment figures to the International Labour Office. A statement, however, in the green book of the I. L. O., Studies and Reports, Series C, No. 13, on Unemployment, submitted to the last session of the International Labour Conference, that "no statistics are available to show the extent of unemployment among Indian cotton workers" (page 96), shows that the Convention has more or less become a dead letter. In the case of the recommendation, the Union does not know whether the promised examination of the recommendation has taken place and, if so, what its results are. Nearly nine years have passed since the recommendation came before the Indian legislature and it can be said safely that so far as the textile workers are concerned, they have not received any advantage from it. The wheels of Government machinery in matters which vitally affect the interests of the poor, move so slowly that the workers along with others have begun to lose their faith in the *bona fides* of Government and are being drawn to the more glittering and attractive, though unrealisable, ideals and methods.

29. The general opinion of the Union is that the Conventions and recommendations of the International Labour Conference, being the greatest common measure of agreement between the governments, the employers and the workers, should be promptly given effect to, if the authorities do not want the workers' discontent to grow and their agitation shifted to non-constitutional lines.

## LABOUR "TURNOVER."

30. There are no statistics or reliable information collected by any agency which may give an idea as to the average duration of employment in the textile industry. The Union understands that the Bombay Labour Office endeavoured to collect some information on this subject; but unless the Union knows the method on which their enquiry was conducted, it is not in a position to express an opinion on the results of that enquiry. The Union's views are based upon the complaints received during the last four years and upon the knowledge it has gained by its coming in contact with the operatives; and it is in a position to say that there is not much "turnover" in the textile industry. Workers generally like to stick to the mills in which they are first employed. Wrongful dismissals which are common and other unjust punishments inflicted upon the workers by the head-jobbers and jobbers compel workers to leave one mill and join another; but on the whole their employment in the industry generally continues with short occasional breaks. In the case of the Mussalman workers, the average period of employment may be taken at between 20 and 30 years and in the case of others 15 to 25 years. The employment may not be in the same mill but in more than one mill; but that hardly affects the estimate or reduces the utility or value of work in the same industry.

31. Casual employment is caused generally by the permanent men going to their villages once a year or once in two or more years, owing to sickness of the workers and their families and by the fatigue caused by continually working ten hours a day, twenty-six days a month and twelve months a year. The Bombay climate adds to the fatigue and sickness of the workers. The Union is inclined to feel that casual employment in Bombay may be on a larger scale than at some up-country textile centres where climatic conditions are better; but it is unable to say definitely the extent of casual employment. Casual work is generally given to the workers who are textile operatives but who are unemployed.

32. The employers have in the past waxed considerable eloquence over the absenteeism in their industry and painted a very dark picture of the operatives, their habits and their irregularity. One of the pet arguments advanced against an increase in wages was and is even today that with the rise in wages, the absenteeism is increased and that the higher paid worker absents himself more than the low paid worker. The bottom of this argument was completely knocked out by the results of the enquiry of the Labour Office into the



Wages and Absenteeism of Cotten Mill Operatives in the nineteen so-called representative mills in Bombay city in 1926. These results are published in tables 2 (for males), 3 (for females), and 4 (for males and females), pages 12-21, of Part I of the provisional confidential report supplied to the Fawcett Committee and the representatives of the Millowners' Association and the Joint Strike Committee. It is seen therefrom that average percentage of absenteeism for men is 7·13, for women 11·86 and for men and women together 8·26. Barring a few unimportant departments where the number of operatives is comparatively small, the highest average percentage of absenteeism in the case of male operatives is to be found in the ring spinning department and is 10·48 and the lowest is 4·35 among the weavers. In the case of female operatives, the highest percentage of absenteeism is 18·18 in the reeling and the lowest, barring unimportant departments, is 6·41 in the ring spinning. The winding department which is exclusively of female labour, has 15·47 per cent. absenteeism. The average percentages of absenteeism for both male and female labour, in some of the important departments are 6·16 in the carding, 9·42 in the ring spinning, 15·29 in the winding, 17·80 in the reeling, 7·25 in the sizing and 4·35 among the weavers. These figures conclusively prove that the weavers who are probably the highest paid workers, have practically the lowest proportion of absenteeism and the women, possibly the lowest paid operatives, have the highest proportion of absenteeism. In the spinning which is a lower paid section, absenteeism is rather high than in the weaving section. Considering the totality of circumstances in respect of conditions of work both in the factories and at home, the climate and the housing, the Union does not think that average absenteeism is such as can cause alarm to the employers or be considered as adding to the inefficiency of the industry. The Union is no doubt anxious that the existing percentage should go down; but it does not seem possible unless the conditions of work are changed and a system of leave with pay instituted. The clerical section of the population, working in Government and private concerns, has its casual, sick and privilege leave while in the case of the workers there is no such thing. Every kind of their absence is considered as absenteeism and the result is that its percentage looks high. If similar percentage figures are calculated for the clerical and other higher class of workers, the result may be somewhat similar to what is found in the case of the textile workers.

33. The causes for absenteeism seem to be the environments in which the workers work and live. Their sickness or that in their families causes a good deal of absenteeism. During illness they cannot go to work, and

after illness, if it was serious, they feel the necessity of going out of Bombay for some time to recoup the health. Secondly, the fatigue caused by day to day work in the Bombay climate necessary compels an operative, at least in the earlier stages of his employment, to take a rest for a day or two even though he may not be actually ill and that he generally does so immediately after he gets his wages so as to enable him to break the monotony of his routine work by some sight-seeing or going to a theatre. There is some seasonal absenteeism as well but it should be comparatively small; at any rate it is not such as to cause any dislocation in the industry or a shortage of labour. Some men go to their villages in the autumn to do some agricultural work. They return as soon as their work is over.

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## CHAPTER II—STAFF ORGANISATION

34. In order to understand fully the staff organisation and other subjects connected therewith, which are mentioned in the questionnaire, it is, in the opinion of the Union, necessary to understand the organisation of the Bombay cotton industry. As is now well known, the industry is organised on the basis of what is known as the Managing Agency system. The Union does not propose to go into the details of that system as it was fully discussed before the Textile Tariff Board in 1926. The Union had then given a description of the Managing Agency system which appears on pages 479-480, Vol. III, of the Board's report. The Board had to say something on that system in paragraph 41 (pages 85-90) of their report to which the Union desires to draw the attention of the Commission. It must be remembered, however, that the Board looked at the system from the point of view of ascertaining the degree or the extent of the depression in the industry for which that system was responsible; they did not consider it in any other light. The Union also desires to draw the attention of the Commission to pages 49-52 of Mr. Rutnagar's "Bombay Industries: The Cotton Mills," containing the description of the Managing Agency system and its evil effects on the industry. Mr. Rutnagar holds the following view on the system:—

"It cannot, however, be said that the industry is yet free from the evils of the Agency system. Instances of malpractices which have been cited above would still be found in certain of the Bombay mills whose Agents think more of their own gain than the rights of the share-holders and the welfare of the work-people. The powers of the Agents have been misused even in recent times and costly and up-to-date machinery has brought early ruin to investors on account of the collapse that was bound to follow in the wake of greed and corruption." (page 52).

It is the considered opinion of the Union that the Managing Agency system is now obsolete, has outlived its existence and ought to be changed if the Bombay industry is to hold its own in the outside competition with which it is threatened.

## SELECTION OF MANAGING STAFF.

35. The selection of the managing staff is entirely in the hands of the Managing Agents. Favouritism plays its part in these selections and the tendency is to bring in men who are the relatives or friends of the Agents without much regard to their ability or knowledge. The Union

is not aware of any high posts such as those of the managers, superintendents or even departmental heads being filled in by inviting applications through advertisements. In so far as the Lancashire men in the industry are concerned, it can be said that they are technical men and know their job. The Union wishes it were true in the case of all other mill officials as well.

#### RECRUITMENT AND TRAINING OF SUPERVISING STAFF.

36. The recruitment of supervising staff, such as departmental heads, is done by the mill management and that of the subordinate staff, such as head-jobbers and jobbers, is made by the managers or the departmental heads. There may be only a few instances, in the history of the Bombay mill industry, of the head-jobbers being raised to the position of the departmental heads. It may be due to the inadequate and imperfect technical knowledge of the head-jobbers. Jobbers are some times made head-jobbers; but even here instances are not lacking of the head-jobbers being brought in from outside over the heads of the jobbers who, on account of their length of service, might have been as competent or efficient as the new recruits. There may be instances of the workmen being raised to the position of head-jobbers and jobbers. But on the whole the Union feels that there is no method as such in the matter of recruitment; much depends upon the management and the managers.

37. As regards the training facilities in the mills for the superior or subordinate staff, the Union is afraid there are practically none. The same could be said to be true in the case of the ordinary workmen. There is the V. J. Technical School which has regular and weekly courses for the training of the supervising staff and the Union understands that some of the apprentices in the mills take advantage of such classes. The Bombay Social Service League has been conducting a technical school which has been taken advantage of by about thirty workers on an average. The League is in a better position than the Union is, to speak on the success or otherwise of this school and on the causes, if any, that may be impeding its progress. It seems to the Union that with a ten hours working day in the mills and the existing working conditions there is little physical or mental energy left for further and continuous training. It is also a matter of enquiry as to the number of workers who, after finishing the course of this school, have been promoted to higher positions. The Union feels that there is little encouragement to the League's laudable efforts in the direction of increasing the efficiency of the operatives. The Union is also not

aware of any systematic efforts on a large scale being made by the employers to promote workers from lower grades to higher grades or from the positions of low wages to those of higher wages. If there is any such policy, it would be interesting to know, as a result of that policy, how many fly gatherers and lap carriers, for example, are made grinders and strippers in the carding departments, or the doffer boys or *tarwalas* are made siders in the ring frame department, or a plain loom weaver is made a fancy or jacquard weaver. It may be that these higher positions may have been secured by the workers; but that may have been due to the good offices of the jobbers or to their long experience in the mills. But that is not the point; the point is that, so far as the Union is aware, there is no systematic, deliberate and sustained effort made by the millowners in this direction.

#### RELATIONS BETWEEN STAFF AND RANK AND FILE.

38. The relations between the staff or the management and the rank and file are anything but cordial or pleasant; one might almost say, they are bitter. In spite of any professions to the contrary, the working class is still looked upon and treated as a commodity, and not as human beings having the same human feelings as those of the employers. The touch of human sympathy with the workers and their legitimate aspirations is sadly lacking. There is generally a tendency to browbeat the workers, assault them and treat them as people below contempt. In carrying on negotiations with the smaller officers of the mills, including some managers, regarding the workers' grievances, the Union has found that it is their tendency to disbelieve the workers' versions and to accept as truth what their head-jobbers and jobbers would say. The officers' refusal to remove even the minor complaints of the operatives creates discontent among the operatives which, when allowed to accumulate, develops into bitterness. The treatment meted out to them from day to day is of a character which leaves no room for establishing healthy relations. Foul and insulting language is used, which only adds fuel to the fire. It may be said, however, in the case of a few of the Agents, who pay periodical visits to the mills, and some managers, that they have in recent years changed their attitude for the better towards the workers and talk to them in a conciliatory tone. But their number is, in the first place, too small and secondly, as they too generally rely on the versions of their subordinate officials, the workers' grievances many times remain unredressed and the bitterness continues, in spite of the change in the attitude of their masters. Moreover, there is no standing machinery under which the mill officials and the workers can come together to consider the latter's grievances or

common questions or at least for the purpose of a friendly chat. The Union desires to draw the attention of the Commission to the discussion that took place in the Fawcett Committee over Mr. Bakhale's proposal to set up joint committees in the mills in order to enable both sides to come together periodically and deal with and redress genuine complaints, the accumulation of which generally leads to friction, irritation and bitterness. The discussion appears on pages 1561-1564, Vol. IV, of the printed proceedings of the Fawcett Committee and it will be seen therefrom that the representatives of the Millowners' Association opposed Mr. Bakhale's suggestion in a manner which proved conclusively that they failed to take a long view and succumbed to the abnormal conditions then existing. The Fawcett Committee referred in paragraph 283 of their report to this suggestion but refrained from expressing an opinion. Even the Court of Enquiry of this year, presided over by the Hon. Mr. Justice H. G. Pearson, were compelled to admit in the report (paragraph 89, page 38) that "some of the other difficulties in the way of a settlement (of the general strike) are the absence of contact between the millowners and the workers and the absence of any machinery such as an arbitration board to settle disputes as they arise."

39. The only value, if it can be so called, of employing jobbers lies in their being used by the management as intermediaries between the mills and the workers for the purposes of communication. The Union has found by experience that this work too is done by them in a very objectionable way which frequently only helps the worker's bitterness to increase. The language of persuasion which might have been used by the management in inducing the workers to accept any new conditions of service or any change in production, is very often converted into cold language and a threat without an element of human sympathy or touch and it is found that the management's difficulties, instead of decreasing, actually increase. What part the jobber plays in other respects in the mills is dealt with in the first chapter and need not be repeated here.

40. There are at present no works committees in the Bombay textile industry. The Union understands that in some of the mills of the Tata and Currimbhoy groups, attempts were made in the past to organise joint committees when the Bombay Social Service League was doing welfare work in those groups; but those committees had short existence. Several causes might have been responsible for the failure of those committees; but the most important seems to be the lack of organisation of the textile workers. Mr. R. M. Daruwala, Manager of the Tata Mills, who was connected with

Value and Defects of employing Jobbers.

Works Committees.

the working of the works committee in his mills, stated, in his paper on "Works Committee and Settlement of Disputes", read before the Industrial Welfare Conference held in 1922 under the auspices of the Bombay Social Service League, that "all this (failure of the committee) is due to their (workers) having no organisation, no common platform where they can congregate, deliberate and discuss; having no one who can inspire confidence in himself and explain, in their own tongue, both sides of the question and teach them to reason between right and wrong," and that "the common motive of mutual advantage is lost sight of"—perhaps by both sides. He also opined that "the disabilities noticeable in the conduct of business (of the committee) generally are likely to remain for ever unless efforts are made to reorganise the committees from their present constitution, so as to make them more popular and invest the decision of the committee with an authority and status worthy of the respect of the workmen." Since the failure of those committees, no attempt to revive them seems to have been made except the one of Mr. Bakhale during the discussions before the Fawcett Committee, to which reference has already been made. This Union has its mill committees for every mill where there is union membership, on which the workers' representatives are elected by the workers in proportion of one representative for every fifty members. Their functions are of an advisory character and they discuss matters such as union collections and individual grievances. The millowners have not got similar committees on their side and the two sides have never met, except on one occasion, in a joint meeting.

41. There is no doubt that, in the interest of harmonious relations between the employers and employees, it is desirable to have a joint machinery representative of the two sides and that a beginning should be made in the direction of evolving a plan to secure such machinery suitable to the existing conditions in Bombay. There has never been a time in the history of the local mill industry when the relations between the millowners and the workers had been so strained and so bitter as they are today and when the workers' suspicion and distrust of their employers had been so deep rooted as now. If the situation is allowed to drift any more, a deadlock is not an impossibility and the fate of the industry can be said to be doomed for ever. What the basis, the structure and the functions of such a machinery should be, is a question which requires serious thought and mature consideration. One thing, however, is clear to the Union and that is that whatever the machinery may be, it must have the statutory sanction behind it; i.e., it must be based on a statute and not on voluntary consent of the parties. The millowners' credit with the workers is so low today that their every action is, for

Works Councils and Industrial Councils.

some time to come, likely to be looked upon with suspicion. Moreover, past experience shows that they do not want to have such machinery and talk to the workers on equal terms. The machinery established by statute may remove to some extent the suspicion and a start can be given under congenial atmosphere. There are at present two plans in the field of industrial relations between the employers and the employees, viz., the Whitley plan in England and the Works Councils plan in Germany. Both of them deserve careful consideration and it may be found that, under the existing conditions of Bombay, the combination of the two, containing good and suitable points from both, may prove to be of advantage.

42. The Whitley Scheme of Joint Councils is based upon voluntary basis, starts with a National Joint Industrial Council and ends with a Works Committee in individual factories of the same trade or industry, and postulates, for the successful working of these councils, the existence of strong organisations of both the employers and workers. In their first of the five reports, the Whitley Committee recommended, *inter alia*, the establishment in industries *where organisations representative of both sides are in existence*, "of an organisation representative of employers and workpeople to have as its object the regular consideration of matters affecting the progress and well-being of the trade from the point of view of all those engaged in it, so far as this is consistent with the general interest of the community." The Committee suggested, as a means to this end, the formation of Joint Industrial Councils in the several industries but hastened to point out that—

"It is not enough to secure co-operation at the centre between the national organisations: it is equally necessary to enlist the activity and support of employers and employed in the districts and in individual establishments. *The National Industrial Council should not be regarded as complete in itself: what is needed is a triple organisation in the workshops, the districts and nationally.* (Italics ours.) and that—

"We think the aim should be the complete and coherent organisation of the trade on both sides and Works Committees will be of value in so far as they contribute to such a result. We are of opinion that the complete success of the Works Committees necessarily depends largely upon the degree and efficiency of organisation

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\*These and other extracts in this para are taken from the "Survey of Industrial Relations"—a report of a Committee on Industry and Trade with Sir Arthur Balfour as Chairman, appointed by the first Labour Government, in England in 1924. The report was published in 1926.



in the trade and upon the extent to which the Committees can be linked up, through organisations that we have in mind, with the remainder of the scheme which we are proposing, *viz.*, the District and National Councils."

and further that—

"It is strongly felt that the setting up of Works Committees *without the co-operation of the Trade Unions and the Employers' Associations* in the trade or branch of trade concerned would stand in the way of the improved industrial relations which in these reports we are endeavouring to further." (Italics ours).

These extracts make it abundantly clear that the Whitley Scheme to be successful must be adopted in its entirety, that it not only postulates the existence of strong trade unions but it requires the co-operation of the unions and the employers' organisations as an essential condition. The adoption of any one or more isolated items to the exclusion of the others is not only to court failure but to discredit the whole Scheme which, in the opinion of the Union, is otherwise sound. It also seems to the Union that the Whitley Scheme cannot be started from the bottom, *i.e.*, by the organisation of the Works Committees and then gradually by organising the District and National Councils, because of some of the most important functions under the Scheme, such as questions of wages and hours, being assigned to the National Councils. The Works Committee by itself may not achieve any thing and interest therein may not be maintained unless it has a clearly defined field of work and unless action follows decisions which may be reached. It is also recognised that the Whitley Scheme has widened the basis of collective bargaining and has instituted permanent and systematic means for the review of wages and working conditions; but it cannot be forgotten that this result is possible only if there are National Councils whose functions, *inter alia*, are :—

(a) The better utilization of the practical knowledge and experience of the workpeople.

(b) Means for securing to the workpeople a greater share in and responsibility for the determination and observance of the conditions under which their work is carried on.

(c) The settlement of the general principles governing the conditions of employment, including the methods of fixing, paying and readjusting wages, having regard to the need for securing to the workpeople a share in the increased prosperity of the industry.

(d) The establishment of regular methods of negotiation for issues arising between employers and workpeople, with a view both

to the prevention of differences and to their better adjustment when they appear.

(e) Means of ensuring to the workpeople the greatest possible security of earnings and employment, without undue restriction upon change of occupation or employer.

(f) Methods of fixing and adjusting earnings, piece work prices, etc., and of dealing with the many difficulties which arise with regard to the method and amount of payment apart from the fixing of general standard rates which are already covered by paragraph (c).

(g) Technical education and training.

(h) Industrial research and the full utilization of its results.

(i) Provision of facilities for the full consideration and utilization of inventions and improvements designed by workpeople, and for the adequate safeguarding of the rights of the designers of such improvements.

(j) Improvements of processes, machinery and organisation and appropriate questions relating to management and the examination of industrial experiments, with special reference to cooperation in carrying new ideas into effect and full consideration of the workpeople's point of view in relation to them.

(k) Proposed legislation affecting the industry." (Survey of Industrial Relations, page 294-295).

In spite of the adoption of the Whitley Scheme in its entirety and with most of the conditions being fulfilled, 45 per cent. of the National Councils ceased to function in Great Britain in 1925. A memorandum from the Ministry of Labour on the Whitley Scheme, which was submitted to the Balfour Committee and is included in the "Survey of Industrial Relations", contains the following remarks on this point on page 299:—

"Various causes have operated to produce this result (viz., the National Councils ceasing to function), the most important of which have been ineffective organisation, the difficulties of wages adjustments and the divergence of sectional and district interests. With regard to the latter, the adoption of a scheme based on a triple organisation of a National Council, District Councils and Works Committees necessarily involved problems as to the relationship between the national, district and local organisations. In some industries, in which the organisation was comparatively new and unstable, the adjustment of the various interests proved to be impracticable. In such cases the central authority probably attempted

to exercise too great a control over local conditions. In the case of certain Councils which are still functioning, *a similar breakdown has been avoided by the relegation of wage questions to local negotiations or other machinery.*

*"In other cases the breakdown was due to the unduly wide area of industry which Councils attempted to cover, the result being that there was a lack of common interest among the constituent bodies."* (Italics ours.)

43. When such are the difficulties the Whitley Scheme has had to meet with in Great Britain, one can easily imagine the magnitude of the task in introducing the Scheme in India. In the first place, whether the National Joint Council for the textile industry can be organised in India or not, is highly problematical. The industry is not centralised in any particular province as it is in Lancashire; it is both at large industrial towns such as Bombay, Nagpur, Cawnpore, Ahmedabad and Madras and at small cotton growing centres such as Sholapur, Jalgaon and Pulgaon; and the recent tendency is towards either shifting or building up the industry in the cotton growing districts which are not close to one another. The Union is not sure whether even the textile employers have a strong central organisation which will be in a position to elect its representatives on the National Council. In the case of the workers, the organisations, however inadequate they may be, exist only at some large centres and the rest are without any organisation; and, therefore, the difficulties in electing representatives on the National Council are great. In the second place, owing to the vastness of area over which the industry is spread, it will be found very difficult to sustain the interest of the members of the National Council in its work. Thirdly, the wages and the cost of living at different textile centres vary so much that the task of the National Council in arriving at decisions on those questions cannot be easy. Fourthly, the problem of the Indian States where the textile industry is making rapid progress and where the factory legislation is not so advanced as it is in British India, cannot be ignored in considering the organisation of the National Council. These remarks are offered, not by way of criticism of the Whitley Scheme with which the Union has considerable sympathy, but with the object of drawing the attention of the Commission to the difficulties that exist.

44. The formation of the District Councils may be comparatively easy and of the Works Committees easier still provided, of course, there are workers' organisations in the districts or factories where they are to be formed. But these Committees would not be able to do much until they

have at the top the National Council. In fact the ministry of Labour in England, in their memorandum to the Balfour Committee stated that "no action was taken by the Ministry to set up Works Committees at individual works without the concurrence of the Joint Industrial Council concerned which carried with it the concurrence of the constituent Employers' Associations and Trade Unions." Even supposing, however, that the Works Committees could be organised in Bombay, they would not be a success without the backing of the Trade Unions and without giving them power, in the absence of the National Council, to deal with wages, hours of work and other similar questions affecting the Bombay industry. What may seem possible is to consider Bombay as a unit by itself and organise the Works Committees and a District Committee at the top and invest them with powers possessed by the triple organisations under the Whitley Scheme. This must also, in the opinion of the Union, be done under a statute and not on a voluntary basis. The only danger underlying this proposal is that, in the absence of strong trade union organisation, the employers may take upon themselves the responsibility, which is not theirs, of securing workers' representatives on the Works Committees and thereby weaken even the existing strength of the trade unions. In Germany, for example, after the passing of the Works Councils Act, there was a long drawn out fight between the Unions and the Councils which ultimately resulted in the success of the Unions. It is necessary to avoid such a fight in India.

45. The question of Trade Boards is treated in a subsequent paragraph. It is touched here only in so far as the Whitley Trade Boards. Scheme is concerned. The Whitley Committee found out even in England that all the trades and industries were not mature for the adoption of their Scheme owing to the imperfect or inadequate organisation of the employers and employed. For such industries and trades, the Whitley Committee recommended that the Trade Boards "in addition to their original purpose of securing the establishment of a minimum standard of wages in certain organised industries.....should be regarded as a means of supplying a regular machinery in those industries for negotiation and decision on certain groups of questions dealt with in other circumstances by collective bargaining between employers' organisations and trade unions." The Committee also advised that the functions of the Trade Boards should be enlarged so as "to deal not only with minimum rates of wages but with hours of labour and questions cognate to wages and hours," and "to initiate and conduct enquiries on all matters affecting the industry." The Union recommends this suggestion of the Whitley Committee for the consideration of the Commission.

46. Another plan, diametrically opposed to that of the Whitley Committee, is what is known as the organisation of the German Works Councils in individual factories in Germany. Owing to their past history extending over several years and their complex machinery, it is difficult to describe even their main features in this memorandum. The Union, however, takes the liberty of drawing the attention of the Commission to a recent publication—The Works Council, a German Experiment in Industrial Democracy, by C. W. Guillebaud (Cambridge University Press, 1928)—which describes the origin and the present machinery of the Works Councils Act, the relation between Works Councils and the Trade Union Movement, the effects of the Works Councils on industrial relations and the Works Councils and Industrial Self-Government. For the purposes of this memorandum, it is enough to jot down the following few points from that book:—

(1) The German Works Councils are not joint bodies holding their meetings in association with the employer. They are composed of employees only and the employer has no right to attend those meetings unless he is invited or has called a meeting in order to discuss a particular matter with the Council.

(2) The Work Councils are constituted under a legislative Act. The membership ranges from 3 to 30 according to the number of the employed.

(3) The election of the Works Council is managed by an Election Committee of three appointed by the retiring Council. The election is by the direct votes of the workers and by secret ballot.

(4) The office of the Works Councillor is honorary, all necessary expenses incurred being paid by the employer. For any working time lost during the exercise of his official duties, the Councillor is paid the full remuneration (including the allowance for over-time, if any).

(5) Meetings of the Council are private but may be attended by one representative of each of the trade unions to which its members belong.

(6) The Works Council as a whole is required (i) to co-operate (in an advisory capacity) with the employer in promoting efficiency of production; (ii) to cooperate in the introduction of new labour methods; (iii) to promote peace within the establishment, and, in case of a dispute with the employer, to appeal to the Conciliation

Board if a settlement cannot be reached by negotiation; (iv) to supervise the execution of awards affecting the employees as a whole; (v) to come to an agreement with an employer in regard to works rules applicable to all employees and, in case of disagreement, to appeal to the Conciliation Board whose decision is final in respect of all rules other than those relating to working hours; (vi) to defend the workers' right of association; (vii) to reconcile grievances received from the Sectional Councils of wage-earning and salaried employees; (viii) to take steps to prevent accidents and injury to health and to cooperate with the Factory Inspectors; (ix) to participate in the administration of Works Welfare Schemes.

(7) In order to facilitate the execution by the Works Council of its official duties, the Council as a unit is given new and far reaching powers. The Council is entitled (a) to elect one or two of its members to sit on the Control Boards of all joint stock companies or private undertakings which have a Control Board, with full voting rights; (b) to demand access to information on all proceedings of the business affecting the contract of service or the activities of the employees, including the wages books and any other information required for checking the execution of existing Collective Agreements; (c) to require an employer to make a quarterly report regarding the position and progress of the enterprise and the industry generally and, in particular, with the output of the undertaking and the anticipated demand for labour; (d) to be informed by the employer, as long as possible in advance, of his intention to engage or dismiss a large number of employees; in the event of projected dismissals on a large scale, the employer must discuss with the Council any means that can be taken to avoid hardship; (e) to require the presentation of an establishment balance sheet and profit and loss account.

(8) Finally, special protection is given to Works Councillors against victimization. With certain specified exceptions a Works Councillor may not be dismissed without the concurrence of the Council of which he is a member, but where the Council refuses its consent, the employer is entitled to appeal to the Labour Court whose decision is final and binding on both sides. If the Court decides in favour of the employee, the employer is required unconditionally to cancel the notice of dismissal. The employer must continue to keep the employee concerned in his employment until the Labour Court has given its decision.

47. The question of dismissals has been playing such a havoc among the mill workers and so vitally affects their interests that the Union takes the liberty to quote a few passages from Mr. Guillebaud's book which refer to the provisions against dismissals in the German Works Councils Act. Mr. Guillebaud says :—

Provision  
against Dismissals.

“ It has long been recognised that the uncertainty and lack of continuity of the labour contract constitutes one of the chief disadvantages of the present industrial system from the standpoint of the wage-earner. To some extent this uncertainty is unavoidable, having regard both to the continual and largely unforeseen changes in economic conditions and also to the necessity for a reasonable degree of liberty on the part of either side to terminate a contract entered into. That loss of employment, which results from economic changes, can be met, partly by the organisation of the labour market and of the industrial system generally and, partly by the maintenance of the worker during the period of unemployment. With this aspect of the problem we are not here concerned. There is, however, another aspect, which arises from the liability of the individual employee to be dismissed arbitrarily at any time, for reasons which may have nothing to do with his conduct while working or with the efficiency of his work. Even if he is dismissed on grounds of unsatisfactory behaviour or incompetence, it may well be that he has been the victim of prejudice or merely of faulty evidence. That gross injustices are often perpetrated, as a result of the unfettered exercise of the power of dismissal, is undoubted, and the knowledge that every worker is exposed to this danger and that there is no redress has always been one of the most potent causes of industrial unrest and discontent.

“ It is here that the Works Councils Act has intervened in an effective and practical manner, by introducing restrictions on the right of dismissal.

“ Prior to the Works Councils Act, there was no check whatever on dismissals which were given with the proper notice, but in the case of dismissals without notice, the employee had the right to appeal to Labour Court (*Gewerbegericht* or *Kaufmannsgericht*) and to have an investigation made into the causes of his dismissal.

“ The Works Councils Act has not modified or abated any of the legal provisions, in the Civil and Industrial Codes, relating to dismissals. But it has superimposed a new and important series

of provisions, designed to protect the worker against arbitrary and unjust dismissal even when due notice has been given.

“ Under the Act, an employee who is dismissed with the ordinary legal notice may, within five days after the date of dismissal, enter a protest by appealing to his Sectional Council. There are four grounds recognised on which such an appeal may be based :—

(1) If there is ground for suspecting that notice of dismissal was given on account of the sex of the person concerned, or on account of his political, military, religious or trade union activities, or of his membership or non-membership of any political, religious, or trade union society or military organisation.

(2) If the notice was given without any reasons being stated.

(3) If the notice was consequent on the employee's refusal to undertake regularly some work other than that agreed upon at the time of his engagement.

(4) If the dismissal appears to be unjust and involves hardship which neither the conduct of the employee nor the circumstances of the undertaking can justify.” (Page 161-162).

“ When an employee enters a protest with the Sectional Council against dismissal, he must state his reasons and bring forward evidence in support of his case. If the Council considers that the protest is justified, it must first endeavour to bring about an agreement by negotiation with the employer. Failing agreement within a week, the Council or the employee concerned may appeal to the Labour Court within the next five days. Neither protest against dismissal, nor an appeal to the Labour Court, has any effect in postponing the operation of the dismissal. The decision of the Court is final and subject to no appeal.

“ If the tribunal decides that an appeal is justified and, therefore, that it is a case of wrongful dismissal, the employer is left with two alternatives. Either he can elect to re-employ the person concerned or, if he declines to do this, he will be required to pay compensation to the dismissed employee. The extent of the compensation depends upon the number of years during which the worker has been employed in the undertaking, and is calculated at the rate of not more than one-twelfth of the last year's earnings for each year of employment, but may in no case exceed six-twelfths of the total annual earnings. In assessing compensation the tribunal is instructed to give due regard to the economic position of the worker and to the financial capacity of the employer.” (Page 162-163).



“ Subject to these limitations, the employee is afforded a protection against unjustified dismissal, which is regarded by the German workers themselves as being in many ways the most practical and valuable of all the rights given to them by the Works Councils Act. While the security of tenure of the worker is thus improved, the interests of the employer are safeguarded by the provision that an employer, who is unwilling to reengage an employee in whose favour the Court has decided, can dispense with him on paying compensation based on the number of years during which the employee has been working for him.

“ There can be no question that this part, at least, of the Works Councils Act has not remained on paper, but has been very effective in practice ; in fact it is probable that the number of Works Councils in existence would be far fewer than is actually the case, were it not for the direct and practical advantages to the employees, in the matter of protection against dismissals, which result from the establishment of statutory Works Councils.” (Page 165).

“ On the whole, this, the most important practical provision of the Works Councils Act, is also the one to which least objection is taken in principle by the employers.” (Page 167).

Similar elaborate provisions have been made in the Works Councils Act against the dismissals of the Works Councillors and are dealt with on pages 169-176 of Mr. Guillebaud's book. The Union insists that in any machinery that may be devised for joint meetings, similar provisions against dismissals should be made.

48. After the passage of the Works Councils Act, the radical element in the German Labour Movement made serious endeavours to capture the machinery of the Works Councils and thereby cripple the powers of the trade unions. The Socialist trade unions, however, held in 1920 a National Congress of the Works Councils and arrived at the following conclusion :—

German Councils and Trade Unions.

“The Works Councils must base themselves on the Trade Unions because they can only accomplish their tasks if they are certain of the support of the Trade Unions.....The Works Councils are to be organised within the Trade Unions. A separate organisation of the Works Councils, whether local or central, is undesirable ; apart from its effect in hindering the activity of the Trade Unions, it would nullify the effective representation of the interests of the workers by the Works Councils.” (Page 44.)

The Socialist Unions ultimately carried into effect the above decisions and now the Works Councils form part of their organisation. It has been found out that the successful functioning of the Works Councils is dependent primarily on the backing they receive from the Unions. "Except in the very large concerns, the employer is rarely inclined to pay much attention to the representation of the Works Council unless he knows that it has a powerful Union at its back. On countless occasions it has been the presence of Trade Union officials at meetings of the Council, or their advice and assistance in the back ground, which has prevented the employer from taking advantage of the ignorance and lack of experience of the members of the Council. It is not too much to say that, despite all its statutory powers, the Works Council as an institution is impotent unless it is based upon the organised strength and financial resources of the Unions." (Page 51). This explains why the Works Councils Act itself has made clear in sections 8, 20, 31, 37, 47, 66 (3), and 78 (1, 2, 3) that "the intention of the framers of the Act was that the Works Councils should act as subsidiary and subordinate organs of the Trade Unions, with distinct if complimentary functions." (Page 41). It is equally important to bear in mind that "the Works Councils are expressly excluded by the Act from any right to cooperate in the determination of wage rates, wherever such rates are the subject of negotiation between Trade Unions and the employer or association of employers—*i.e.*, wherever there is a Collective Agreement." (Page 149). Bombay today is in a position similar to that of Germany nine years ago. The legitimate trade union movement is being attacked on all sides and being weakened; and unless provisions similar to those in the German Act are made in any joint machinery that may be set up, the remedy might prove to be worse than the disease.

49. To sum up, the Union's position in respect of the joint machinery is this:

(a) The Union is inclined to favour the setting up of a joint machinery between the representatives of the employers and employed with the object of creating and maintaining harmonious relations between the two.

(b) Such a joint machinery should be based on a statute.

(c) Without the backing and active support of the Trade Unions the joint machinery will not work; in fact, the Unions must form a component part of that machinery.

(d) Provisions against any attempt that may be made to deprive the Trade Unions of their legitimate part in the machinery and to make it independent of them, should be incorporated.

(e) The powers of the joint machinery should be adequate and such as will maintain the workers' interest in the work. Action should follow decisions that may be taken.

(f) Provisions against dismissals should be incorporated in the joint machinery.

To make the machinery work smoothly, the attitude of the employers, particularly the subordinate officers, must be changed almost out of recognition. There must be a complete change of heart.

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## CHAPTER III—HOUSING

### EXTENT TO WHICH HOUSING IS PROVIDED

50. (A) The Millowners' Association submitted to the Textile Tariff Board a statement on the housing provided by the mill-owners and it appears on page 151, Vol. II, of the Board's report. It will be seen therefrom that only 17 out of 80 mills in Bombay have provided housing for only a few of their workmen. These 17 mills engage over 52,000 workers and there are only about 4,500 one room and 110 two room tenements. The percentage of housing provided to the total number of workers is thus not more than 8.61. The Union is not sure that even this small accommodation is occupied exclusively by the textile workers for whom it is primarily meant. There is no reason to believe that, after the Millowners' Association's statement was prepared in 1926, any change for the better has taken place in respect of the housing accommodation by the millowners.

(B) Towards the end of 1919 or the beginning of 1920, the Government of Bombay announced an ambitious programme of building 50,000 tenements for the working class in order to reduce the then existing congestion. This is neither the place nor the occasion to go into the ruinous working of the Development Department to which the housing scheme along with other schemes were assigned for execution. Suffice it to say, like the other schemes committed to its care, the programme of the housing scheme was never fully carried out and, instead of building 50,000 tenements, the City got only 16,244 tenements, mostly one roomed, at enormous costs. And out of these 16,244 tenements only between 6,000 to 7,000 have been recently occupied and the rest are still vacant. There is no basis to suppose that these 7,000 tenements have been occupied by the textile workers only—a good many may have been occupied by other class of workers engaged in other industries. The only other public agency which provides housing on a large scale is the Bombay Improvement Trust. The Union understands that it has so far built about 9,000 tenements some of which may have been occupied by the textile workers.

(C) From the above figures it can be calculated that, between the millowners, the Government and the Improvement Trust, the housing provision is made only for about 12 per cent. of the textile workers. The Union considers it as a fairly liberal calculation. The rest of the accommodation the private landlord provides.

(D) The Union is not aware of any case of a textile worker having  
By Workers. a hut of his own in Bombay.

#### NATURE OF ACCOMMODATION.

51. From the knowledge of the housing conditions in Bombay, the Union can safely say that in providing accommodation to the workers, neither their needs nor demands nor the health point of view has been taken into consideration by any of the agencies which provide accommodation. With the private landlord, the dominant idea in providing accommodation is, of course, profit and he utilises every inch of the available space in order to get rent and, therefore, a permanent source of income. In the case of only a very few employers some consideration seems to have been given to the habits of the people by providing pegs and some other requirements in Indian style. It is difficult to say any thing about the Development chawls because to say it implies some consideration on the part of the writer which the chawls hardly deserve. The Government announced a programme of 50,000 tenements; and 16,000 and odd rooms came to be built by putting some building materials together. This is all that can be said without transgressing the limits of decency and propriety. To express an opinion on the housing conditions in Bombay, the Union cannot do better than quote what it wrote in 1926 in its statement to the Textile Tariff Board. The Union also desires to draw the attention of the Commission to Prof. A. R. Burnett-Hurst's book on "Labour and Housing in Bombay" which gives graphic descriptions of the housing condition in this premier city of India. The Union's statement of 1926 says:—

"The housing conditions of the industrial workers in Bombay are such that, in the words of Prof. Burnett-Hurst, "No matter how graphic a pen-picture is drawn, how vivid a description is given of existing conditions, it is impossible to convey to the reader any true conception of the actual state of affairs." (Page 23). "He has characterised the workers' houses as "Pestilential plague-spots"—a description with which the Union entirely agrees. The Board may be aware that the Development Department of the Bombay Government had originally intended to build for the working classes 625 chawls with 50,000 one room tenements; but they have so far built only 207 chawls with 16,214 tenements. Out of these only 2,804 (now between 6 to 7 thousand) tenements are at present occupied and the rest 13,740 (now between 9,000 and 10,000) are vacant. Most of the workers, therefore, live even now in the old chawls, the description of which is given by Prof. Burnett-Hurst in his book. A few passages are

Prof. Burnett-Hurst on Housing.

quoted below which will give the Board some idea of the most horrible conditions in which the working classes are made to live in Bombay. In describing the sheds occupied by the workers, he says:—

“ Entering the shed and passing down a dark narrow passage—so narrow that two persons could scarcely pass one another—one had to grope one’s way to the doorways of the rooms. Upon peering into these, it was impossible to ascertain whether they were occupied or not. Not a ray of light penetrated them, and this at noon on a bright sunny day. It was only on striking a match that the rooms were found to be inhabited.” ( pages 19-20 ).

“ In another place he describes the chawls as follows:—

“ The houses have tall narrow frontages and excessive depths; many of the rooms, especially those in the centre and on the ground floor, lack sunshine and air. What makes the condition of these buildings worse is that large numbers of them are fitted with basket privies. The contents of the basket receptacles in the privy frequently overflow into the open drains and foul the gullies. The stench which fills the air as the overflow travels along the drain can be better imagined than described. At times the cesspits also overflow or the drains become choked. The sweepers who are supposed to remove and convey the excreta twice daily to the night-soil depots frequently shirk their duties and empty the contents of the baskets into the open drains. Add to this the practice of throwing all kinds of household refuse and filth into the gullies by the people in the rooms overlooking them, and one can form some slight conception of the strength of the smell. Much of the refuse accumulates and becomes stagnant and the liquid filth percolates into the soil when the drains on the passage are in a bad state of repair, as is frequently the case. Is it surprising, then, the windows of rooms which overlook the gullies have to be kept closed to shut out the stench? The conditions under which the occupants of these rooms have to cook, eat and sleep can well be imagined when it is remembered that the only sources of light and ventilation are from the window opening on to the gully and from the door by which they enter the room. The conclusion drawn from personal inspection of a large number of these tenements is that ground-floor rooms are invariably dark, dismal and unhealthy, and often permeated with obnoxious effluvia. Where the privies are not detached from the main building, the stench penetrates the whole structure. Frequently, on rounds of inspection, premises have been entered but the filth and smell have been so repulsive as to compel a hurried exit ”. ( page 21-22 ).

“ In a third place Prof. Burnett-Hurst writes thus :—

“ Frequently the chawls are situated parallel to one another, and when they are in close proximity, as is generally the case, the rooms on the ground floor receive insufficient light and air. Many chawls are in a dilapidated condition and the floors in such a bad state of repair that they are a source of danger to the occupants. Some chawls have little or no plinth, the ground floor being almost on a level with the street and in such cases, the rooms are often flooded during the monsoon and are generally damp. ”

“ The approaches to the chawls abound with dirt and filth. “ Kutchra ”, or household refuse, and even excreta, are thrown from the windows of the upper floors on to the streets and into the compounds. The refuse cast on the streets is generally cleared away, but that thrown into the compound accumulates as it seems to be nobody’s business to remove it. The compound and the approaches to the chawls are usually “ Katcha ” (which here means unpaved), and in the monsoon they soon become quagmires with pools of water. Long after the cessation of rain the pools of water remain, become stagnant and form excellent breeding-grounds for the malaria-carrying mosquito. ” ( Pages 23-24 )

“ My Union dares not add anything more to these passages !

“ My Union is aware that a few millowners have built some chawls for their own employees. It must be admitted that, on the whole, many of them are better than the chawls described in the preceding paragraph, although some of these chawls also could be shown to be as bad as those built by private landlords. Besides, the millowners’ chawls are too inadequate to meet the requirements of all the workers. Moreover, the workers do not like to occupy the chawls built by their employers because they feel that by their so doing, they come more under the grip of their masters. In times of strikes there is always a danger of the workers being ejected. They, therefore, prefer to stay in private chawls, howsoever bad they may be.

“ I have already referred to the chawls built by the Development Department of the Bombay Government. As the state of the old chawls is such as is described in a preceding paragraph, the workers should have welcomed the new chawls and occupied them as soon as they were ready for occupation. But that did not happen. More than 13,000 out of over 16,000 tenements built by the Development Department are vacant and the workers are not willing to occupy them for various reasons. In the first place, the rents charged for these one room tenements are quite out of proportion to the workers’ ability to pay them. The rents origi-

nally fixed for these chawls were too exorbitant; they had, therefore, to be thrice reduced. The last reduction came into operation only from first August 1926. Before that the average rents for ground, first, second and third floors at Delisle Road (the most thickly populated labour part of the city), Naigam, Sewri and Worli were Rs. 10, 9, 8-8 and 7 respectively. Assuming for the moment Rs. 30-10-1 as the real "average" monthly wages of a workman, he is asked to pay rent, at Delisle Road, Naigam, Sewri and Worli, 33, 30, 28-3, 23-3 per cent. respectively of his earnings. This is indeed prohibitive. My Union understands that the high Government officials who are provided with Government quarters have to pay as rent only 10 per cent. of their pay which is generally in three or four digits. But in the case of poor workers whose wages do not exceed Rs. 30 per month, they are asked to pay for rent from 25 to 33 per cent. of their wages. Secondly, the development chawls are quite unsuited to the requirements of the operatives. They are built of cement and the greatest defect from which they suffer is that, in cold weather they become too cold and, in hot weather, they become too hot. The workers feel most uncomfortable in these chawls and are very reluctant to occupy them. It is no wonder, therefore, that most of them should remain unoccupied. The last reduction has brought down the rents by eight annas and, in a few cases, by one rupee. It is still to be seen what effect this reduction will have on the workers.

"The scheme of the Development Department having thus failed to meet the requirements of the working classes, over-crowding in the old chawls is a consequent evil. It is a notorious fact that 97 per cent. of the working class population in Bombay lives in single room tenements; "over 60 per cent. of the household" says Prof. Burnett-Hurt, "were overcrowded according to the English Official standard. Measured by the stricter test employed by Dr. Bowley in Liveliness and Poverty, the percentage rises to 94 per cent. The average number of persons per room in Parel was 3.5. It should be noted that a single room is often occupied by several families. According to the census of 1921, there were in Bombay no less than 135 instances in which a single room was occupied by six families or more!" (Page 28). The report of the Lady Doctor appointed by the Government of Bombay to investigate the conditions of women industrial workers in Bombay in 1922, contains the following illuminating passage:—

"In outside chawls I have several times verified the overcrowding of rooms. In one room, on the second floor of a  
 Lady Doctor's  
 Experience! chawl, measuring some 15 ft. by 12 ft., I found six families living. Six separate ovens on the floor proved this statement. On enquiry, I ascertained that actual



number of adults and children living in this room was 30. Bamboos hung from the ceiling, over which, at night, clothes and sacking were hung, helped to partition each family allotment. Three out of six women who lived in this room were shortly expecting to be delivered. All three said they would have the deliveries in Bombay. When I questioned the District nurse, who accompanied me, as to how she would arrange for privacy in this room, I was shown a small space some 3 ft. by 4 ft. which was usually screened off for the purpose. The atmosphere at night of that room filled with smoke from the six ovens, and other impurities would certainly physically handicap any woman and infant, both before and after delivery. This was one of the many such rooms I saw." (Pages 14-16.)"

52. If the above remarks are considered as somewhat stale owing to the period that has elapsed since they were made, the following passage from the report of the Delegation of the International Federation of Textile Workers which investigated the condition of the textile workers in India in 1926-27 and of which the Rt. Hon. T. Shaw, M. P., the present Secretary for war in the British Government, may be quoted as being fresh :—

Mr. Tom  
Shaw's View.

**" HOWELS—BUT NO HOMES. "**

"The most shocking of all the differences is that which exists in housing. The English textile worker, generally, when he marries, has a house of at least four rooms. We have seen Indian textile and other workers with even two families in one small, covered space, which only by the widest stretch of imagination could be called a room, and which it would be a mockery to call a home. We have seen people actually sleeping in the streets in preference to sleeping in the disgraceful and infamous chawls which exist in Bombay.....The Development Department of the Bombay Government also had created huge blocks of houses, very similar in outward appearance to the externally extremely solidly built and many storied houses in cities like Berlin, but the interior of these buildings is on strongly orthodox traditional Indian lines. One room for a family, no private sanitary arrangements, a common tap for washing—these things exist even in the municipal buildings. My poor girl and I were horror-struck, driving back from the first meeting of workers we attended, when we almost ran over a child who was asleep on a rug in the street and was evidently intended to sleep there all the night.

"That will give some idea of the terrible housing of the people. There were scores of people sleeping on the ground with, apparently,

a very thin mattress for bed and a thin rug for covering. Words fail me to picture the squator, the darkness and the misery of some of the chawls we saw.....I had constantly to remind myself that it is not always possible to measure Eastern conditions with Western measures, but even when every allowance is made for differences of climate, habits, tradition and religion, the housing of Indian workers is a disgrace and a blot on the record of any Government, whether British or Indian. (pages 6-7.)

53. Fresher still are the views of the British Trades Union Congress Delegation consisting of Messrs. A. A. Purcell, an ex-M P., and J. Hallsworth, which visited India in 1927-28 and published their report last year.

British T. U. C.  
Delegation's Opin-  
ion.

On housing and sanitation the Delegation say :—

“The housing of the people in our country is a serious problem, but in India it is far more serious, for disgustingly bad housing conditions prevail generally so far as the working classes are concerned. Wherever one goes in the different parts of the country, whether it be in the villages, in the moderate-sized towns, or in the big cities; and whatever may be the design or lay-out of the houses, whether they be the single-roomed or double-roomed dwellings built in “lines” or tenements, or the single-roomed dwellings dotted about separately in some places, they are all unutterably bad, and cannot in any decent sense be regarded as “Homes”.

“We visited the workers’ quarters wherever we stayed, and had we not seen them we could not have believed that such evil places existed. At the end of the Report will be found a number of photographs depicting some of the houses we have personally inspected. The picture will assist the reader in gaining some idea of the character of the dwellings and their immediate surroundings, but they do not, and cannot, tell the whole story. We propose to fill in some of the details here by quoting a few cases which, in greater or less degree, are practically typical of all.

“Here is a group of houses in “Lines,” the owner of which charges the tenant of each dwelling 4s. 6d. a month as rent. Each house consisting of one dark room used for all purposes, living, cooking and sleeping, is 9 feet by 9 feet, with mud walls and loose-tiled roof, and has small open compound in front, a corner of which is used as a latrine. There is no ventilation in the living room except by a broken roof or that obtained through the entrance door when open. Outside the dwellings is a long, narrow channel which receives waste matter of all descriptions and where flies and other insects abound.

Four to eight persons, including children crowd together into such a room.

“ Two other groups, perhaps a little worse, were seen, rents in these cases varying, because of the rooms differing in size, from 2s. 3d. to 6s. a month. Wages of residents in these dwellings are about 5d. to 9d. a day, or 10s. 10d. to 19s. 6d. for a full working month of 26 days.

“ A fourth lot of houses, provided by employers, is a little better than the others. The rent charged is about 3s. a month, and monthly wages of the occupants are stated as being 18s. for men and 13s. for women. The walls of these houses are of brick instead of mud, and there is a paved courtyard, in the centre of which is a common water supply and sloping brick place for washing. But there are the same internal arrangements, except that the latrines are situated a little distance from the houses. Three or four unmarried persons share the one room, or it is occupied by husband, wife and family.

“ Outside all the houses on the edge of each side of the strip of land between the “ lines ” are the exposed gullies, at some places stopped up with garbage, refuse and other waste matter, giving forth horrible smells repellent in the extreme. It is obvious that these gullies are often used as conveniences, especially by children, and right in the open earth “ street ” can be seen women up to the elbows in cow-dung preparing it for making-up into cakes which, after being plastered on the walls of the houses and dried in the sun (a custom common in all parts of India), is used as a cheap form of fuel.

“ In another place the floors of the houses are beneath the ground level, and it is only by crouching low down that ingress to the room can be gained. In the flood season these houses are water-logged and some times altogether destroyed, only to be substituted by other equally bad. These dwellings are very overcrowded and the people very poverty-stricken indeed.

“ The following figures form damning evidence of overcrowding in the residential building of one of India's great cities :—

TOTAL NUMBER OF PERSONS LIVING IN ROOMS EACH OCCUPIED BY.				TOTAL POPULATION.
5 persons and Under.	6 to 9 persons.	10 to 19 persons.	20 persons and Over.	
687,217	236,783	115,731	31,578	1,071,309

•If it were necessary, many other instances might easily be given from the mass of accumulated material available. We will add only few notes about the bazars, *i.e.*, the shopping quarters of the workers, which are no better than their houses. Here along both sides of the streets, which may be anything from ten to fifteen feet in width, is a jumble of open-fronted retail shops in which many kinds of grain and other foods, clothing and miscellaneous articles are prepared and sold, and where domestic production of various kinds is carried on. Food is exposed to dust, is contaminated by hordes of flies and dirty handling. Meat is seen hanging low over the open gutter or channel into which there flows the liquid trade and other waste exuding from the shops, some of which are used as dyehouses, and where the vegetable and animal refuse is thrust. Here and there heaps of garbage are allowed to lie for a long time before being cleared away by the scavengers. Into these heaps, cattle and goats wandering unattended along the street, as well as pariah dogs, may often be seen nosing for possible food, while the fowls wallow in the adjacent gutters. Evil smells predominate and there is a general unwholesomeness throughout.

“The overcrowding and insanitary conditions almost everywhere prevailing demonstrate the callousness and wanton neglect of their obvious duties by the authorities concerned. As we see the situation, it is the job of the appropriate authorities at all costs to put an end to defective housing, to institute upto-date methods of sewage disposal, to provide for adequate and suitable sanitary arrangements and water supplies, as well as to see that the people are educated in the right use of all these services intended to make for the public health. Until there have been radical changes in these matters, the population of India will continue to be ravished by millions of deaths from cholera, dysentery, diarrhoea, plague, fevers, malaria, small-pox, influenza and respiratory diseases as well as by an appalling mortality among mothers and infants, in respect to which some remarkable figures were quoted recently by the Director of Public Health, Bengal. In 1926, he stated 131,000 infants died in Bengal less than a month after they were born. This was in addition to 60,000 children who were still-born. Another 68,000 died between the ages of one and six months and 51,000 between six and twelve months. In the same year 1,58,000 children between the ages of one year and five years died, making a total of 4,08,000 children between birth and five years of age who died in a single year. In addition, 87,000 children died between five and ten years old, and

50,000 between ten and fifteen years. Altogether, 545,000 children died in 1926 at ages which the Director considered far below what might be termed any economic value. This means an enormous economic loss to Bengal, because the children die before they can make any economic return to the State. The Director estimated also, that from 60,000 to 70,000 mothers died either in childbirth or conditions directly related to childbirth. This heavy mortality constitutes a dead loss to the country, because it means so much potentially valuable life is wasted every year." (pages 8-9).

54. The Union does not think that any of the agencies which have provided industrial housing has made any provision for Provision for electric or gas lighting. The Bombay Electric Supply and Tramway Company has, it is learnt, fitted their chawls with electricity and a similar provision should be made in other chawls as well. The workers generally use kerosine lamps of the crude type. Conservancy arrangements and water supply is common to all the residents on one floor and, in times of scarcity of water, the upper floors do not get sufficient water. There is now a tendency to replace the basket privies by flushing system; but the latter is not kept clean and insanitary conditions generally prevail. There may still be some chawls where basket privies still continue to exist and the insanitary atmosphere prevailing in and around those chawls can be better imagined than described.

55. From such information as the Union possesses, it can be said that the rent generally charged for private and employers' chawls varies between Rs. 5 and 10. There may be a few old chawls where the rent may be less than Rs. 5. Reference has already been made in an earlier paragraph to the rents of the Development Department chawls. The Union understands that since that paragraph was written, the rents of the D. D. chawls have been lowered. Even then they are higher than those for private and employers' chawls. At one time the rents of these chawls were as high as Rs. 15 and more and by several instalments they have now been brought down to the present level. It may be well if the Commission will endeavour to secure from the Director of Information a statement containing the original rents charged when the D. D. chawls were built and the stages by which they were reduced and the amounts of such reductions. The original rent level of these chawls is greatly responsible for the fact that they have not yet been fully occupied. On the whole, the Union's opinion is that with the present wage level and the cost of living in Bombay, the rents charged are high and must be reduced in the interest of the workers.

## SPECIAL HOUSING PROBLEMS.

56. The Union has no information about the extent, if any, to which the workers sub-let there rooms. It is many times stated that there is a practice of sub-letting among the workers; and the Union is not surprised at the statement if it is true. The high wage level coupled with the cost of living and the heavy indebtedness, some workers may be feeling the necessity of getting some relief by sub-letting their tenements. There is also a tendency to keep boarders with the object of securing some further relief. The object underlying both these tendencies is not to make money at the cost of the worker's health but to endeavour to live within their means by trying to get some addition to the wages.

57. It is already stated in an earlier paragraph that the Union is not sure whether the employers' tenements have all been occupied by the textile workers. It is highly probable that there may be some non-textile tenants in those tenements. Had it not been so, the evictions during strikes should have been on a very large scale. The Union is not inclined to believe that during prolonged strikes when it is difficult to receive rents, the employers are so charitable or sympathetic, in the case of labour, as to allow the workers to live on in their chawls without any guarantee to receive rents. In the last strike in the Wadia group of mills, the Union understands that ejection notices had been given to the workers. This is one of the weapons in the hands of the employers to break the solidarity of the employees in strikes.

58. It is the considered opinion of the Union that the textile workers will not be able to attain the highest degree of efficiency until the existing housing conditions are altered out of recognition and over crowding completely removed. To keep his body and mind in perfect and healthy condition every worker should have decent housing accommodation fitted up with the necessary requirements. The first requisite in the direction of achieving this object is a scheme for the rapid demolition of the slum area. Unless slums are destroyed, the prospects of the better class of

houses that may be provided, being occupied may not be encouraging. The second requisite is that simultaneous efforts should be made to remodel the existing better types of chawls to suit the standard that may be fixed. The third requisite is that a programme of industrial housing spread over a stated period should be immediately prepared and the necessary steps, financial and otherwise, taken to carry it out. The fourth and the most important requisite is that industrial housing should be under public control, such as the municipality or Government. Neither the employers nor the private landlords should have anything to do with it. The Union also suggests that in any new area where factories may be allowed to be built, a town planning Act should be immediately brought into operation.

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## CHAPTER IV—HEALTH

### GENERAL HEALTH CONDITIONS OF WORKERS

59. The general health conditions of the workers are very miserable, and they cannot be any thing else when the housing conditions, wages, hours of work, diet, facilities for recreation and sports and other amenities of life continue to be what they have been all these years. The Bombay climate also adds its quota to increase the misery arising out of these conditions. In spite of all the improvements made in the general sanitation of the city, epidemics come in at frequent intervals and take a heavy toll from the poorer sections of the population. Malaria is a standing menace to the working class population in Bombay. The Union desires to draw the attention of the Commission to a report, published last year, of Major Covell, who was specially appointed by the Bombay Government to enquire into the malarial conditions in this city. He pointed out therein that the most intense malaria at the present time exists in the vicinity of the mills. This and other diseases and the surrounding working and housing conditions produce the most disastrous effect upon the general health of the workers.

60. The mortality figures may be obtained from the census reports and the annual reports of the Municipal Commissioner for the City of Bombay. It may only be pointed out here that the percentage of the death rate to the total mortality by age period in 1927 was 24.8 under 1 year, 15.5 under 1 to 5 years, 12.4 under 20 to 30 years and 11.2 under 30 to 40 years. The death rate per 1,000 of the population is 1.2 in the case of Ague and remittent fever, 0.6 for small pox, 1.3 for Tuberculosis and 7.6 for diseases of the respiratory system. If the death rate is considered by localities, it is seen that it is much higher in those which are mostly inhabited by the working class population than in those inhabited by the rich and middle classes. The Standing Committee of Bombay Municipal Corporation, in reviewing the Municipal Commissioner's Administration Report for 1927-28, have stated that the death rate (like the birth rate) is invariably high among the poorer classes and that deaths among the females are more than those among the men by at least 50 per cent. The sections of the



City that are hard hit by mortality are those which are the most thickly populated.

61. The birth-rate may be obtained from the census reports and the Administration Report of the Municipal Commissioner. The following tables in respect of infant mortality are taken from the latter report:—

*Infant Mortality rate per 1,000 births.*

1920	1921	1922	1923	1924	1925	1926	1927
556.60	672.12	405.16	413.91	423.17	359.05	393.79	319.12

*Deaths from Infants by Age-Periods in 1927.*

Age-Period.	Deaths.	Percentage of deaths to total deaths under 1 year of age.
Under 1 week	1,590	23.1
1 to 4 weeks	962	14.1
1 to 6 months	1,949	28.4
6 to 12 months	2,356	34.4
Total	6,857	100.0

*Infant Mortality by the Number of Rooms occupied in 1927.*

	1 Room and under.	2 Rooms.	3 Rooms.	4 Rooms.	Total including deaths in Hospitals, etc.
Deaths	5,688	352	87	34	6,857
Percentage	83.0	5.1	1.3	0.5	100.0

*Infant Mortality per 1,000 Births Registered by Number of  
Rooms occupied.*

Year.	1 Room and under.	2 Rooms.	3 Rooms.	4 Rooms.
1921 ... ..	828·5	321·9	191·4	133·3
1922 ... ..	470·9	435·7	421·6	300·3
1923 ... ..	524·4	394·5	255·4	246·5
1924 ... ..	557	313·3	271·2	125
1925 ... ..	503	242	236	157
1926 ... ..	577	254	215	163
1927 ... ..	490	203	222	195

These figures are so eloquent that the Union does not propose to make any comment thereon and thereby mar their effect.

62. It is not possible for the Union to say much about the working conditions in factories as the Union officials have not visited many mills. Speaking generally it can be said that from the point of view of the machinery, the working conditions in some mills are fair while in others they are not satisfactory. The Union knows that the employers take more care of their machinery than of their workers. Complaints from the workers about the quality of the material supplied are many and come frequently. The workers also complain about the speeding up of the machinery which not infrequently means excessive work due to more than usual breakages in yarn and similar disturbances in the weaving of cloth. During cold weather, more steam is circulated in the sheds which cause uneasiness to the workers; and in hot weather, cases of the workers being fainted have occurred in the past. It is also complained that in such mills as are old and not built on new and up-to-date model, there is no access for fresh air to come in. In respect of the amenities provided for the workers, it must be said that there are practically none. There are no dining sheds where the operatives can go and take their food. Workers taking their food near the machines or in some dirty

corners in a compound, is a usual feature that a visitor to a mill comes across. No smoke rooms or covered places where workers can go and have a smoke, are provided. If they want to smoke, they must go near the privies or some other open space if the mill compound is large. There is also no provision made for the workers to take rest during recess hours. Provisions as regards latrines, drinking water, etc, are dealt with in a subsequent paragraph.

63. The references to the housing conditions in earlier paragraphs will, it is hoped, give the Commission an idea about the home life of the operatives; and it does not seem to be necessary to add anything here.

—A n d     a t  
Home.

64. The "Working Class Budgets—Bombay," published by the Labour Office in 1923 gives some account of the kind of food the workers generally take and the expenditure they spend over it. Nearly 50 per cent. of the family budgets collected by the Labour Office for their enquiry were the budgets of the textile workers and the conclusions reached by them can be said to apply fairly accurately to these workers. The following extract is taken from that book:—

Dietary.

"The consumption in all budgets varies between .91 lbs. (412.77 grams) per adult male of cereals per diem in the lowest class and 1.53 lbs. (693.99 grams) in the highest class. The (weighted) average is 1.29 lbs. (585.13 grams). The corresponding figures for the budgets exclusive of scavengers are 1.06 lbs. (480.81 grams) for the lowest class, 1.55 lbs. (703.06 grams) for the highest class and 1.37 lbs. (621.42 grams) the weighted average for all the classes.

"It is interesting to compare these results with the scales laid down in the Bombay Famine Relief Code, 1912, and those for jail diets in Bombay. The family budgets contain more varied diets than do the jail diets and 'other food' in the table excludes sweetmeats, fish, condiments and spices, vegetables, fruit refreshments and other food for which no estimates of quantity are available. The minimum and maximum amounts of cereals in the Famine Code are approximately .86 lbs. (390.09 grams) and 1.29 lbs. (585.13 grams) and in the Bombay Jail diets 1.38 lbs. (625.95 grams) and 1.50 lbs. (680.39 grams). Lt.-Col. D. McCay (then Capt. McCay), I.M.S, in his "Investigations on Bengal Jail Diaries" is of opinion that 1.38 lbs. (625.95 grams) of cereals per diem is the most suitable amount required per man which will ensure the maximum absorption of protein, etc., from the diet.

"The general conclusion is that industrial workers consume the maximum of cereals allowed by the Famine Code but less than the diet prescribed in the Bombay Jail Manual." (pages 20-21.)

The report further says that expenditure on milk and ghee is negligible in the lowest income classes and that expenditure on grains occupy a major portion of the total expenditure. With such equipment in respect of food, the textile operative starts on his work to serve his master!

65. The physique of the textile workers is extremely poor. They have no stamina which will stand them in good stead against malaria and other diseases and epidemics. Mr. Tom Shaw in his report says :—

"To a European eye, the first sight of the textile workers of Bombay or Madras is extremely depressing. Owing to the Indian dress, a great deal of the body, of course, is to be seen. In Bombay, as a rule, the workers seem to be underfed, their bodies seem to be emaciated and their legs are like spindles." (Page 20).

The Union desires to draw the attention of the Commission to Section 21 (pages 47-50)—"Physique of Mill Workers"—of "Humidification in Indian Cotton Mills" by T. Maloney, the present Secretary of the Bombay Millowners' Association and to table No. 51 (page 127-128) of the same book, containing the average weights of the workers. The following extracts are taken from the said section :—

(1) "The low average weight as compared with other classes of labour is very noticeable. The average of 99 lbs. for all mill operatives is below the minimum weight for police recruits of the same average height." (Page 48).

(2) "The weight records of 63 mill hands in Bombay showed that after an average of 8 months' continuous work in the mills there was an average decrease of 36 lbs. in weight in the second half of service as compared with the first. (Page 49).

(3) "The very general practice of Bombay mill hands of returning to their up-country homes has a beneficial effect upon their general health as reflected by weight; and counteracts to a very large extent the effects of working and living conditions in Bombay". (Page 50).

66. In Bombay city the ratio of females to males is, the Union understands, 525 to 1,000. This is indeed highly unsatisfactory. The proportion of females to males would, the Union believes, still be lower if the ratio is calculated on the industrial population only. The effects of such disproportion cannot but be unhealthy. The workers are easily exposed to all kinds of temptations of city life.

Effects of Dis-  
turbance of Sex  
Ratio.

67. The relation between housing and mortality can be easily understood by referring to the table of infant mortality, according to the rooms occupied, which is given in paragraph 61.

Relation between Housing and Mortality.

#### EXTENT OF MEDICAL FACILITIES.

68. In several of the Bombay mills medical facilities are reported to have been provided; but the Union understands, they are, in a majority of cases, in the nature of first aid appliances and not in the nature of dispensaries. The medical men who are engaged are, barring a few exceptions, are part timers and have generally their own private practice in the mill area. How far these so-called dispensaries are properly equipped can be ascertained by the expenditure each mill incurs on the purchase of medicines; and it would be worth while to secure this information. The Union is also informed that some mills charge the operatives at some flat rate for the medical facilities provided, irrespective of whether or not the operatives so charged take advantage of those facilities. There are five large hospitals in Bombay with over 800 beds and outpatient departments and other small hospitals aided by Government and Municipality, of which some workers take advantage from time to time. The Bombay Municipality is conducting three dispensaries where, it is understood, free medical aid is given to the poor. Private agencies such as the Social Service League, Y. W. C. A., the Blind Relief Association endeavour to give free medical facilities to the workers. The League is very successfully conducting a charitable dispensary for women and children and it is taken advantage of on a very large scale.

—by Government.

—by other Agencies.

69. According to the Administration Report of the Municipal Commissioner for 1927-28, there are only ten nurses who are qualified midwives. They do some work of visiting the chawls and helping the women and children in their illness. This provision is merely a drop in the ocean and must be increased in proportion to the female labour population in this city.

Provision for Women Doctors, Midwives or Dais.

70. The workers do not, generally, for many reasons, take advantage of the medical facilities provided by the millowners to the extent to which they should. In the first place, the medical facilities are reported to be too inadequate and unsatisfactory. There are a set number of stock mixtures kept ready, the workers further say, and they are given one or more of

Utilization of Medical Facilities.

the mixtures, whatever the nature of the disease may be. Secondly, it is complained that the patients' examination by the mill doctors is not always thorough. What is generally done is, it is further stated, that the doctors generally depend for their diagnosis upon the versions of the patients and at times only touch their pulse or lever. Thirdly, many of the mill doctors being only part timers, are not available to the workers even during working periods. This naturally reduces the utility of the medical facilities provided. Lastly, from the nature of the complaints received from the work people, the Union guesses that the touch of human sympathy is lacking in dealing with the mill patients. It is not realised that the illness of an operative reacts on the mill efficiency and it is in the interest of the mills that the worker is treated sympathetically and with all the care that is necessary. All these causes have prejudiced the workers' minds against the medical facilities provided by the mills and are as far as possible very reluctant to take their advantage. A well paid worker generally prefers to go to a private practitioner where he is better examined and treated. A low paid worker has no alternative but either to take advantage of the mill facilities or suffer in silence.

#### SANITARY ARRANGEMENTS.

71. In the mills, latrines are provided in accordance with the provisions made in the Rules under the Indian Factories Act. It has already been pointed out that in some mills the basket privies still continue to exist and the sanitary conditions are abominable. Where flushing system exists, the sanitary conditions are not generally good perhaps occasionally due to shortage of water. At times the flushes do not work properly, which helps to create insanitary conditions. One may compare the privies provided for the superior staff with the privies for the operatives and one will immediately detect the difference in the sanitary conditions. This memorandum has, in earlier paragraphs, dealt with the kind of latrines provided in the chawls. Not only are they most insanitary but their number is quite inadequate with the requirements of the people who stay there. There must be some statutory provision compelling the owners of the chawls to provide a definite number of latrines according to the number of people residing and to keep them in complete sanitary conditions. It should also be provided that the latrines should be separated from the rows of tenements and should be at some distance from them.

72. The problem of drinking water in Bomby mills is not so much the provision of its adequate supply as the provision of its cool supply. The mills have no doubt provided water, but the taps are generally in open spaces and water becomes hot imme-

diately. The thirst of the people cannot be quenched by drinking hot water; on the contrary, it is increased. What is necessary is that drinking water should be provided in well protected rooms and suitable precautions taken to keep it very cool. In the chawls, water taps from which drinking water is taken for storage are very close to the latrines. Such a provision is highly objectionable from the sanitary point of view and must be stopped. For the purposes of storing drinking water, each tenement, or the tenement where cooking is done, should be provided with a water tap.

73. So far as the Union is aware, bathing and washing arrangements are not provided for in a majority of mills. The workers go to the mills at 7-0 A. M., and come back at 6-0 P.M. It is not always possible that all of them can take their bath before going to the mill owing largely to the inadequacy of the provision in the chawls. The Bombay climate being what it is, it is necessary for the workers who have to work in the sheds for full ten hours under atmospheric conditions which are not always cool, to have a bath every day. A bath is highly refreshing and may add to the energy and perhaps efficiency of the workers. It is thus in the interest of the employers and as well as of the workers to have suitable bathing facilities provided in the mills. In the chawls there are generally two common taps provided for each floor and they are used for baths, washing clothes and utensils and storing drinking water. The space where these taps are given, is generally open from all sides although it is protected from above. There is no privacy and even women have to take their bath in the presence of many others. The Union feels that the chawls should be provided with suitable and adequate bath rooms.

74. According to the latest report of the Chief Factory Inspector, there are only four full time inspectors, including one lady, and three assistant inspectors in addition to the Chief Inspector. Considering the increasing number of factories and the area of the Presidency, the Union is of the opinion that the present staff is inadequate and should be increased. The number of women inspectors also should be increased.

75. The Union has not so far studied the question of temperature and humidification in the cotton mills and is not, therefore, in a position to express an opinion on the improvements necessary from the point of view of the workers. It only draws the attention of the Commission to Mr. Maloney's report on "Humidification in Indian Cotton Mills", the recommendations

he has made and to the remarks of the Chief Factory Inspector in his 1928 report (page 7-8) about the sanitation and ventilation.

#### DISEASE.

76. So far as the textile industry is concerned, no systematic effort seems to have been made either by the employers or Government to find out the extent of industrial diseases and to adopt remedies. Looking to the nature of the work that some of the workers have to do, it can be said that the industrial diseases must be prevailing and attempts should be made to combat them.

77. Owing to the bad housing and working conditions and their low stamina, the workers become easy victims to diseases like malaria, small pox or hook-worm and epidemics like cholera. The Municipality is making efforts to check these diseases but more efforts are necessary.

#### SICKNESS INSURANCE.

78. The Union proposes to deal only with the draft Convention on sickness insurance for workers in industry, commerce and domestic servants and the Recommendation passed by the tenth session of the International Labour Conference; it is not in a position to say anything on the draft Convention which deals with agricultural workers. While recognising that the draft Convention dealing with industrial and domestic workers, contains a few items which may be rather difficult of being carried out to the full in the beginning, the Union is clearly of the opinion that it should be given effect to to the utmost possible extent. The Union realises that the adoption of the draft Convention means the fulfilment of its minimum conditions. But having allowed the workers to suffer all these years and exposed them to the risks of industrialisation, it is no argument to say that it is difficult to fulfil even the minimum demands of the draft Convention. Serious and prolonged disease requires a most drastic remedy and the draft Convention which is the greatest common measure of agreement between the governments, employers and workers assembled in an international gathering, provides that remedy and no Government which is solicitous of the welfare of the masses, can possibly reject it without grave risk to the workers and thereby to the development of the industries. Instead of harping upon the difficulties of carrying out the terms of the draft Convention, Government would have been better advised to use their powers and resources to face those difficulties and adopt a suitable machinery for sickness insurance. Mr. N. M. Joshi offered them a compromise



when he moved his amendment\* to the resolution\* of the Hon. Sir Bhupendra Nath Mitra rejecting the draft Convention on sickness insurance. It would have been graceful and proved the sincerity of the Government of India to do something by the working classes in this country, if they had seen their way to accept Mr. Joshi's amendment. But they not only opposed it but even challenged its admissibility. The President of the Assembly, however, overruled the objection and allowed the motion. But Government remained adamant and defeated Mr. Joshi's amendment. It should also be borne in mind that they brought in their resolution on the last day of the Assembly Session, when some non-official members had already left Delhi and Government had an easy time. Surely this is not a fair way of dealing with the working classes. The Hon. Sir Bhupendra Nath brought forth laboured arguments and difficulties which were effectively dealt with by Messrs. Joshi and Chaman Lall and need not be repeated here. It is indeed surprising that Government did not see their way to accept even the Recommendation on sickness insurance which simply defined the general principles on which sickness insurance scheme should be organised and administered. The acceptance of that Recommendation would have at least meant that Government accepted the principle of sickness insurance. Their rejection only showed them up and proved that they were not willing to do anything. Their promise of consulting the Local Governments who are often more conservative than the Central Government, and some times hostile to the legitimate demands of the workers, is a piece of dilatory tactics. The Union is of the opinion that in spite of the difficulties that may exist, every endeavour should be made to give effect to the draft Convention and the Recommendation as fully as possible; and in case that may not be possible, the Union agrees to the modified proposal of Mr. Joshi.

79. The Union desires it to be understood that in stating its views on other systems, it sticks to the principles laid down in the Geneva Convention and Recommendation. If it is found on careful investigation that there are practical difficulties in giving effect to the Convention as modified by

\* The Hon. Sir Bhupendra Nath Mitra moved the following resolution on March 27 1928 :—

"That this Assembly, having considered the draft Conventions and Recommendation adopted by the Tenth International Labour Conference, recommends to the Governor General in Council that he should not ratify the draft Conventions nor accept the Recommendation."

To which Mr. N. M. Joshi moved the following amendment :—

"That at the end of the Resolution the following be added :—

"but that he should take immediate steps to establish in India a compulsory system of sickness insurance, the application of which may for the present be confined to workers working in factories and in mines and on organised and large-scaled plantations."

Mr. Joshi, and the Recommendation, then only, the Union suggests that other methods of sickness insurance which may fall short of the Convention and the Recommendation, should to be considered. As the Commission is fully aware, there are two recognised ways of instituting the system of sickness insurance, one voluntary and the other compulsory. Before expressing an opinion in favour of one of the two systems, it is necessary to define the scope of sickness insurance. In the general introduction to the "Compulsory Sickness Insurance," containing comparative analysis of national laws and statistics, published by the International Labour Office in 1927, (Studies and Reports, Series M., No., 6), contains the following observations on the scope of sickness insurance system :

"Insurance should no longer confine its efforts to meeting the needs which arise from the weakness of the human constitution; it must pursue the evil to its origin and no longer accept sickness as a risk which cannot be averted. Insurance benefits must look to the source of disease and not merely to its consequences. Their final object is not assistance but the creation of new productive capacity.

"Compensation for economic loss is henceforth only one of the functions of an insurance system designed to economise human energy. The principle object is to reduce as far as possible the damage resulting from avoidable disease and to provide healthy living conditions for the workers. Insurance would combat disease in its cause. If, however, an illness cannot be prevented, then the business of insurance is to compensate and restore to health. It can never indeed give up its original function of providing the sick with the means of subsistence to replace the earnings which cease with sickness; nevertheless, in order to eliminate the cause of such loss of earnings, it is the endeavour of insurance to cure the sick person and restore him to active life as soon as possible." (page 14.)

"Restoration rather than compensation is, however, the principle function of insurance. In its origin insurance aimed at providing the sick with benefits in kind to replace the wages which they were unable to earn. Little by little this idea has yielded to a wider and more genuinely social conception which makes the restoration of the patient the first consideration. Benefits in kind intended to restore the health of the patient begin to overtake the cash benefits." (page 16).

"Sickness insurance is taking on a family character; it protects the workers' family and no longer the insured person alone". (page 17).

“Sickness insurance has become the guardian of the health of the worker’s family. In virtue of this task, which it has taken up widely of late years, sickness insurance has become the principle instrument of a health policy for the masses of the population.” (page 18).

“Sickness insurance is endeavouring to fulfil ever more completely its task of protecting the health of the working class family and maintaining the worker’s capacity to produce, by widening the circle of insured persons, perfecting the system of benefits which perform the three-fold function of relief, cure and prevention, concentrating the means of action, and systematically organising autonomous institutions under the control of the parties concerned.

“Thus, compulsory sickness insurance, as creator of security, health, well-being, and productive capacity, and as instrument of education, is an element both important and necessary in the proper economic and social organisation of communities.” (page 26).

This scope of sickness insurance has been accepted as desirable and necessary after considerable experience of over a century; and there is no reason why India should not accept it. To begin from the beginning and then make changes after gaining experience, is a proposition which the Union, in this case at any rate, does not accept. One should profit by others’ experience and get wiser.

80. Having thus accepted, as the Union does accept, this broad scope of sickness insurance, it is necessary to see, from the experience of other countries, whether voluntary system of sickness insurance has achieved results commensurate with this scope. The “Voluntary Sickness Insurance” (I. L. O., Studies and Reports, Series M., No. 7), has the following observations to make on this point :—

Voluntary and  
Compulsory In-  
surance.

“The scope of voluntary insurance remains too narrow; a large section of the wage-earners and the poorer population generally have failed to join provident institutions. This failure is especially marked in the case of persons whose earnings are low, and who, by reason of their precarious livelihood, are more subject to disease, and whose need of insurance against the risk is therefore more pressing. Moreover, membership of mutual benefit societies is not constant, but diminishes appreciably whenever an economic crisis occurs which causes unemployment and reduces wages.

“In spite of the financial aid of the State, the resources of voluntary insurance funds are generally very limited. A general

meeting does not willingly consent to the raising of the contribution. The inevitable result is that benefits are inadequate and the insured have to bear the greater part of the income loss and medical expenses." (Page XLVI).

"With a view to avoiding bad risks, voluntary insurance institutions systematically exclude persons who do not satisfy the conditions of health required. In practice, voluntary insurance is not open to persons who most need medical protection and this is a serious disadvantage of the voluntary system." (Pages XXIX-XXX).

"To what should this small membership of the (voluntary) funds be attributed? To the natural improvidence of man and the preference for individual thrift among the more well-to-do workers, but also, and above all, to the insufficiency and precariousness of the resources of the low wage workers, who often suffer from unemployment. It is a fact that at the present time a large number of workers, chiefly among those who have family responsibilities, do not earn enough to pay insurance contributions, although it is among them that disease and infant mortality are most serious. This situation is undoubtedly the weightiest objection that can be raised to voluntary insurance.

"To sum up, it must be stated that voluntary insurance, in spite of the tenacious and remarkable efforts that have been made and in spite of its continuous development, is making only slow progress and, except in two countries, has failed to cover more than a small proportion of the total population or the working population, and that in particular its benefits do not apply to many poorly paid persons, precisely those who have the most need of mutual aid". (page XXXIV-XXXV).

With this experience of other countries before it, the Union does not think it advisable to support the voluntary basis of sickness insurance. It unhesitatingly supports the compulsory basis which perhaps may be started, in the beginning, on a restricted scale. The State, as guardian of public health and national prosperity, should consider, as many States in Europe do consider, it both a right and a duty to impose compulsion in this matter. Insurance is a social duty the performance of which the State may, in the general interest, enforce.

81. In European and other industrially advanced countries, the question, whether insurance should be contributory or non-contributory has almost ceased to be discussed, at least so far as sickness insurance is concerned. Contributory basis has generally been accepted as the right basis of sickness insurance. The person insured, the employer and the State

Contributory  
or Non-Contributory  
Basis.

are the parties to the scheme and they contribute to the insurance fund in certain proportion which varies according to national conditions. It is recognised that the "contribution is the feature which distinguishes insurance from relief, creates a right to benefits, and justifies the participation of insured person in the management of insured institutions." (Compulsory Sickness Insurance, page 20-21). The fact, however, is that "the basis for the sharing of cost is the result of a complex of conditions which varies from country to country, and even in the same country at different periods: the level of wages in relation to the cost of living (*i. e.* the ability of insured persons to contribute), the prosperity of production (*i. e.* the ability of undertakings to bear social charges), the state of public finances (*i. e.* the possibility of obtaining from the taxpayer money to subsidise insurance), the power of trade unions of employers and workers, the composition, tendencies and attitude on social questions of Governments and parliamentary majorities. The solution adopted in each country is a compromise between the various conceptions and opposing interests and forces in which the present considerations of expediency play a more important part than theories" (*ibid*, page 22). It has also been recognised that "in whatever way workers' participation (in the insurance scheme) is justified, it must always be subordinate to the examination of a preliminary question, relating to the theory of wages. If it is proved that wages normally contain a surplus intended for provident purposes, the sickness insurance fund has obviously the right to claim its share, but in no other case." (*ibid*, page 407). In the opinion of the Union, the question of instituting sickness insurance in India should be considered from the point of view of the sound principle just enunciated. It will be shown in a subsequent chapter that the wages that a majority of the Bombay workers get, leave no surplus; and in many cases, they leave the workers in indebtedness. Surely then the workers, or at any rate those who come under this category, must be exempted from their contributions. The Union, therefore, feels that for some time to come, the basis of compulsory sickness insurance should be non-contributory and *not* contributory. This suggestion is made, not with the object of allowing the workers to shirk their share of contributions and increasing the burden on the employers and the State but, with the sole idea of not putting on the workers financial responsibility which they cannot truly undertake and which may drive them into further indebtedness. The Union is not alone in making this suggestion; it has the backing of a few countries where low paid workers are exempted from any contributions. In Great Britain, for example, "the Act classifies as insured persons with low wages those who are 18 or more years of age and who earn less than 4s. a day and whose remuneration does not include

board and lodging. The total contribution is fixed as for other insured persons, but it is paid by the employer alone if the wages are less than 3s." "In Esthonia and Latvia the contribution for persons whose money wage is less than two-thirds of the average wage of an unskilled worker must be paid by the employer. In Japan, for persons who earn less than 55 sen a day the contribution is payable by the employer alone. A similar provision is in force in the Serb-Croat-Slovene Kingdom for persons whose remuneration in cash is less than the basic wage in the lowest wage class (or 2 dinars a day). In Norway no contribution is paid by persons in the lowest wage class." (Compulsory Sickness Insurance, pages 426-27.) In the Irish Free State and Northern Ireland the employers pay the whole contribution for persons in the lower group of wages. The point the Union wants to emphasise is that the basis of contributions is being steadily shifted from the contract of employment to the economic capacity of the workers and the Union in suggesting the non-contributory basis as being more conformable to Indian conditions.

82. If, however, it is insisted that the compulsory insurance system should be based on a contributory basis, the Union suggests that the low paid workers' wages should be increased to the extent of their contribution to the insurance fund, or in the alternative, their share of the contribution should be paid by the employers. In the case of the other workers whose wages are above the minimum that may be fixed for this purpose, a graded system of insurance rates should be introduced. In Great Britain, again, the practice according to law is that "if the wages are over 3s. but less than 4s., the normal rate of 4½d. for men and 4d. for women is changed to 3½d. and 3d. respectively, the employers' share being in both cases 5½d. (i. e. eleven-eighteenths or 61 per cent. for men and eleven-seventeenths or 65 per cent. for women, of the total contribution)." There can possibly be no doubt that for some years at least the State in India will have to contribute a very decent share to the insurance funds.

83. As has already been pointed out, the modern tendency in sickness insurance is to provide greater medical facilities, both preventive and curative, in addition to the benefits in cash for the maintenance of the insured person and his family. The principle business of sickness insurance is to put at the service of every insured person a proper provision of medical aid as sickness insurance, better than any other instruments of social welfare, is fitted to assist, by organising medical treatment, in improving the health of the population. In a number of countries it is also the business of sickness insurance to cover the funeral expenses of the insured and his dependents.

The insured person should have at his disposal medical attendance, drugs and other medicines, hospitals, and the assistance of specialists, surgeons, physicians. This can be achieved only by the co-ordination on a territorial basis, of all the medical facilities and assistance that may be available. The insured person should have an additional or alternative benefit in cash, according to the needs, for himself and his family. The Union does not believe that it is called upon to go into the details of these and other cognate matters. Once the fundamentals are decided upon, the details can be worked out comparatively easily and those responsible for this work have the benefit of the I. L. O. and other publications on this subject.

84. The Union fully realises the difficulties that stand in the way of introducing sickness insurance system; and of all the difficulties, the financial difficulty is the greatest. But it, along with others, must be faced and solved. In the matter of financial difficulty, India is not the only country that has got it. Every other country must have got it in the initial stages and it has by investigations and experience solved it. India must do the same if she wants to rescue her population from the horrible position it is in to-day. It is not the work of a trade union like this to show how to get over the financial difficulty. Its business is to prove the necessity of adopting schemes for the amelioration of the workers' condition. It is the Government who must tackle the problem of finance. If they have the will, they can solve it. By cutting down the present huge military expenditure, by judicious economy of the present expenditure particularly in respect of the Services and by suitable adjustment of the present system of taxation, Government may be able to finance the scheme not only of sickness insurance but of social insurance as well. In the case of the low paid workers, the Union only desires to draw the attention of the Commission to a law in Portugal the provisions of which are to the following effect :—

“(i) Persons of both sexes between the ages of 15 and 75 who do not possess an annual income or wage higher than 900 escudos are actually insured; they pay contributions and are entitled to benefits in case of sickness. (Section 3).

(ii) Landlords, military, civil and administrative officials, merchants, shopkeepers, manufacturers and persons who live upon dividends, if they enjoy an annual income higher than 900 escudos, constitute the group “born” insured; they pay contributions but have no right to benefit in case of sickness. (Section 4).

Persons belonging to the first group alone can be regarded as genuinely insured, so that the Portuguese Scheme is an example of the insurance of workers on small means, whether dependent or independent." (Compulsory Sickness Insurance, Page 127).

85. The workers are slowly getting accustomed to western medicine and there is no difficulty on that score. Moreover, in the organisation and co-ordination of medical treatment and facilities, the two Indian systems—*Ayurvedic* and *Unani*—should find adequate place so that the objections, if any, of the orthodox section of the workers can be met. In the application of the scheme on a limited scale to start with, the question of paucity of medical men does not, in the opinion of the Union, arise. There is a fair number of medical men in cities and towns whose practice is not always remunerative; and their services can be utilised for the insurance work. The Union has already stated that Bombay labour is not migratory and from its point of view, it presents no difficulty on the score of its migratory habits which do not exist.

#### MATERNITY BENEFITS.

86. There are no schemes as such for maternity benefits in most of the Bombay mills. The Bombay Labour Office may be in a position to supply the Commission with information regarding the practice existing in a few mills under which some payment is made to a few women at the time of confinement. The Union's information is that in about thirteen mills, there is a provision for paying one to two months' wages during confinement and, in a few mills, granting leave for six weeks. Whether this leave is on full pay which is an addition to the benefits that are paid, is a point on which the Union has no information; but it is inclined to think that the leave is without pay. Apart from that, such a provision exists in only a handful of mills and advantage is taken of it on a limited scale. The Commission may perhaps be in a position to get information about the total amount spent by these mills on maternity benefits during the last five years and the total number of women employed by them. The Union's feeling is that the women workers do not get adequate advantage of the provisions that may exist, that the provisions themselves are confined to only a few mills: and that they are not adequate.

87. Some four years ago Mr. N. M. Joshi introduced in the Legislative Assembly a Maternity Benefit Bill, the scope of which was confined to the factories and mines governed by the Indian Factories and Mines Acts and to large-scaled plantations. The Bill only enunciated the general principles of maternity benefits and left the details to be worked out under the

Existing Schemes.  
History of Legislation.



Rules. The Bill was opposed by Government and capitalist element in the Assembly and the result was that it was defeated by only four votes. In the Bombay Legislative Council Mr. B. S. Asavale introduced last year a Maternity Bill and it was passed, with considerable modifications, into law in March of this year. Under this Act a woman expecting confinement gets leave of absence for a month prior to delivery, is prohibited from work for four weeks after delivery, and gets eight annas a day for a maximum period of seven weeks and is protected from dismissal during that period.

88. The Union is firmly of the opinion that an all-India maternity legislation embodying the recognised principles of such  
 Possibility of  
 Legislation. legislation is what is essential. Provincial legislation is objectionable on the ground that the province having such legislation entails some financial burden on its employers thereby increasing their costs and the latter are put in a disadvantageous position in respect of the employers in other provinces where no such legislation exists. Further, the employer alone should not be asked to bear the financial burden; it is the State, which is the guardian of public health and child welfare, which must contribute substantially to the maternity benefits scheme. As in the sickness insurance scheme, so in this scheme as well, the cash benefits only do not satisfy the requirements; benefits in kind or medical facilities are the most important consideration. It is recognised that "rest is indispensable to expectant mothers; and pregnancy can only follow its normal course and be attended with satisfactory results if proper pre-natal care is insured; and this obviously implies abstention from work before confinement. A normal confinement will be facilitated by proper medical attention and care during pregnancy; while it is essential that mothers should be assisted by a doctor or midwife during and immediately after confinement. The mother after her confinement obviously needs rest and care; and is consequently unfit for work for some time after that event, while the new-born infant also requires the care and the presence of its mother, who should be able to feed and nurse it. The conditions under which newly-born infants are fed, and an opportunity for their mothers to submit them to periodical medical examination are essential features of any system of child welfare. Both in the interests of the mother and of the child, all these requirements must be fulfilled." (Compulsory Sickness Insurance, page 341-42). In most of the modern States with a properly organised system of compulsory sickness insurance, the benefits, which include in many countries nursing bonus as well, connected with motherhood, are granted under that system. The Union prefers this method to the one leaving the payment of the benefits to the employer.

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## CHAPTER V—WELFARE

89. The Labour Office collected some material in 1926 on the utilization of workers' spare time and their report was published in the *Labour Gazette* in 1927. It showed that the problem had received very little consideration at the hands of the employers in the textile industry. What a few of the employers have been doing, or rather were doing for a few years when the industry was yielding bumper profits, is, or rather was, in the nature of providing some facilities in respect of small medical aid, minor educational facilities, a few co-operative societies, etc. The larger problem of the development of the workers' physical, intellectual, material and moral qualities has never been tackled. Information about the actual welfare work being done by the employers may be obtained from the Millowners' Association and the Labour Office. It would be interesting to know the expenditure they are spending on welfare work and the amount from it which is spent on salaries of the staff, rent, etc., so that one may get an idea of the actual amount spent on welfare work as such and the benefits accrued to the worker. There are only a few non-official public bodies, such as the Social Service League, the Y. M. C. A., and the Y. W. C. A., which are carrying on some useful activities; but owing to financial stringency, their work is considerably handicapped. The Union does not think that there are any welfare officers in the Bombay mills.

90. There are, generally speaking, no refreshment rooms conducted by the mills for their workers. An adjoining shopkeeper takes his tea and some refreshments inside the mills and sells them to the workers. There is no supervision or control over the quality of the refreshments supplied. Shelters there are practically none. The workers pass their recess period either by going to their homes or by lying down near their machines or in some dirty corner of the mill premises. Some mills have got creches.

91. The results achieved by the employers' welfare work are, in the opinion of the Union, almost negligible by looking to the total number of workers and the magnitude of the task. The workers too have begun to look upon the employers' work in this direction with suspicion. They feel that the welfare work is designed to tighten the grip of the employers upon their employees. This feeling is not peculiar to India or Bombay alone; it existed in the minds of the European workers

as well as will be seen from the following quotation from the Voluntary Sickness Insurance :—

“ What is worse, they (the employers' schemes of welfare work) excited the distrust of the masses and the opposition of the Socialist Parties, which were rapidly growing up. The worker and his trade union saw in the employers' generosity a means of restricting the worker's freedom of movement and binding him by the ties of material interest, apparent rather than real however, to the undertaking which employs him. The Socialist Parties objected to the employers' schemes on the ground that their one-sided management excluded the workmen, that they offered none of the educative opportunities which are necessary in a democratic State, that it weakened the will of the working class to emancipate itself, and that after all the benefits offered were fragmentary and of little value.” (page xxii).

The employers on their side also seem to think that the workers by resorting to strikes do not appreciate the value of welfare work. There is also a feeling which occasionally finds expression in private talks that welfare work may be considered as a substitute for trade union work and that workers should not agitate and cause embarrassment to their employers. While in no way depreciating the value of genuine welfare work, the Union feels that it is being done under an atmosphere of suspicion and distrust on either side and that may perhaps be the reason why the British T. U. C. Delegation characterised the welfare work as a “ delusion and a snare.”

92. So far as the Union is aware, the employers have not made any provision for the education of adult workers for their children. Half-timers there are practically none in Bombay.

Educational Facilities.

93. There are a few mills which give some gratuity to some workers who have put in long service or which give provident fund where the system of provident fund exists. But these systems are objectionable on the ground they are more or less based on the good will of the employers and controlled by them. Secondly, it is not always that each and every worker who has put in a prescribed period of service invariably gets gratuity. The tendency to select such men for gratuity as were in the good books of the superior staff or the head-jobbers, is inevitable when the grant of gratuity has not got the sanction of any rules behind it. In the case of the provident fund system, the workers do not get its full advantage as they are liable to

Provision for Old Age and Premature Retirement.

be dismissed any moment and when they are so dismissed, they forfeit the employers' share of the fund. They do not, therefore, join the fund, where it exists, in large numbers. With the insecurity of employment and low wages, the workers have no possibility of saving much for their old age. There is a clear necessity for the provision of old age pensions and for premature retirement. If there is to be any provident fund scheme, it should be statutory and on a more satisfactory basis. The practice of paying gratuity, where it is to exist, should also be statutory and compulsory. The financial side of the old age pensions scheme, the Union has not considered for want of time; and it is, it thinks, mainly the work of Government to find ways and means.

94. The Union has not studied the question of co-operation or taken part in the co-operative movement as its attention was almost always concentrated on more pressing problems of the day. It has considerable faith in the movement which is expected to do much good to the workers. It suggests that the industrial workers' co-operative credit societies should be subsidized by Government in the same way in which the agriculturists' societies are subsidized. The Union considers that a statutory welfare fund should be started not only for miners but also for other industrial workers as well.

Co-operation  
and Welfare  
Fund.

## CHAPTER VI—EDUCATION

95. In the F and G wards of the city which are mostly located by the working class families, the Bombay Municipality has made primary education free and compulsory for children between 7 and 11. The latest report of the Schools Committee shows that the number of children of compulsory age before the introduction of compulsion and on 31st March 1926, 1927 and 1928, was 17,200, 17,613, 18,698 and 17,554 respectively; and the number of children attending schools for the same periods and dates was respectively 5,663, 12,001, 13,371, and 13,005. The percentage of literacy in those wards thus was 32 before the introduction of compulsion, 68,71 and 74 on 31st March 1926, 1927 and 1928 respectively. The progress thus far made may be said to be fair and encouraging. But the trouble is that as there is no provision for further education when the boys begin to go to the factories, they again lapse into illiteracy and whatever knowledge they may have acquired in four years of compulsion, practically disappears in subsequent years.

96. The number of children employed in factories is very small and the Union is not aware of any provision being made for their education. As the minimum age of entering the factories is now 12, it will be well if the age of compulsion is also raised from 11 to 12.

97. The report of the Schools Committee does not say a word about the provision of the education of adults, which only shows that there is no provision made by the Municipality. There may be a few night schools where some adult workers may be going for receiving education; but their number is very small. The Union tried to open an adult class at Kurla; but it did not last long. It was found that after working in the mills for ten hours a day, the worker has not got the physical and mental energy to learn. While appreciating the efforts of introducing compulsory education for children, the Union is of the opinion that the crying need of the hour is the provision for adult education. The fruits of the present compulsion can be seen only after some years; but the industry and the welfare of labour can not afford to wait any longer. A well-knit scheme of adult

education must be introduced immediately not only in Bombay but in other parts of the Presidency wherefrom the textile labour is drawn.

98. Illiteracy is a most dangerous menace to progress. It is impeding the national growth in every direction. The work of organisation of labour is considerably handicapped by the illiteracy of the workers. They do not realise where-  
 Illiteracy—a Menace. in their true and permanent interests lie. They, therefore, fall a victim either to extreme conservatism and exploitation of the millowners or to the extreme programme of the labour movement. The middle path which is always a sure, though difficult, path to follow, the workers decline to follow after bitter experiences and disappointments. The result is either the sullenness bordering on aversion to organisation on the part of the workers or the serious industrial unrest, strikes and lock-outs. Both these tendencies are ruinous to the industrial progress and permanent well-being of the community. It is necessary from every point of view that illiteracy must be wiped out from India without any further loss of time and a bold and elaborate programme must be chalked out and carried into effect. No price is too high for the removal of illiteracy. Free and compulsory primary education must be introduced in every part of the Presidency so that the fresh recruits to the textile industry will be literate men. To select only Bombay for compulsion may not solve the problem.

99. The Union does not think that the small efforts that are now being made in the direction of compulsory education  
 Education and Standard of living. have made any appreciable effect on the standard of living of the workers. The standard has practically been what it was years ago. For it to change for the better, there are factors, other than education, equally important, which must also undergo a healthy change.

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## CHAPTER VII—WORKMEN'S COMPENSATION

100. The Union has recently addressed a letter on the subject of the amendment of the Workmen's Compensation Act and it would be well if that letter which covers some of the points raised in the questionnaire is reproduced below. On the other points in the questionnaire, the Union thinks the Commission will be able to get the necessary information from other sources. The letter of the General Secretary runs as follows:—

101. "I have the honour to acknowledge the receipt of your letter No. 137, dated 22nd January 1929, asking me to communicate to you the views of the Bombay Textile Labour Union on the above subject. Your letter together with the accompaniments was placed before the Managing Committee of the Union who considered all the points raised by the letter of the Government of India in para No. 18 and some other important points in connection with the Workmen's Compensation Act and I am authorised to express the following views on its behalf.

102. "Before dealing with the specific points raised in para 18 of the Government of India's letter, my Union would like to draw your attention to one or two serious defects which have crept into the Workmen's Compensation Act as it stands today and which affect the interests of the workers very adversely. And now that the Government of India propose to amend the Act, my Union would like to urge that it would be fair and just to remove those defects in the Act in the interest of the workers.

### *Preliminary Remarks.*

103. "Ordinarily under the common law the employer is liable to pay damages for injuries inflicted on another through his own negligence; but the claim of the employee for damages for any bodily injury which he might have suffered during the course of his employment can only stand under the common law if it can be proved that the personal injury complained of arose from the employer's personal negligence or because he knowingly employed an incompetent servant. The defendant can also shirk the responsibility of paying any damages for injury either if he can prove a counter charge of contributory negligence against the injured employee or on the strength of a doctrine which deprives an employee of the right to recover damages for personal injury if he, knowing the risk he is running, agrees expressly or by implication to run the risk.

104. "But even if the injured employee successfully surmounts these defences, there remains, however, the even more serious obstacle

of the doctrine of common employment which excludes liability for damages when the injury is caused by reason of the negligence of a fellow workman in the employment of the same master for the purpose of the same business, irrespective of the consideration that the injured workman was bound to obey the orders of the fellow servant whose negligence was responsible for the injury. It will not, therefore, be an exaggeration to say that the doctrine of common employment grants the employer an immunity from paying any penalty—though having failed to make proper provision for the safety of the workmen, he is guilty of indirect negligence—by shifting the responsibility of the accident, for which, for all practical purposes and from the commonsense point of view, the employer alone is morally responsible, to one from whom damages cannot be recovered. The cases, therefore, where an injured workman can hope to be benefitted by common law action for the latter's negligence are naturally very rare.

105. "It, therefore, appears to my Union as reasonable that where  
 Employers' personal injury is caused by reason of the negligence of  
 Liability Act. the employer or his agent or any person in the service  
 of the employer, the workman shall have the same  
 right of compensation and remedies as if the workman had not been a  
 workman in the service of the employer or engaged in his work. My  
 Union thinks it absolutely necessary and essential that some provisions  
 on the lines of the Employers' Liability Act which were inserted in the  
 draft Bill of the Workmen's Compensation Act by the Government of  
 India but which were subsequently deleted by the Select Committee,  
 ought now to find a place in the Workmen's Compensation Act. The  
 Employers' Liability Act imposes on the masters liability for accidents  
 causing injury or death brought about by defects in the works, plant or  
 machinery due to the masters' negligence and for similar accidents caused  
 by the negligence of the fellow servants entrusted by the employer with  
 the duties of superintendence. The Act while not depriving the  
 employer of the defence of contributory negligence only aims at doing  
 justice to the employees by allowing them the liberty to take action  
 against the employer under the common law when the injury can be  
 conclusively proved to be the result of the negligence of the employer  
 or his servant, after taking away his privilege of taking shelter  
 under the doctrine of common employment. If the Workmen's  
 Compensation Act is to be perfect, just and impartial to the  
 employees, it ought necessarily to cover the following two essential  
 points. The first is that it ought to abolish the doctrine of common  
 employment; and secondly, it ought to prohibit contracts by workmen



renouncing their statutory right. And any number of amendments of the Act relating to the workmen's compensation will fail to make it satisfactory and free from defects so long as it makes no provision for claiming compensation on the lines of the Employers' Liability Act. For the provision of an Act based on the principle which allows the employees, whose necessities compel them to seek employment in certain dangerous occupations, in the course of which accidents not always possible to be guarded against, are of frequent occurrence, a right to claim compensation to a moderate and limited amount in respect of the loss of wages, cannot serve the purpose of the Employers' Liability Act which is based on the principle that justly and appropriately imposes on the masters a liability for accidents due to their negligence or to the negligence of their servant, as the basic and fundamental principles of the two Acts are quite different in character. Whereas the principle underlying the Workmen's Compensation Act is that the employer is liable for those accidents which are incidental to the industries he runs, irrespective of any consideration of negligence or fault either of the employers or the employees; the Employers' Liability Act has for its basic principle that the employer is liable for damages when he or his servant is negligent. My Union, therefore, thinks that no valid or reasonable objection can be raised against the inclusion of the Employers' Liability Act, as all that it aims to perform is to remove the shortcomings of the common law which works to the great disadvantage of the workers. The demand of workmen that they should have the liberty to take action under the Employers' Liability Act which entitles them to a larger amount of compensation than what can be allowed under the Workmen's Compensation Act is, in the opinion of my Union, just and reasonable. For, every reasonable man must concede that the amount of compensation in cases of injuries due to employers' negligence must be considerably larger than the amount in those cases of injuries which are incidental to the industry itself.

106. "The one-sided provision of the Workmen's Compensation Act as it stands to-day which deprives the workmen of any compensation if he be guilty of serious and wilful misconduct, establishes the necessity of the Employers' Liability Act beyond the pale of doubt. If it is found that the injury was due to the negligence of the employer or his agents or servants, then equity and justice would require that the workman should be entitled to have the right of getting more compensation than what he is ordinarily entitled to get under the Compensation Act, which affords compensation independent of the negligence of the employer. If an employee is deprived of his claim for compensation if he is guilty of wilful misconduct or under the influence

of drink, it stands to reason that a sober employee ought to have full liberty to sue his employer for damages if he has to suffer an injury because of the negligence or drunkenness of his employer or other fellow servant with whom he may be working. The necessity of enacting the provisions on the lines of the Employers' Liability Act is further proved from the fact that even the Government of India had thought it desirable to include them in the draft of the Workmen's Compensation Bill which was first introduced in the Legislative Assembly in 1922. My Union is of opinion, therefore, that the Government of India should either include the Employers' Liability Act in the Workmen's Compensation Act or a separate Bill be introduced in the Assembly.

107. "In the opinion of my Union, another serious defect in the Workmen's Compensation Act as it stands today is that the workman has to lose his claim for compensation that might help his helpless wife, children and other dependents, in case the injury results in his death, if the accident is proved to be due to his wilful misconduct. The workman has no right to claim compensation for an injury which might arise out of and in the course of employment if he goes to work under the influence of drink, or if the accident is due to the fact that the worker has wilfully disobeyed any rule or if it is due to the fact that he has removed a safety guard, under the existing provisions of the Workmen's Compensation Act. The provisions of the Act which deprive the worker of his claim to compensation if it is proved that the accident was due to his wilful and serious misconduct may appear to be reasonable and just. On careful consideration of the question, however, it becomes clear that these provisions are in direct contravention with the spirit and the principle underlying the Workmen's Compensation Act which may be defined as that the industry which creates risks for workmen should bear the civil liability for the accident for which it alone is responsible. The Act recognises as its basic principle that it is just and right to confer compensation on workers for accidents which are incidental to the industries upon the mere proof of the accident and its resulting loss to the employee, irrespective of its causes and quite independently of the question whether or not there had been negligence on the part of the employee or the employer. If, however, in case of an accident due to wilful misconduct of the employee he loses all his claim to compensation, considerations of equity demand that the employee rightly and justly deserves more compensation in those cases of injuries which may be proved to be due to the negligence of the employer than the amount of compensation in these cases where the injuries may be due to the

Accidents due  
to alleged Wor-  
kers' Negligence.

negligence of neither party. And in so far as the Act remains unmodified in this respect, it cannot but be regarded as a defective piece of legislation. The assumption on which such provision can have any justification might after careful analysis and scrutiny be found to be most erroneous and inconsistent with human nature and insulting to human instincts. It is inconceivable that any workman, unless he is a lunatic, will try to do something that will cause his death or disablement. To assume and start with such assumptions is to do gross injustice and offer insult to human nature. And any piece of legislation based on such erroneous assumption and misrepresentation of human nature is bound to be necessarily unjust and defective. For all practical purposes, these provisions in the Act serve only to supply the employer with a loophole and to furnish him with an opportunity to find an excuse, if he can conveniently do so, for refusing to pay any compensation for the accident. My Union cannot conceive any other useful purpose which these provisions might serve. The absurdity and unreasonableness of these provisions will be still more evident in those cases of accidents where an injury results in the immediate death of the workman. For it will be extremely difficult for the dependents to dislodge the employer if he chooses to take shelter behind these provisions of the Act by attributing the accident to the wilful misconduct of the worker, in the absence of any evidence to refute the charges levelled against him which the dead man alone could have been able to produce. My Union, therefore, suggests that the Government of India should so modify the Act that the defence of serious and wilful misconduct should not be open to the employer where the injury results in death or serious permanent disablement.

*Question No. 1.*

108. The present Workmen's Compensation Act lays down the general principle that persons who are employed in industries which are both organised and hazardous are alone entitled to receive compensation. The same motives and considerations which inspired the Government to enact a piece of legislation of the nature of the Workmen's Compensation Act in 1923 ought now to convince them of the necessity of departing from the narrow limits of the Act which have failed to make provision for the benefit of all wage earner by restricting the benefits to be derived under the Act only to workers in the hazardous and organised industries. Neither the fact that the industry is not hazardous and the accidents are not very frequent nor the fact that the industry is not

organised, can justify us from excluding any class of employees from the benefits of the Act, as the resulting hardships of an accident which the workman and his dependents have to suffer can in no way be minimised by the fact that the industry not being hazardous, the injury was a rare accident or that the industry is not in an organised condition. My Union is of opinion that it is unjust and unreasonable to distinguish different branches of the industrial population and to set limits to the scope of the Act by including employees engaged in hazardous and organised industries after having agreed upon the basic principle of the Act. My Union is of opinion that the scope of the Act ought to be extended to all classes of workers, it ought to embrace all industries and occupations and the principle of the Act ought to be applied in other directions so that the whole of the working classes and the wage earning population may be included in the scope of the Act. The facts of the injury by accident ought to be a sufficient justification for compensation. The general principle which ought to be rigidly followed as far as possible should be that where there is an injury there ought to be a relief. My Union is, therefore, of opinion that the scope of the Act should be extended on the basis of the English law, excluding only that class of employees who are non-manual workers and whose income exceeds 400 rupees a month.

109. "If, however, the Government is not prepared, at the present stage to apply the Act universally by removing the unjust, unreasonable and unnatural limitations of the scope of the Act, my Union would like to suggest an alternative that the scope of the Act should at least be extended by removing the limit of the hazardous nature of the work, so that the workmen employed in many well organised industries such as tea, coffee and other plantations may be entitled to the benefit under the Workmen's Compensation Act.

110. "My Union also desires to invite the attention of the Government of India to the fact that workmen employed in many industries which are both organised and hazardous are not included in the present Compensation Act. A list of workmen to whom, my Union is of opinion, the Act should be made applicable, is given in an appendix.

111. "As regards the seamen, my Union thinks that the definition of the "Registered Ship" in sub-section J of Section 2 of the Workmen's Compensation Act of 1923 is unjustly restrictive as it deprives a number of seamen engaged on ships which are not registered under any one of the Acts stated in that sub-section but are registered under the British Merchants' Shipping Act. It is,

however, true that such seamen can claim compensation under the English law even though their direct employers happen to be in British India and the ships are plying in British Indian waters; but they have to go to the English Courts for getting compensation. My Union also thinks it absolutely necessary and reasonable that the restriction about the tonnage be removed and the Act should be made applicable to all ships running by power.

112. "The benefit of the Act should also be extended to the workshops of the Royal Indian Marine who are excluded under section 2 (1) (N) of the Act. The exemption might be confined to those who are actually engaged in H. M. Naval, Military or Air services. But it appears unintelligible, however, why those who are working in the Dock Yard Workshops of the R. I. M. or who are incidentally connected with such services should be excluded from the benefit of the Act.

*Question No. 2.*

113. "My Union is of opinion that some provision for protecting workmen against possible loss by reason of the inability of their employer to pay any compensation that may be due, is necessary and is further inclined to suggest that the most effective step in this direction would be to introduce some scheme of compulsory insurance.

*Question No. 3.*

114. "The present system of payments should continue as it has, in the opinion of my Union, worked quite satisfactorily; and the Commissioner should have full discretion to sanction recurring payments instead of lump sums in special circumstances.

*Question No. 4.*

115. "The question of the amount of compensation is the most important part of the Act and can broadly be divided into two parts :—

- (1) Benefits accruing to dependents in fatal cases.
- (2) Compensation payable to an injured workman during his incapacity.

116. "The amount of compensation allowed by the Workmen's Compensation Act in either of the above circumstances is, in the opinion of my Union, absolutely meagre and inadequate and, in fairness to workmen, it ought to be substantially increased. My Union thinks that the pressing need at the present time is that adequate provision ought to be made to secure that the children of a fatally injured worker should

have a reasonable chance of developing into healthy members of the society. With this end in view it would be absolutely necessary that the minimum limit of Rs. 3,000 should be fixed in case of an accident which results in death.

117. "The amount of compensation payable to the employee by the employer in case of an accident which results in a fatal injury, is at present calculated on the basis of the workmen's earnings. My Union, however, is of opinion that it is not advisable to maintain this principle as it is extremely unjust and unsatisfactory to calculate the compensation on the basis of the average earnings of the workmen. It is a vicious principle that a better paid workman should be in a better position to make provision for his dependents than a low paid workman. The Workmen's Compensation Act ought to make no distinction among the workers in connection with their claim to compensation."

118. "If, however, the Government is not prepared to depart from the system which is followed at present, my Union would like to suggest the following alterations in the scale of compensation to meet half way the ends of justice. The scales of compensation ought to be substantially increased. Where the injury results in partial disablement, the amount of compensation should be raised to three fourths from one half. In cases where the injury results in permanent total disablement, the amount of compensation to be paid to the workman should be equal to the wages for a period of five years instead of 42 months' wages which are due to him under the provisions of the present Act, with a maximum of Rs. 6,000 instead of Rs. 3,500. The amount of compensation to be paid in cases of fatal accidents should be five years' wages instead of 30 months and with a maximum of Rs. 5,000 instead of Rs. 2,500. All these scales should apply to the minors as well as to the other workers."

*Question No. 5.*

119. "My Union is of opinion that there should be no waiting period as it is directly opposed to the underlying basic principle of the Workmen's Compensation Act. In enacting any piece of legislation the principle which ought to guide us and from which we ought not to deviate if the legislation is meant to be just, reasonable and perfect, is that, having agreed upon the basic and fundamental principle of the legislation, we should be careful to see that no clause in the Act is directly contrary to or inconsistent with the principle and the spirit of the Act. We concede that it may be necessary to put safeguards against the probable misuse and the abuse of the

privileges which are conferred by the Act and see that no scope for, or any opportunity to, an undue advantage is left open to the workers. But in no case should the limitation or modification be of such a nature that it might directly contravene its basic principle and its spirit. When the question of the waiting period is studied, its propriety analysed, its claim for justification scrutinised from this point of view, it will become abundantly clear that it directly contradicts the fundamental principle of the Workmen's Compensation Act which recognises the right of the workmen to receive compensation for injury which is incidental to the industry. If an injury entitles the workman to compensation, it is absurd and arbitrary to put down a condition that will deprive him of his right to receive it during the waiting period. To take a concrete illustration of permanent disablement, one can understand the reason for limiting the period during which a workman is entitled to compensation. But any limitation in the Act which does not allow any compensation for some days following injury is hardly reasonable or intelligible. Neither logic can justify it nor reason can approve of it. The acceptance of the principle of the waiting period is prejudicial to the basic principle underlying the Workmen's Compensation Act. It seems that prudential considerations of not encouraging or providing the workers with an opportunity for malingering and of taking away all possible temptation to pretend to be incapacitated for work by the injury while they may be quite fit for work, might have prompted the Government to include the waiting period in the act in the past. My Union feels that these prudential considerations have clouded the main issue and have led the Government to do injustice to the workers. My Union thinks that it would be thoroughly reasonable if some other provisions are inserted by which the worker would be required to satisfy medical authorities as to his physical unfitness for work during the period.

120. "Another argument which requires some consideration and refutation in this connection is that practically every Compensation Act makes provision for the waiting period, that is the period for which the disability must last before compensation is due to the injured workman. But this argument alone without the support of other weighty arguments cannot justify the inclusion of the waiting period in the Indian Workmen's Compensation Act. For my Union makes bold to submit that the justification of any provision should not be based merely on the parallel of other international Acts. Even the then Industries Member, the Hon'ble Sir Charles Innes, said during the debate in the Assembly that the Bill was not intended to be a slavish imitation of Acts of other countries. If

we are to profit by experience of other countries and by comparative study, we can only hope to benefit not by slavish imitation but by selective process of assimilation of the good points and rejection of the bad ones.

121. "It is also urged that the amount of compensation for temporary disablement due to a workman who is disabled for a period less than ten days will seldom exceed Rs. 2 or 3 and it will not, therefore, be worthwhile for the workman to ask for it. But this argument instead of supporting the waiting period favours the contention of my Union that there should be no waiting period at all. It is just because the amount of compensation which a workman can claim during the waiting period is trivial, that my Union thinks that the waiting period is superfluous, and while its deleting will not lay a great burden on the employer, it will be doing justice to the worker to whom the loss of even the trivial amount of Rs. 2 or 3 means hardship for a couple of days.

122. "If, however, the arguments stated above fail to convince the Government of India of the necessity of doing away with the waiting period, my Union would like to suggest that it should be reduced to 3 days as it hopes that there will be no two opinions with regard to the fact that the waiting period of ten days is too long and results in great hardships to the workers. It may also be pointed out that the waiting period in India is longer than that prescribed by almost all other countries.

*Question Nos. 6, 7 and 8.*

123. "In the opinion of my Union the present list of the dependents is almost exhaustive. But widowed daughters and daughters-in-law who are practically actual dependents on the deceased workman should be included in the list of dependents. And owing to peculiar conditions of the Indian workers, no proof of dependence should be regarded as necessary in order to enable a relative to claim compensation. My Union for the present cannot agree to the principle that the amount of compensation should vary with the number of dependents and to the extent to which they are actually dependent on the deceased as it would create administrative difficulties, increase litigation and likely to defeat the object of the Act.

*Question No. 9.*

124. "My Union is of opinion that the Act should be so amended as to place the liability for compensation on a person directly employing the workmen though it might some time happen that the employer of labour might have no control over the working conditions. It would therefore be necessary  
Contractors' Responsibility.



to make provision in the Act that in case the contractor or the sub-employer is ordered to pay compensation, he shall have the right to be indemnified and vice versa. But my Union, however, is of opinion that the workman should have liberty to sue any one of them for compensation.

*Question Nos. 10 and 11.*

125. "My Union also thinks that it is desirable and absolutely necessary to provide for some penalty in the Act for failure to comply with the provisions of section 15. Although it agrees with the view of the Government of India that the fact that several reminders asking for returns had been issued without the proper response from the employer is sufficient to establish beyond doubt an intentional default on the part of the employer, it thinks that it is advisable to introduce a penal clause in the Act making it possible to impose fine on the employers who fail to submit returns. It is also the opinion of my Union that the scope of section 16 should be extended with a view to secure all the details of all the accidents irrespective of the consideration whether the employer was liable to pay compensation for the accident or not. In the returns the employer should be required to record the reasons for not paying the compensation in those cases where the employer was not entitled for compensation for the injury.

*Question Nos. 12, 13 and 14.*

126. "My Union entirely agrees with the view of the Government of India that section 22 of the Act should be amended in such a way that the dependent may have the right to approach the Commissioner without first approaching the employer for compensation. It is also of opinion that the Commissioner should be empowered to initiate proceedings to secure the payment of compensation in cases, where owing to ignorance, no claim has been made. In order that the dependents may not lose their rights to receive compensation through ignorance of their rights, it is also absolutely necessary that the employers should be compelled to register the names and the addresses of the nearest relatives of each of their employees.

*Question No. 15.*

127. "My Union is of opinion that the Commissioner should be empowered to call employers depositing inadequate compensation for fatal accidents to make good the claims of compensation.

*Question No. 16.*

128. "My Union thinks it necessary that for expediting the disposal of the appeals, the period of limitation should also be reduced to 20 days for an appeal, to be preferred by an employer against the decision of the Commissioner. Section 5 of the Limitation Act should not be made applicable to the appeals by the employer and the High Court should be requested to expedite the disposal of appeals.

126. "My Union has also to make a few more following suggestions in connection with this Act.

(a) In case of fatal accidents which take place in work places it becomes very difficult for dependents to get evidence to prove the same. And it is, therefore, natural to presume that the accident took place in the course of and out of employment unless the contrary is proved by the employer. The rule of English Law as stated in sub-section 2 of section 1 of the Insurance Act throws the burden of proof on the employers. A similar provision should be made in the Act.

(b) Section 10 of the Act which requires that the notice of the accident must be given, works to the great disadvantage of the dependents and entails much hardships on them. A provision on the lines of section 14 (1) of the English Act, therefore, should be introduced in the Indian Act.

(c) By reason of the provision of section 21 the workmen who are entitled to get compensation under the Act are denied the benefit on the ground that the accident takes place in a place outside British India. Thus, for example, where a servant of the G. I. P. Railway who suffers an injury in a train passing through the territory of H. H. the Nizam, may not be entitled to compensation. It is, therefore, necessary to remove this anomaly and to extend the benefit of the Act to all workmen employed by employers in India irrespective of the place of accident."

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## APPENDIX.

1. Undertakings or parts of undertakings engaged in the production or manufacture of explosives, inflammable, poisonous, unhealthy.

2. All undertakings for loading or unloading.

3. Construction, repair and maintenance of P. W. D., Railway Ports, Roads, Canals, Embankments, Dykes, Harbours, Aqueducts, Drains, Bridges, Tunnels and similar works.

4. All undertakings for transport on land, sea, river, lake and navigation canals.

5. All factories and workshops using power, irrespective of the number of men employed.

6. Undertakings for the erection, maintenance, demolition of all classes of buildings, for the loading transport and unloading of materials for such erection and maintenance arising out of such demolition.

7. Works necessary for preventing land slips.

8. Undertakings for the production and distribution of gas and electric energy, telephone undertakings and works necessary for the placing, repair and removal of pipes and other conduits for gas, electricity and water or of lightning conductors.

9. Lime, tiles and brick kilns.

10. Undertakings for cutting or trimming of trees in forests and transport of the same to the ordinary places of deposit or the banks of rivers, seas or ports, neighbourhood or roads.

11. Employees in transportation services inclusive of Tramways, Steam Road Rollers and Motor Busses.

12. Seamen employed on board of all kinds of vessels except sailing vessels of less than 100 tonnage.

13. Toddy drawers and fruit fallers for trees for the purpose of Trade or Business.

14. Employees in warehouses and godowns.
15. Employees in the manufacture of gas, produce and fire works.
16. Well sinkers.
17. Factory workers concerned for both under clauses *a* and *b* of sub-clause 3 of section 2 of the Factories Act.
18. Employees in Dockyards.
19. Postal runners, Mail guards, Overseers, village postman and others whose duties require constant travelling, injuries or diseases contracted in salt works."

## CHAPTER VIII—HOURS

### HOURS WORKED PER WEEK AND PER DAY.

130. In the textile industry in Bombay, the mills are worked ten hours a day and sixty hours a week. This limitation in the working period has been secured by the operatives as a result of the general strike of 1920 and came into operation before the India Factories Act was amended in 1922. The limitation is thus in the nature of a contract between the Bombay millowners and workers, which was wrung out from the former by a resort to direct action and is not secured under the provisions of the Factories Act so far as the maximum daily working hours are concerned. In respect of the weekly period, the contract and the provisions in the Act tally.

131. There are a few exceptions, based on practice, to the maximum daily and weekly periods of work in the Bombay mills.

Exceptions. The female workers generally work between eight to nine hours a day. They go to the mills an hour or so later and return an hour or so earlier than the male workers do. Some of the latter such as “(1) fitters and other employees in the Mechanics shops (in the mills), (2) some operatives in the warping, sizing and warehouse departments, and (3) some departmental fitters, carpenters and line levellers” (Fawcett Committee’s Report, para 144, page 66), generally work between 8 to 9½ hours a day. This practice has been in existence from the period earlier than that which brought down the general working hours from 12 to 10 in 1920. The exact daily working period in the case of these operatives varies from mill to mill; but the fact remains that most of them work less than ten hours. Before the 1928 general strike some millowners tried to increase the working period of these men to 10; and a few succeeded in their attempt. The Swan and Finlay Mills in 1924 and the Gold Mohur mills in 1925 changed the hours of the mechanics from 8½ to 10 but gave increases in pay for the extra hours; “similarly the E. D. Sassoon group gave proportionate increase when they did the same in March 1928, though they no doubt notified that those increases would be done away with from the 1st of May 1928.” (Fawcett Committee Report, para 148, page 68). The Kohinoor Mills increased the hours of their mechanics from 8½ to 9½ in February 1928 without any corresponding increase in pay. The discontent caused by this change in the working condition in a number of mills added to the general discontent amongst the workers and formed one of the causes of the 1928 general strike. A demand was formulated for the reduction of this increased period and was included in the now famous “Seventeen

Demands" of the Joint Strike Committee. The Fawcett Committee have discussed this demand in paras 144-152 (pages 65-70) of their report and their finding is that "the demand for extra pay" is "fair and reasonable so far as it concerns employees in the Mechanics shops but not as regards the other operatives mentioned above," (para 151, page 70). The point the Union wants to make is that the ten hours daily working period has been arrived at by an agreement between the millowners and the workers as a result of the 1920 general strike and that there are exceptions to this period in the case of women workers and some male operatives.

132. The mills work generally six days a week, from Monday to Saturday and are closed on Sunday. If there is a holiday on any day other than a Sunday, and if it is permissible under Section 22 of the Factories Act, the mills work on a Sunday in lieu of the day on which they are closed.

Days worked per Week.

#### EFFECT OF DAILY AND WEEKLY HOURS RESTRICTION.

133. While the workers have reason to congratulate themselves on the daily and weekly working hours being brought down to ten and sixty respectively, it cannot be said that the restriction on the hours has appreciably improved their health or the standard of life or their general condition. It is no doubt true that the restriction is an improvement upon the past practice; but the Union does not think that the fatigue and exhaustion caused by being inside the factories for ten hours a day or 60 hours a week, are less than the fatigue and exhaustion caused by 12 or 72 hours working to such an extent that the improvement should be marked and sustained. It can be said, however, that sweating that existed before is considerably reduced. But that is a position which can hardly satisfy anybody when it is realised what sweating means and how the workers were exploited in the past.

—On Workers.

134. In their replies to the questionnaire of the Textile Tariff Board, the Millowners' Association stated that "by reducing the working hours from 12 to 10 per day, the production of spinning mills has gone down by about 16 per cent. and weaving mills by about 10-12 percent." and that, again, "the reduction in hours from 12 to 10 has resulted on the average in 13 per cent. less production over all departments" (Tariff Board Report, vol. II, pages 138 and 140). Apparently, not being satisfied with these statements, the Board in the oral examination of the representatives of the Association put some searching questions on this point which, together with their replies, appear on page 221, Vol. II, of the Board's Report. The

—On Industry.

Chairman of the Board pointed out that though the hours were changed in January, 1920, "the production of pounds of yarn produced per spindle actually showed an increase on that of the previous year 1919." This was explained by Mr. Geddis by saying that there were two strikes in 1919; but Mr. H. P. Mody supplemented this information by admitting that there was a strike in the first week of January 1920 as well that lasted for two months. The implication is clear, viz., both years were strike years with only a difference in duration. Sir Ness Wadia then came to the rescue of the Association and opined that yearly figures could not be taken as correct, with strikes and holidays, and offered the averages of his mill for 1919 and 1926 as if his mill was a most representative one and as if no change had occurred in the quality of yarn in those two years. The Chairman not being satisfied with this explanation remarked that they could not deduce from those figures (of Sir Ness Wadia) anything like a 16½ per cent. reduction. In the weaving the drop in production was stated to be 10.12 per cent.; but the following question and answer are worth noting:—

"Q.—As regards weaving, the result appears to be that the reduction in working hours has resulted in a slight increase in the efficiency of the individual weaver?"

"A.—That is what we find, yes. That is quite correct, Sir.

"Q.—Has it been your experience that there has been no increase in the efficiency of the individual spinner, for instance, less breakages, etc., than there used to be?"

"A.—It all depends upon the cotton you use. The spinner does not want breakages. If you give him good cotton, he will prefer to sit down himself and let the spinning do itself.

Q.—My point is that if his hours of labour are reduced, he might be more alert in mending the breakages when they do occur."

A.—Mr. C. N. Wadia.—The efficiency of the spinning machinery is over 90 per cent. either for 12 or 10 hours, because there is no room for any great improvement. On the other hand, when the weavers work 12 hours, their efficiency is only about 70 per cent. or a little over it. By working 10 hours and their pay being entirely dependent on the work they turn out, they gradually manage to improve that efficiency from 75 to 85 per cent. and that is why there

was considerable room in the weavers' work for improvement. There was no room in the spinner's work for improvement. That is why the spinner has not improved while the weaver has. Perhaps that is clear to you." (Page 221, Vol. II, Tariff Board Report).

These admissions on the part of the representatives of the Millowners' Association show that the position in the spinning has remained more or less the same and that in the weaving, the efficiency of the weavers has materially improved. Further, the Tariff Board have themselves pointed out in paragraph 59 (page 134) of their report that "the experience of some mills in upcountry centres has been that, owing to increased labour efficiency and improved conditions, such as the installation of humidifiers, the drop in the production (caused by the reduction in working hours) in the spinning department has been reduced to 10 per cent., while there has actually been increased production in the weaving department." The Union thus is of the opinion that the reduction in working hours from 12 to 10 has a very wholesome effect on the industry.

#### POSSIBILITY OF REDUCTION IN MAXIMA.

135. The Union looks at the question of further reducing the working hours more from the point of view of desirability and necessity than from that of a possibility, although it fully realise the importance of the latter consideration.

Reduction—a  
Necessity.

The cut-throat competition in the textile industry and the depression in the Bombay industry have forced the millowners to think of reorganising the industry and some of them have already brought into operation their schemes of rationalisation or efficiency. If the diagnosis of Sir Victor Sassoon is correct (*vide* page 18 of this Memorandum) other millowners will have to adopt similar schemes if they want to exist. The rationalisation or efficiency schemes will thus at no distant date become a feature in the Bombay mill industry. Experience has shown that rationalisation entails more work and more attention on the part of the operatives. Have the workers, under the existing conditions in respect of their housing, food and wages, the required stamina to do more work and mind more looms and spindles? The Union's answer is an emphatic "no." In its opinion, the intensive and extensive work resulting from rationalisation and the present long hours, will only bring about the worker's break-down which is detrimental not only to himself but to the industry as well. The reduction in working hours may remove one at least of the causes which are responsible for the present deplorable state of the worker. It may also be pointed out that the schemes of rationalisation have been and are being pushed forth in Europe on the basis of working hours which are much



less than 60 hours a week or 11 a day. The general basis is 8 hours a day or 48 hours a week with only a slight variation in some cases. In almost all the countries in Europe the daily and weekly maxima are 8 and 48 hours and in some of them the maxima are still less. Even in Japan which is so much on the brains of the Bombay millowners, the present daily working hours are only 8½. The general tendency thus is to reduce the working hours in the textile as in other industries, in spite of its competitive character and India can hardly afford to lag behind. It is, therefore, the considered opinion of the Union that not only in the interest of the workers, their efficiency and health but also in the interest of the industry, it has become highly desirable and necessary to reduce the present daily and weekly hours.

136. In the opinion of the Union, the reduction in working hours is also a possibility. The employers all over the world have always resisted the claims of labour for reducing the hours and they have also, on many occasions, admitted, after the reduction has taken place, that it has on the whole yielded good results. The Labour Research Department, London, conducted some years ago a scientific enquiry into the Cotton Industry and the report was published by the United Textile Factory Workers' Association which is the central organisation of the British cotton textile workers. The report went very thoroughly, with the aid of mass of figures the Department secured and their careful compilations, into the question of the hours of work, the effect of their reduction on output and cotton industry generally, workers' standard of life and on accidents, spoilt work, lost time and factory organisation. After giving a short history of the movement of short hours in different parts of the world, particularly in Europe, the report points out that "the demand for a further reduction of hours is part of a general movement towards the realisation of two principles which are becoming more and more widely admitted : (1) that industries which work the longest hours are not the most productive ; and (2) that the workers in all industries must have more leisure." (Page 56). The following quotation from the same report throws further light on the effect on output of the 1919 reduction from 55½ to 48 hours in Great Britain :—

“ A comparison of the amount of earnings per worker in May— before the reduction from 55½ to 48 hours and 30 per cent. increase on list prices—with the amount per worker in August and September shows that earnings increased after the change.

Output Affected.	Not
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“During both periods employment was fairly good. The figures for the three months were as follows:—

TABLE X.

Month.	Number of workers.	Total wages paid.	Average earnings per worker.	Percentage increase since May.
May . . .	114,962	£ 249,244	43/4	...
August . . .	108,982	£ 248,533	45/7	5 p.c.
September . . .	107,334	£ 248,527	46/3	6·7 p.c.

The 30 per cent. increase on list prices was not quite equivalent to the reduction of  $7\frac{1}{2}$  hours per week so that if the rate of output had remained the same there would have been a slight fall in average earnings. But in fact earnings went up from  $43/4$  in May to  $45/7$  in August, an increase of 5 per cent.; and to  $46/3$  in September, an increase of 6·7 per cent. as compared with May. Even allowing for the fact that the amount of short time had slightly decreased, the increase in average earnings show that the rate of output per hour was greater after the reduction of working hours.

“Professor Bowley, after a comparison of the increase in actual earnings in the cotton trade, as shown by the employers’ returns, with the increase in wage rates, comes to the conclusion that the rate of output did not fall after the 1919 reduction of hours, (See A. L. Bowley—Prices and Wages, 1914-1921, p. 180). The evidence quoted above, taken as a whole, shows that a reduction of hours in the cotton trade is followed by an increase of hourly output in those processes where speed is determined chiefly by the individual worker, and by a decrease in total output which is *rather less than proportionate to the reduction of hours* in processes where speed is determined by the machine.

“In other words, taking the industry as a whole, *rate of output rises with a reduction of hours.*” (p. 65-66).

The report further adds that “the 1919 advance of 30 per cent. on list was agreed upon as compensating for the reduction of earnings which was expected to follow the reduction of hours from  $55\frac{1}{2}$  to 48; and by this agreement the principle was definitely established in the cotton trade that shorter hours must be combined with higher price

rates." (p. 80). The Union wholeheartedly accepts this sound principle.

137. The Report of the Labour Research Department then considers the effects of reduced hours on the cotton industry, that is to say, on output, costs and prices. It gives a table (page 90) of raw cotton consumed in Great Britain between the years 1904 and 1913, shows that the consumption of raw cotton "which in turn is an index to the demands for cotton products" (p. 90), fluctuated enormously and comes to the conclusion that "during this period demand varied from 18 per cent. below the average to 16 per cent. above it—a range of 34 per cent. variation." (page 90). After analysing the causes for the variations in demand and pointing out the relation between the consumers' demand for cotton products and the merchants' demand for cotton and cotton piecegoods, the report sums up "by saying that the consumers' demand and the merchants' demand must of necessity vary from year to year; but that the variations would be on a smaller scale if *prices* were more stable. Further, as the price of raw cotton is an important factor and as this is affected by area sown, anything that tends to stabilise *the demand for raw cotton* will tend to stabilise price; and will thus tend to stabilise *demand for the finished product*. (page 91). The report further says that instability of demand means fluctuation in output which in its turn means unemployment or short time to the workers, leading to reduction in actual earnings even if the rates are maintained. According to the authors of

How to effect stabilization?

this report, the stabilisation of output can be secured by (1) the creation of a reserve of raw cotton and (2) the simultaneous organisation of a regular output of the manufactured products. The former method would, it is calculated, provide a far more satisfactory insurance against changes in prices than any "futures" system, the abolition of which would effect a considerable saving in actual brokerage (apart from gambling costs); and this saving, together with the saving of merchants' charges and general expenses which would follow from unified organisation, would easily cover the expenses of administration and interest which the creation of a reserve would involve. That is to say, the creation of a reserve would not increase in any way the cost of raw cotton delivered at the mills; on the contrary,.....it would certainly reduce the cost of raw cotton and in any case would render the price of raw cotton to the mill owners less subject to violent fluctuation." (p. 94). After dismissing as mere palliatives the usual two methods of stabilizing the output of manufactured good, the report suggests a third method, and that is, to average the total demand over a number of years and limit the output

of mills so as to produce, over the whole industry, a total equivalent to this average demand. "This method", says the report, "has the advantage of being direct" and "takes the form of a permanent reduction of hours." (Page 95). Reverting to the variations in the consumption of raw cotton between 1904 and 1913 and the variations in the average, the report says:—

"Any reduction of demand below the maximum (16 per cent. above the average) results in a corresponding amount of short time or unemployment. The hours worked in those years were 55½; that is to say, while the maximum demand employed the full number of workers on a 55½ hour week, the average demand was 16 per cent. less, or roughly one-sixth.

"If production during those years had been stabilised on an average basis, this would have employed the full number of workers for 46½ hours a week regularly throughout the period, without any short time or unemployment. Moreover, as we have seen in a preceding section, the rate of output increases slightly when the hours are reduced; it is therefore reasonable to assume that the average production could have been maintained on a 44 or 45 hour week.

"This fact is of tremendous importance, to the workers primarily, but also to the cotton industry generally. It means that the long hours, with the greater total production in boom years, resulted in short time and unemployment, which could have been avoided if a shorter working week had been maintained throughout." (pp. 96).

The Report concludes this part of its survey by saying that in view of the effective world demand for cotton products being still less than the pre-war average, it is only reasonable to assume that the industry can still afford with benefit to reduce the hours to the level of 44-46 or even lower (pp. 97).

138. How much such a reduction affects costs? This is a most important question from every point of view. The Labour Effects on costs. Research Department says the following on this point:—

"It is clear that when the hours are reduced a corresponding increase in piece rates must be made. The reduction of hours, say from 48-45, would necessitate an increase in piece-rates by about 6 per cent. in order to maintain earnings. Therefore, the employer will maintain, costs and prices will go up by 6 per cent., with a bad effect on an already depressed market.

“ Let us examine this statement. In pre-war years, the normal margin between the prices of raw cotton and yarn was rather under 3d. per lb. of which about one half was attributable to wages. The wages charge in yarn prices at about 10½ d. per lb. was 1½d., or not more than one-seventh of the price. It is true that the wage rates are now higher; but the margin, in spite of the depressed state of the trade, even in December 1921 was about 7d. instead of the pre-war 3d. This means that the relation between wages and prices is still practically the same.

“ Now in calculating the difference in price which an increase in wages would involve, it must be remembered that wages are only 17 per cent. of the price; that is to say, the reduction of hours by 6 per cent. (from 48 to 45) would add to the price only one-sixteenth of 17 per cent. that is, just over 1 per cent.

“ On the other hand, as we have seen in a preceding section there is always an increase in output, however small, when hours are shortened. It can safely be assumed that this increase in output would compensate for the tiny increase in price of 1 per cent.

“ It is therefore clear that, so far as the wages increase involved in the reduction of hours is concerned, prices need not be affected in the slightest.

“ What increase costs, other than wages, would the reduction of hours involve? It is perfectly clear that the only other addition would be the maintenance of fixed overhead charges on a reduced volume of output. But let us analyse these overhead charges. It is obvious that the difference between the *wages charge* ascertained above and the *margin* (price of yarn less price of cotton) covers these overhead charges, including the profit:—

TABLE XXX.

Year.	Price.	Margin.	Wages.	All other charges.	Per cent. of Price.
1921 ...	1/6½d.	7d.	3½d.	3⅞d.	21
1913-14 ...	10½d.	3d.	1½d.	1½d.	14

“ Now included in these other charges are certain charges, such as those for fuel, power and light, which will be reduced when hours are reduced. We shall probably be on the safe side if we take it

that the overhead charges which will remain fixed represent not more than 18 per cent. of the price. Now if the total production is reduced by 6 per cent. owing to the reduction of hours from 48 to 45, this will mean, as in the case of wages, a *maximum* addition of one-sixteenth of 18 per cent., or a fraction over 1 per cent. to the cost of each unit.

“This is a negligible quantity, especially when it is realised that the margin for overhead charges has gone up since before the war out of relation to general prices.....In other words, most of the extra cost which the reduction of hours would involve on overhead charges per unit, could easily come off the increase since pre-war days, as the increase is at least 4 per cent. of the price above the increase which would have been justified by the general level of prices, and must simply cover high profits.” (pp. 97-98).

139. The other effects of reduced hours are thus summarised in the **Other Effects of reduced hours.** report of the Labour Research Department :—

“1. That in textile trades a reduction of hours is followed by an increased rate of output in those processes where speed of production depends primarily on the energy and capacity of the worker. Where rate of output depends chiefly on the speed of machines, output falls if the machines are worked for shorter hours, unless changes in machinery or improvements in factory organisation are introduced. Taking cotton processes as a whole, the effects of a reduction of hours would be an increase in hourly output and a fall in total production which would be less than proportionate to the reduction of hours.

“2. That the main causes of industrial accidents are fatigue and speed of production ; and that therefore shorter hours mean fewer accidents, provided that the reduction of hours is not allowed by speeding up to such an extent that this outweighs the gain (in absence of fatigue) from shorter hours.

“3. That spoilt work and lost time (including sickness) are reduced by shorter hours.

“4. That a reduction of hours results in improved factory organisation. Employers tend to find ways of avoiding the waste of time caused by :—

- (a) The use of obsolete machinery.
- (b) Delay in the distribution and transport of material.

- (c) The employment of skilled workers on unskilled work such as cleaning and carrying.
- (d) Unsatisfactory working conditions, *e. g.*, temperature and lighting." (pp. 80-81).

The report also says that the workers' standard of life which fluctuates with short time and unemployment will tend to remain more steady and may even improve if the hours are reduced.

140. Before leaving this part of the subject the Union desires to state that, so far as it is aware, there is no material in India which will give accurate data to ascertain the effects of shorter hours on output and the industry as a whole; and that is why it has to extract copiously from the report of the Labour Research Department which gives some information on this subject. Everything stated in that report, the figures given therein and the relation it has shown to exist between output, wages, prices, etc., and the comparison of figures, may not be fully applicable to Bombay conditions. But the Union believes that the line of argument taken in the report is worthy of serious consideration and if a similar scientific enquiry is held here, results similar to those adduced in the report may be obtained. The fact that there is a general tendency in the world to reduce hours in textile and other industries, shows that the reduction in hours is not taking place with detriment to the industries and leads the Union to believe that it is a step in the right direction. The Union is therefore of considered opinion that the present working hours must be reduced in the interest of the workers, the employers and the industry as a whole.

#### THE INTERVAL.

141. The Bombay cotton industry, though sufficiently old to understand the effects of long hours on the output and the workers' health, has not yet instituted any enquiry into the question of intervals in relation to fatigue; nor has any attempt been made by the Bombay Government in that direction. The Union can therefore deal with this question only in relation to the workers' meal times. The existing practice is that there is only one mid-day recess of one hour and five hours' working on both sides of the recess. It was the Textile Tariff Board which first proposed to provide for a morning recess for half an hour by putting back the commencement of work from 7-0 a.m. to 6-30 a.m. In framing their Standing Orders during the 1928 strike, the Millowners' Association proposed a morning recess of half an hour by cutting down the

Existing Prac-  
tice.

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proposal.

mid-day recess of one hour by a quarter of an hour and prolonging the closing period by fifteen minutes. In providing for this new recess, they thus maintained a ten-hour working day. The Joint Strike Committee of the workers, while approving of the proposal to provide an additional recess, opposed the Millowners' proposal. They were opposed to any reduction in the period of mid-day recess and to prolongation of closing hour. They maintained that if the morning recess is to be given at all, it should be given only by reducing the present working hours. They further suggested that a fifteen minutes after-noon recess should also be given to the workers. The net result of the proposal of the Joint Strike Committee was that a morning recess of half an hour and an afternoon recess of a quarter hour should be provided, that the mid-day recess should be maintained as it is today and that the working hours should be brought down to  $9\frac{1}{2}$ .

142. The Fawcett Committee, in not supporting the arguments of the Joint Strike Committee in favour of reduction of working hours in order to enable the millowners to give their workers an extra recess or two "so long as there is no general reduction of that kind made for all factories by legislation or otherwise", stated that "nor, on the other hand, do we think that the millowners can reasonably insist on the operatives reducing the mid-day hour recess and staying one quarter of an hour longer in the mill, in order to enable the half hourly morning recess to be given." (pp. 22). The Committee then emphatically stated that "in any case, having regard to the extreme desirability of this extra recess, we think the Mill-owners' Association might well try the experiment in some mills of giving it and reducing the working hours to  $9\frac{1}{2}$ ." (pp. 22). This opinion is definite and only supports the workers' demand for more than one recess.

143. The Fawcett Committee could not be more definite than they were, as they had to confine themselves to their terms of reference and had not before them the question of general reduction in working hours. This Commission has that question before them and the Union has pleaded for a general reduction of hours. What indefiniteness, therefore, there was in the views of the Fawcett Committee is now removed, so far as this Commission is concerned; and their view can be taken to support the Union's demand of more than one recess. The enquiries that have taken place in England and Germany on the hours of work and their relation to output, have shown that long stretches of work have the effect of reducing output towards their end and that output has always shown a



tendency to increase immediately after a recess. In some parts of Lancashire there exists a two-break system and it is reported to be working better than a one-break system. In Germany, there are, it is understood, some factories which provide for a short recess for afternoon tea. In Bombay the workers do spend some time in taking afternoon tea; but as they have to do it in an unauthorised manner and with their eye on the machine, an improved effect on output may not be possible. But if they get fifteen minutes recess for this purpose, their mind will be at ease and it will, the Union thinks, have a wholesome effect on output. The same argument holds good in the case of morning recess. The Union, therefore, feels that nothing will be lost and something will be gained by providing a morning recess of half an hour, a mid-day recess of full one hour and an afternoon recess of a quarter hour and, therefore, it strongly recommends that its suggestions should be accepted.

144. There are generally no holidays given to the textile workers in Bombay except the Sundays. The average number of  
 Holidays. holidays given during a year is between 54 and 56. The reason for an increase of 2 to 4 holidays over the average prescribed under the Factories Act is that two or three successive holidays given in the *Diwali* and *Shimga* cannot be all replaced, under the Act, by substitute Sundays. It is therefore clear that the textile worker does not get more than 2 to 4 holidays over the weekly rest days prescribed under the Act. This must be having an adverse effect upon his health and his efficiency. In Lancashire special holidays are given under an agreement and in Germany they are given with pay. The Union considers this system of providing holidays as a very necessary one from the point of view of not only the worker but of the industry and is of opinion that a similar system should be established in the Bombay industry. The holidays should be with pay.

145. In the Bombay textile industry Sunday is generally the day  
 Day of Rest. of weekly rest. Some times other days are substituted for Sundays when these are Hindu or Mussalman  
 holidays.

## CHAPTER IX—WOMEN AND CHILDREN

### WOMEN.

146. It has been pointed out in an earlier paragraph that women work between 8 to 9 hours a day although the working period is 10 hours a day. They generally go to the mills at about eight in the morning and return home by five in the evening. Owing to their domestic responsibilities this is the utmost period which they can possibly spend in factories. But the present Factories Act allow women to work from 5-30 a.m. to 7 p.m. with a maximum period of 11 hours. This legal limit is not in conformity with the existing practice and is not enough for a double shift of eight hours each if it is introduced. It is therefore the considered opinion of the Union that this limit should be changed and no women should be allowed to work before eight in the morning and after five in the evening. It is opposed to any system in which women will be asked to work before 8-0 a.m. and after 5-0 p.m.

147. The present Maternity Benefit Act provides for only four weeks' leave before confinement and four weeks' leave after confinement and eight annas a day for a maximum period of seven weeks. The Union is of opinion that the maternity leave should be increased to six weeks before and six weeks after confinement and that the maternity benefit should be extended for this whole period. The Union draws the attention of the Commission to paragraph 88 (page 73) of this memorandum which deals with the question of maternity in greater detail.

148. The Union is of opinion that the provision of crèche should be compulsory and, that too, by legislation. It is highly undesirable to take babies inside the factories and it is equally difficult to keep them home when their mothers are working in factories. The provision of creche is therefore the only solution.

### CHILDREN.

149. In the opinion of the Union, the provisions of the Factories Act in respect of the employment of children require amendment. The minimum age-limit for the employment of children should be raised from 12 to 14 and the law should be brought in conformity with the Washington Convention. The Union also considers that the maximum age-limit of a child should be raised from 15 to 18. This change may have an effect in reducing, to some extent, the ranks of unemployed persons in the industry.

Section 23 (b) of the Act should be so amended as to prohibit the employment of children before eight in the morning and after five in the evening. With the general reduction in working hours that the Union has strongly recommended, it is desirable that the hours of work of children also should be reduced from six to at least five and that their recesses should be in conformity with those recommended by the Union for the adults.

#### TRAINING OF YOUNG ADULTS.

150. In the Bombay mills there are no facilities, so far as the Union is aware, for the young adults and new recruits to receive regular training in their work. Paragraph 37 (pp. 28-29) of this Memorandum has already dealt with this question and there is no need of repetition of the same arguments. In some of the Lancashire mills, some machinery is set apart for the adult workers and new recruits to learn their jobs and a similar system should be established here. The millowners always complain of the alleged inefficiency of the workers; but they have done very little to remove that inefficiency. The wonder really is that with their illiteracy and lack of practical and technical training facilities, they have been able to show the efficiency they have actually done. The Union strongly recommends that each mill should make adequate provision for the training of its men, particularly the adults.

#### SINGLE AND DOUBLE SHIFTS.

151. The Union is opposed to the introduction of a double shift system not only for women or children but for male operatives as well. In support of this statement, the Union cannot do better than quote a paragraph from the report of the Labour Research Department. In dealing with the question of six hour-day with double shift, it says:—

“The proposal for a six hour day has long been advocated by certain employers, particularly by Lord Leverhulme, who worked out two schemes for its application:—

“According to his first proposal there were to be two shifts, each working six hours on six days a week:—

1st Shift:—7—1-30, with  $\frac{1}{2}$  hour for breakfast.

2nd Shift:—1-30—8, with half hour for tea.

“When the scheme came to be considered in detail, however, in relation to work at Port Sunlight, it was found that, various modifications had to be made, chiefly to meet the need for continuous

work in certain processes. Leverhulme's second proposal was therefore as follows:—

1st Shift:—7—8-45, 15 minutes break, 9—1-15.

2nd Shift:—1-15—4-45, 5-15—9, (Monday to Thursday).

1-15—4-45., 5-15—8-45, Friday.

“By this arrangement the second shift would work  $7\frac{1}{2}$  hours on four days and 7 on Friday, with no work on Saturday. This would mean a thirty-six hour week of five days for the second shift, and a thirty-six hour week of six days for the first shift. It was also found necessary to do a certain amount of night work, and it was therefore proposed that for one week in four men should work eight hours for six nights, and for three weeks they should work  $5\frac{1}{2}$  hours for 6 days. Over five weeks this gives an average of 36 hours a week, though the actual hours vary from 5 and one-third to 8.

“Leverhulme's case for the 6 hour day or 36 hour week is based chiefly on the saving it would mean in the cost of production. He argues that in some industries overhead charges for machinery and building represent 90 per cent. of the total cost, apart from raw materials, while wages are less than 10 per cent. He further maintains that reduction of hours does not mean a reduction of output. It is doubtful, however, whether, with hours varying so much as was proposed in Leverhulme's second scheme, speed of output would increase very much beyond the speed of the 8 hour day, because rate of output tends to adapt itself automatically to the speed which is possible in the longest, not in the shortest working period. Thus workers whose day varied from  $5\frac{1}{2}$  to 8 hours would tend to work always at the speed of an 8 hour day.

“Leverhulme maintains that it would be possible to work two or even three shifts of approximately 6 hours and by this means to reduce the cost of the production so much that wages would be as high for a six hour day as they are for 8. The case for the six hour day was summarised by him as follows (Address to Liverpool Trades and Labour Council, Nov. 23, 1917):—

“Labour working six hours a day, as has been proved over and over again can produce in six hours the maximum it is capable of in monotonous occupations. We shall therefore be able to pay for six hours' work at least the same rate of pay as we pay for eight, because labour will be capable of as much work in six as in eight hours. The machinery will produce more, and out of this combined effort, the human element working two shifts for six hours each the

mechanical element working twelve hours, or more, we shall have two funds created, one for reducing the price of the article, another for increasing wages on the top of the reduction of hours."

"It is not clear how the machines are to work twelve hours or more unless the human workers also work either for more than six hours per shift, or more than two shifts. Nor is it probable that any saving on cost of production brought about by a method which Lord Leverhulme so warmly advocates would be entirely devoted to (a) raising of wages or (b) reducing prices.

"But apart from these points, the shift system is unsuitable to the cotton industry on various grounds.

"1. It would mean increasing the number of hours worked by artificial light, even on the basis of two shifts only, from 7-0 to 1-30 and 1-30 to 8. Any scheme which involves going back to night work is even more undesirable.

"2. It would mean a re-arrangement of the working day and therefore of the workers' home life which would involve many difficulties especially for the women employed. In particular it would mean a return to the early morning start.

"3. Working double shifts would involve either reducing the amount of machinery in use at one time, in which case the "mechanical element" would not be fully employed for the whole twelve hours; or doubling the number of workers employed. This is impracticable and, if in fact it were possible, would result in disastrous over production." (pp. 99-100).

The further point to be taken into account in considering the question of double shift in respect of women, is that they have to do all the domestic work and look after the children. It is, therefore, impossible for them to go to the mills at odd hours. In the case of young adults, the double shift is very likely to have an adverse effect on their health. The Union is not therefore in favour of double shifts.

#### WORK IN FACTORIES NOT SUBJECT TO THE ACT.

152. It is highly desirable that the definition of factory should be so changed as to bring under the operation of the Act each and every factory which employs not less than ten persons irrespective of any consideration as to the use of steam, water, or other mechanical or electrical power. This amendment will bring small factories under supervision and restrict the abuses that are at present reported to exist there.

## CHAPTER X—WAGES

### LABOUR OFFICE ENQUIRIES.

153. The Bombay Labour Office have so far conducted three enquiries into the wages of the Bombay textile workers. The first enquiry was held in 1921 and its report published in 1923 ; the second enquiry was held in 1923 and its report published in 1925 ; and its third enquiry was held in 1926 but its full report is yet to be published although some statistical tables as regards earnings and absenteeism were supplied to the Fawcett Committee and the parties concerned in 1929. The procedure and the methods adopted in these enquiries were so different that it was almost impossible to compare their results on a common basis. The first two enquiries were conducted on the basis of the specially designed forms which were filled in by the mills and tabulated by the Labour office and the 1926 enquiry was held on the basis of the actual muster rolls and was confined to the nineteen so-called "representative" mills. The Union desires to draw the attention of the Commission to paragraphs 15 to 21 of its representation to the Textile Tariff Board which appears on pages 437-480, Vol. XX, of the Board's report. It is pointed out therein by quoting the report of the 1923 enquiry why "the 1914 figures", given in the 1921 report, "must, therefore, be accepted with considerable caution and treated only approximates", how, "with the date before us, it will never be possible for us to use either 1914 or 1921 as a base for Real Wage Index Numbers", how the Director of Labour Office was "not wholly satisfied that the Bombay Cost of Living Index Number is in itself satisfactory", how in a study of this kind the "arithmetic mean", adopted in these enquiries, "is a less satisfactory average than the mode, i.e., the earnings which are most prevalent in the group", and how "the average, in the usual sense of the arithmetic mean, is, in a study of this kind, necessarily higher than the "mode", or most frequently occurring value." The report of the 1923 enquiry has practically condemned the 1921 report and the 1914 figures given in it and the fact that the Labour Office has to adopt an altogether new method in its third enquiry shows that even the 1923 enquiry was not satisfactory. The Union has also shown in the paragraphs of its statement to the Tariff Board mentioned above that the figure of Rs. 30-10-1 given in the 1923 report as being the average earnings of the Bombay textile workers is faulty and must be, in view of the unsatisfactory method of the enquiry, appreciably less than that figure.

154. A radical departure was made in the method of the 1926 enquiry which was based on the sample system and the 1926 Enquiry. muster rolls of the mills. But how were the samples selected? How was the representative character of the nineteen mills out of over 75 mills ascertained? The Labour Office had no reliable and accurate material before it to determine that those mills were representative. The previous enquiries gave the Office no guidance in this matter. It had, therefore, to rely mostly on the advice of the Millowners' Association. In the Memorandum of the Bombay Government submitted to this Commission, it is stated that these 19 mills were selected in consultation with the Bombay Textile Labour Union and the Millowners' Association. In so far as the Bombay Textile Labour Union is concerned, the statement is not wholly correct and does not represent the true facts as they happened. No correspondence ever took place between the Labour Office and the Union about the selection of mills. The Generally Secretary of the Union and, again, the President and the General Secretary were asked to see the Director of Labour Office and in the two interviews that took place the latter informed them of the new method he had decided to adopt in the new enquiry and showed them the names of the mills and the printed forms which were ready for being sent to them. The Union representatives while showing their preference to the new system to the old one, questioned the representative character of the mills and asked for any material the Director might have to prove it. They were told that the Office had no such material except its experience and the advice given by the Millowners' Association and if the Union representatives did not approve of these mills, they were asked to give an alternative list. Messrs. N. M. Joshi and Bakhale pointed out that owing to their Union being less than one year old and in the absence of adequate knowledge of the rates and wages obtaining in the mills, they were not in a position to give an alternative list but suggested that, if the Labour Office enquiry was to command the public confidence, it should extend its enquiry on the new basis to all the mills so that for future enquiries it might have adequate material to determine and select the sample mills. This proposal was turned down on the ground of inadequate staff and expense. Messrs. Joshi and Bakhale then made it clear that they had no responsibility in the selection of the mills, that they were free to question their representative character, and that they would deal with the report of the enquiry on its merits. This Union had thus no hand in the selection and never agreed to it. It is indeed a matter of great regret that the Bombay Government should make such a misleading statement before a responsible body like this Commission and create, perhaps unconsciously,

a wrong impression about the attitude of this Union. The sample system has no doubt its advantages and may be superior to the one previously adopted; but the samples selected must be fully representative. From this point of view, the 1926 enquiry may not be considered as very satisfactory.

155. In showing these defects of the Labour Office enquiries, the Union has no desire to minimise their importance or underestimate the value of their results. It fully recognises the good work it has been doing since it was organised and the value of its enquiries which are the first of their kind in India. In the absence of any other statistics, official or otherwise, the enquiries of the Labour Office have special importance and the Union has always treated them and their results with respect they deserve. But this should not blind it to some of the defects of those enquiries when this Commission is engaged in investigating the labour conditions.

156. In the absence of any standardisation scheme of wages on the lines of the Price Lists in Lancashire, the rates and wages differ from mill to mill and it is almost impossible to say anything about them which would enable the Commission to draw a general inference. Appendix IX to the Memorandum of the Government of Bombay (pp. 296) containing the daily average earnings of the textile workers in accordance with the Labour Office enquiries of 1921, 1923, and 1926 gives an interesting comparison of the earnings for five years; but owing to the different procedures and methods adopted in each enquiry, the comparison cannot give a correct idea of the increase or decrease in wages. From the workers' standard of living and their other conditions, the Union can say that there has taken place practically no change for the better in respect of their wages. If there be any increase at all in any class of workers, it is, the Union thinks, offset by under-employment or unemployment which is now-a-days a feature of the Bombay mill industry. In the 1928 strike, the Joint Strike Committee had made a demand for the standardization of wages and in complying with it the Millowners' Association prepared a Standardization Scheme; but it contained a very heavy cut. The Scheme was therefore rejected by the Joint Strike Committee. The Fawcett Committee has dealt with this Scheme in an exhaustive manner and recommended, in the interest of harmony between labour and capital, to remove the cut which the Millowners' Association maintained was only 7.5 per cent. The Union understands that the Scheme has now been revised and the cut is removed. But it has not yet come into operation and the Union has not yet examined it,



## REMITTANCES TO VILLAGES.

157. The remittances to the villages are many times pointed out, by interested parties, to be the index of the prosperous condition of the textile workers and a proof of the adequate wages they get. A refusal to take other considerations into account at once vitiates the bearing of remittances on wages. In the first place, there is no data to show the amount of remittances which may be considered as reliable. Secondly, in building up an inference on the remittances, the workers' financial commitments in Bombay must be taken into account. But that is not done. The Labour Office report on the Family Budgets of the working classes has shown that, in the case of families the average monthly amount remitted comes to Rs. 1-11-1 which forms 3·2 per cent. of the total family earnings of Rs. 52-4-6 and that, in the case of the worker living singly in Bombay, the same amount comes to Rs. 11-7-1, *i.e.*, 26·2 per cent. of the monthly income which is stated to be Rs. 43-10-3. These figures require very careful analysis before they are accepted or rejected. The Labour Office wages enquiries have shown the average earnings of a textile worker at Rs. 30 and the Union has pointed out in its statement to the Tariff Board that they are appreciably less than Rs. 30. This shows that a vast majority of the workers get less than Rs. 30 per month. In the Family Budget report, the average earnings of a worker are shown at Rs. 43-10-3—which proves that the family budgets collected for the purpose of this enquiry were not representative. In fact, the budgets of single men earning below Rs. 30 formed only 11·4 per cent. of the total budgets, those of men earning between Rs. 30 and 40 formed 27·7 per cent., and those of men earning between Rs. 40 and 50 were so much as 34·3 per cent. (page 35 of the Family Budgets report). In the same way, out of the total of 2,473 of the family budgets included in the Labour Office report, only 68 were those of families earning below Rs. 30, 272 of those earning between Rs. 30 and 40, and 834 of those earning between Rs. 40 and 50, 539 of those earning between Rs. 50 and 60 and 484 of those earning between Rs. 60 and 70. Such figures are bound to give a misleading impression of the average earnings of single workers and families—figures on which the percentages of the remittances are calculated. Further it must be pointed out that remittances are sent in spite of the excess of expenditure over income. For example, the families earning less than Rs. 30 incur a monthly debt of Rs. 2-12-3 and yet send Rs. 0-1-4 to the villages and single men earning between Rs. 30 and 40 have a balance of Rs. 7-5-3 and yet send Rs. 7-12-4 to the villages. (Vide pages 50 and 124 of the Family Budget reports.)

Erroneous Impression.

Add to this the statement in the same report (page 33) that "interest on debts shows an average expenditure of nearly 3 per cent. of the total monthly expenditure. No less than 47 per cent. of the families were in debt," and that the rate of interest varies from 75 to 150 per cent. These facts clearly indicate that the average incomes of families and single men shown in the Family Budget report are not representative and that both the families and single men send out remittances to the villages even by incurring debts. The remittances are therefore no index of the economic position of the workers and the calculations of the Labour Office in that behalf are not acceptable to the Union.

158. Dr. Harold H. Mann, late Director of Agriculture for this Presidency, has some pertinent remarks to make in his book on 'Land and Labour in a Deccan Village' to which reference has been made in the earlier part of this Memorandum. He says:—

Dr. Mann's  
View.

".....We have been interested to see how far the village derives financial advantage from their (the workers') work in Bombay or elsewhere. As to the amount of money actually brought back, we have of course no information, but the postal authorities have been kind enough to furnish us with the amount remitted to the village by money orders during a period of two years. This amounted to only Rs. 900 or at the rate of Rs. 450 per annum. Counting the *nett* amount actually brought home by returning workers from the towns as reaching an equal amount it means the village benefitted to the extent of Rs. 900 per annum from its members who are away. This total is very much guess work, though we fancy it is not far from the truth—and, if true, it indicates that the amount of money brought or sent to Deccan villages is very much smaller than is often supposed." (page 111).

At another place in the same book Dr. Mann says:—

"The actual advantage of the village (by the migration of the workers) in reducing the pressure on the land is great, but there appears to be considerable doubt as to whether it receives very much actual direct financial advantage. The amount of money sent by post is small (Rs. 450 per annum) and the people who had returned from Bombay were inclined to doubt whether they had benefitted permanently very much,—though, of course it permitted them to enjoy luxuries for the time being which are pleasant. *Only one such returned worker has bought land.* (pp. 159).

## METHOD OF FIXING WAGES.

159. The power of fixing the rates and wages is entirely in the hands of the mill management and the workers have simply to accept them. There is no such thing as negotiated agreements between the employers and workers. The rates fixed are not even communicated to the workers. When the latter find on the pay day that their wages have gone down and when they make a complaint, they are informed that new varieties with different rates had been put on the looms and were responsible for slight decrease in wages. The workers do not always understand the slight changes made in the warp or weft or the speed of a certain variety and generally calculate their earnings on the old rates; but they are subsequently informed that the changes in the warp, weft or speed had necessitated a slight modification in rates. There are a number of mills in Bombay which do not exhibit in the sheds a board containing rates. The "Particulars Clause" such as is known in Lancashire is unknown in Bombay. The following extracts from a statement issued by Messrs. N. M. Joshi, F. J. Ginwala and R. R. Bakhale, will give a further insight into the methods of wage fixing and wage reductions:—

"The Khatav Makanji Mills, the Spring Mills, the Madhavji Dharamsey Mills and the Kastoorchand Mills have openly reduced the rates on some varieties on the ground that either they are unable to pay them owing to depressed state of the industry or their rates were higher than those obtaining in other mills. One of these mills was bold enough to say that the blanket rates which were fixed in 1911 when the waste plant was newly instituted, had to be revised in the year 1928 as the original rates were only experimental and continued to this day by oversight. Surely this does not speak highly of the degree of the efficiency of the Management! In the Simplex and Kohinoor Mills, the workers alleged and the owners denied the reduction in rates; but we are satisfied that the aggregate wages of many have gone down recently. We have also known a few mills, Moon mill for example, in which the average wages of the weavers were brought down on the plea that they were higher than those in other mills for the same kind of work. Wages are fixed in relation to the efficiency which is generally calculated at between 70 and 80. If the workers give more efficiency, their production and consequently their wages, rise; but the millowners, at least some of them, who harp upon the plea of increased efficiency, stagger at the figure of the increased wages and bring it down. Thus

the increased efficiency becomes a penalty to the workers who give it.

“ Where there has been no direct reduction in rates or wages, indirect methods have been resorted to. Many mills have begun to go from coarser to higher counts and with the rates remaining the same, aggregate wages have gone down owing to the drop in weight on which wages are calculated. In several mills, new varieties have been put up with a change here or a change there but their outward appearance remaining the same; and the fresh rates are fixed for them. Seeing no apparent difference between the old and the new varieties, the workers calculate their wages on the old rates and when they find their calculations at variance with the mill calculations, they resort to direct action. This misunderstanding has led to many a recent strike; but the management do not consider it their business to explain to the workers the changes made in the varieties. This is the experience that the Bombay Textile Labour Union got in dealing with the Simplex and Kohinoor mill strikes. The fact, however, remains that owing to the introduction of new varieties, many workers have begun to get lower wages. In some cases, the average production has gone down not because of the decreased efficiency of the workers, but because of the introduction of silk and inferior raw material. In one mill, we know, where both the cotton yarn and silk yarn work, the artificial humid air has a salubrious effect on the former while it reduces the strength of the latter. The result is that breakages come too often in the silk varieties and production suffers. Those, therefore, who work on silk get less wages; and their number is not negligible. There is another method of wage reduction which is becoming almost universal. The weavers used to get hitherto their wages on the basis of the actual production; but now they are paid on the basis of the production as it goes to the merchant. For instance, a worker produced a piece weighing 4 lbs.; by the time it reaches the hands of the merchants, it shrinks, say, by a quarter pound in the further processes in the mills. The worker used to get hitherto his wages for 4 lbs; but now he gets them for 3½ lbs; in other words, for every piece woven he loses wages for one quarter pound for nothing. The argument advanced by the millowners is that they cannot pay the employees what they do not get themselves from the merchants. But they have no answer to give when they are questioned as to what they were doing all these 75 years, except that they did not mind paying more when they could afford to do so. In one mill we found still another

method of wage reduction and it is this. If the basic wages of a worker come to Rs. 30-15-9, his one anna and nine pies are cut off immediately. Then there remain Rs. 30-14-0; but the high prices allowance is calculated not on Rs. 30-14-0 but on Rs. 30 only! Thus the worker loses Rs. 0-1-3 and 80 per cent allowance on Rs. 0-15-9. In our opinion this method of calculating wages is nothing short of a fraud upon the employees !!”

The Union gives below from the same statement one more interesting case of wage fixing :—

“We give below one more typical case of how the workers’ wages are tampered with. We have a case of a jobber—and this case is applicable to most of the weaving jobbers of that mill—who used to get Rs. 0-8-0 per 100 lbs. of cloth produced by his workers. His wages including the allowance amounted to Rs. 140, but he was first offered Rs. 90-4-0 only and then Rs. 100. He thus lost Rs. 40! The case was represented to the manager and the Agents replied on his behalf. After pointing out that the looms in those jobbers’ department were entirely on Khadi and other grey cloth, the Agents said that “it would be manifestly unfair to pay these men at the same rate per hundred pounds as is paid to the line jobbers in the large shed who are mostly on fancy cloths.” In such a case the different rates should have been fixed for fancy and other jobbers; but “one cannot,” say the Agents, “equally assort the cloth among each jobber as the looms are an odd lot of varying widths.” In other words, the Agents do not mind the workers suffering even though they cannot be held responsible for the lay-out of the mill machinery. But the sting is in the tail. “It appears”, conclude the Agents, “that the Manager has been in the habit of equalising and averaging the jobbers’ pay. Some jobbers have received less than their calculated pay while on the other hand *more* jobbers have had their calculated pay increased. It seems a very unconventional way of doing things, I must admit; but apparently it has worked out justly, otherwise other of the jobbers would have complained.” The enquiries made by the Bombay Textile Labour Union did not bear out the Agents’ statement that “more jobbers have had their calculated pay increased”—a statement based on the information of the Manager; and the Union knows it as a matter of fact that the other jobbers did complain but did not carry the matter to a breaking point for fear of victimization. This arbitrary method of calculating wages is not confined to the jobbers alone; it is freely used in fixing the rates of the weavers in that

mill. There is absolutely no method for fixing the wages and there is ample room for favouritism. The Managers of this type are to a great extent responsible for increasing the workers' bitterness against the mill-owners and are a menace to the industry and the workers."

#### STANDARDISATION.

160. The 1928 Joint Strike Committee demanded a standardization scheme of wages and mostly in pursuance of that demand the Millowners' Association were compelled to hasten the preparation of a scheme which they had been considering for years past. At last the scheme was prepared during the 1928 strike; but it contained two dangerous items, viz., a heavy cut in wages and a reduction in the number of workers. The Joint Strike Committee prepared, under the guidance of Mr. Mohamad Umar Rajab, Vice-President of this Union, its own standardization scheme which had a wholesome effect on the millowners in that they levelled up their scheme in some respects. The revised scheme was fully discussed before the Fawcett Committee and the latter has dealt with it very exhaustively. The scheme has not yet come into operation and it may not be worthwhile to go into it again. Suffice it to say that subject to such agreements that have been reached between the Joint Strike Committee and the Millowners' Association, the Union is not prepared to accept a scheme which contains a cut and a reduction in the number of workers.

#### MINIMUM WAGES.

161. Any scheme for the improvement of the lot of working classes will not be complete or of much practical utility if it does not include any proposals to secure to the workers the payment of a wage "adequate to maintain a reasonable standard of life as this is understood in their time and country". Great emphasis was laid on "the provision of an adequate living wage" by the signatories to the Treaty of Peace and this question was mentioned in the Preamble to Part XIII of the Treaty as one of the problems of urgent importance which require solution if social unrest is to be avoided. In view of the importance of this problem, the International Labour Conference at its Eleventh Session held in 1928 adopted a draft Convention and a Recommendation concerning the creation of minimum wage fixing machinery. The Convention contemplated the creation of such machinery in the case of trades or parts of trades (and in particular home working trades) in which no arrangements exist for effective regulation of wages by collective agreements or otherwise and in which wages are exceptionally low. A State Member ratifying this Convention is placed

under an obligation to create such machinery but the nature and form of the machinery and trades to which it should apply are questions which are left to the discretion of the States concerned.

162. In India, the system of regulation of wages by collective agreements is conspicuous by its absence. Labour in this country cannot be said to be much well organised yet and this is the main cause why labour in India is weak in its bargaining power. In view of these facts one would expect India to be one of the earliest State Members to ratify this Convention. But, on the contrary, the Government of India have not even ratified the Convention owing to alleged practical difficulties. It is stated that the difficulties in the way of the introduction of the minimum wage principle in India are:—firstly, this question is quite new to India and has not been thoroughly considered in any Province. Besides, the question of the practicability and advisability of establishing Wage Boards in India has not been thoroughly investigated. Secondly, there is no standardization of wages in any industry and the wages for similar or same occupations differ from establishment to establishment. Thirdly, the Cost of Living Index Numbers are not available for different industrial centres in India. Cost of such Index Numbers have a very important bearing on the question of fixation or regulation of a minimum wage.

163. The difficulties mentioned above do not appear to be such as to necessitate the abandonment of the proposal altogether. The problem of fixing minimum wages may be new to India but it will continue to be 'new' until an effort is made to tackle it. The Union fails to understand why it is so very essential that the standardisation of wage in a particular industry should necessarily precede the application of the minimum wage principle. The object of standardisation of wages is to secure to the workers in different establishments in one industry equal pay for the similar type and equal quality of work done. But the aim of the fixation of minimum rates of wages is to ensure that a worker in the lowest paid occupation does not get a wage lower than a rate fixed by law. The absence of Cost of Living Index numbers in different industrial centres or in various provinces appears to be a real difficulty in this connection. There is much truth in the statement that the cost of suitable standard of living differs considerably from province to province and also between different parts of a province and this appears to be an obstacle in the way of fixing a national living wage for India as a whole—but this is a question which must be tackled sooner or later. This difficulty is absent, for

example, in Bombay City—as the Labour Office compiles and publishes a working class cost of living index number every month. Recently similar index numbers for Ahmedabad are also worked out by the Labour Office. It is, therefore, the considered opinion of the Union that time has now come when the application of the minimum wage principle should not be delayed any longer and that a beginning should be made at least in industries or industrial centres where the difficulties discussed above do not exist to any great extent such as the cotton mill industry in Bombay City.

164. The main objects of minimum wage legislation may be briefly stated as (1) the prevention of the payment of unduly low wages or exploitation of labour, and (2) the elimination of unfair competition between the employers as regards wages. It is also claimed, that minimum wages laws, by establishing greater equality of bargaining power, indirectly help to develop organization amongst the workers. No definite formula or principle as regards what should constitute a minimum wage has been laid down in any of the minimum wages laws adopted in various foreign countries such as New Zealand, Australia, U.S.A., Great Britain, etc. These laws generally relate to both male and female workers in specified industries and contain a general definition pertaining to what may be considered as a 'minimum wage'. It is significant to note that some of these laws take into consideration the necessary cost of living of the workers and his family. For instance, basis for fixing minimum rates as stated in the Agricultural Wages (Regulation) Act, 1924, of Great Britain is as far as practicable a wage for able-bodied men adequate to enable a worker in ordinary case to maintain himself and family in accordance with reasonable standard of comfort in relation to nature of his occupation." But the most common basis for fixation of minimum wages as contemplated in the various laws appears to be the cost of living and the financial condition of the industry.

165. It has been the experience of industrially advanced countries such as England and U.S.A. that it has always been extremely difficult to prove whether a given industry is able or not to pay the minimum wages fixed by law. In view of this, in certain cases in U.S.A. the regulation of changes in the minimum wages is mainly governed by the cost of living, the other factor regarding the economic position of the industry being very difficult to prove. It should not, however, be supposed that the Union is not prepared to consider the financial condition of the cotton mill industry in Bombay City while putting forward a demand for fixation of



a minimum rate of wages for the cotton mill operatives. On the other hand, it may be made clear, that the Union is ready to reconsider its demand for fixation of a minimum wage at the rate indicated below, if the Union is satisfied that the millowners have explored all the available sources of effecting economies in the cost of production and that the only item then left is 'wages'.

166. One of the seventeen demands put forward by the Joint Strike Committee before the Bombay Strike Enquiry Committee was that "the wages of those workers whose average monthly wage is less than Rs. 30 shall be raised substantially." The Union considers and reaffirms that the above demand is just and reasonable. The experience of the members of the Union goes to show that Rs. 30 per month for an average family is, with great difficulty, just sufficient to maintain a family almost on the 'subsistence level.' In view of this, the Union should like to make an emphatic demand that Rs. 30 should be fixed as the minimum rate of wages for adult male operatives below which no worker who has put in normal hours on each of the working days in a month should be paid. The reiteration of this demand may be considered as preposterous by some but the following few considerations would show that what after all the Union asks for, is *nothing more than a bare living wage*.

167. It is now proposed to indicate the lines on which the Union has based its demand for Rs. 30. The basis is put at the lowest by comparing the quantities of some of the main food articles consumed by a cotton mill operative in Bombay City with those consumed by prisoners in jail, in order to show that the Union's demand for Rs. 30 as being the minimum wage is not extravagant. A reference to the Bombay Jail Manual (Part I, Revised Edition, 1927, page 40) will show that the following is the scale of the diet given to male convicts including juveniles confined in prisons and employed on *bona fide hard labour* :—

ARTICLE.	DAILY QUANTITY.
1. Wheat, Jowari or Bajri or rice	24 ozs.
2. Dall	5 ozs.
3. Salt	8 drams.
4. Onions	4 drams.
5. Vegetables	8 ozs.
6. Oil (average)	8 drams.
7. Condiments	4 drams.
8. Tamarind (average)	3 drams.
9. Fuel	1 lb.

Thirty times the first six of the above quantities multiplied by the average retail prices of the respective articles for the month of December 1929 in Bombay City, (vide p. 426 of the Bombay Labour Gazette for January 1930) will show that the average monthly expenditure on food articles alone amounts Rs. 5-4-2 for a single worker. A reference to the Report on an Enquiry into Working Class Budgets in Bombay City published by the Labour Office in 1923 ( pages 65-66 ) shows that the average number of persons living in the family is 4·2 ; and the equivalent in adults per family=3·4. The total cost of the food articles consumed by the average family will thus be Rs. (3·4 × 5-4-2). The average expenditure on ' food ' amounts to 56·8 per cent. of the total expenditure of the working class family. If all the items included in the ' food group ' in Table VI referred to above are scanned, it will be seen that the expenditure on the food-grains alone (according to Jail Diet) comes to only about 37·1 per cent. of the total expenditure of the family. On this basis the cost of maintaining an average family comes to ( Rs.  $\frac{100}{37.1}$  × 3·4 × Rs. 5-4-2).

168. According to the Family Budgets report referred to above, there are 1·5 earners in the average family. The 1·5 adult bread-winners should earn this sum of Rs. 48-3-4 in order that their families may be fed, clothed, and sheltered according to the lowest of minimum standard of life. This clearly means that each adult must get at least Rs. 32-2-3 as wages per month (i.e. Rs. 48-3-4 divided by 1·5).

169. The minimum wage arrived at is based on the retail prices ruling in December 1929. Any rise in the prices or in the cost of living index number for Bombay City should have a corresponding effect on this minimum wage. The Union is of the opinion that the minimum should be varied with definitely marked changes in the cost of living index, say, by 5 points.

170. The best machinery to secure the minimum wage is, of course, the collective agreement; but it can be successfully effected in those trades where the employers and workers are sufficiently organised. Where this essential condition does not exist and where the workers are not organised to an extent which will enable them to negotiate a collective agreement on a footing of equality with their employers, a suitable machinery on a statutory basis should be devised. The Union does not support any machinery which has not the backing of law behind it. The Joint Industrial Councils under the Whitley Scheme cannot function effectively where the workers' organisation is not strong. The German Works Councils have the same

difficulty if they are organised independently of the Trade Unions or if the workers are not properly organised. In Germany the Works Councils are deliberately excluded from negotiating the wage rates which function is allocated to the Trade Unions and the employers' associations. Where these do not exist or are weak, the Works Councils are allowed to intervene. The Union, however, is inclined to take the view that, where the workers' organisations do not exist or are weak, the wage fixing machinery should be, as far as possible, independent of any other machinery that may be devised for the purpose of improving the industrial relations between the employers and employees. Out of the three systems of wage regulations that are prevalent in different parts of the world, viz., the Fixed Minimum Wage Method, the Board System and the Arbitration System, the Union prefers the Board System as being more suitable to Indian conditions. The Fixed Minimum Wage Method is inflexible and the wage amounts are stated in the Act itself with greater or less precision. The size of the country and the vast difference in the economic conditions prevailing in different provinces may make this system inapplicable to India. The Union is equally opposed to the Arbitration System in as much as it hardly tends to improve the relations between the employers and employees. The Union, therefore, supports the Board System in which an independent chairman, unlike under the Arbitration System, has to give a decision with which at least one side must agree and in which also, owing to the fear that the chairman may vote on the other side, the two sides are checked from taking an uncompromising attitude. The Union recommends the formation of Trade Boards on the lines of the British Trade Boards with powers which the Whitley Committee have recommended for the English Boards.

#### DEDUCTIONS.

171. The Union submitted to the Bombay Government in 1927 an exhaustive representation on the "deductions from wages or payments in respect of fines" and a printed copy of the same is enclosed to this Memorandum as Appendix C.\* Suffice it to say that the Union stands by the views expressed in that representation and has no further remarks to offer on the subject of deductions. It only draws the attention of the Commission to paras 109 to 120 of the Fawcett Committee's Report in which the Committee discusses Standing Order 18 relating to offences for which the workers are liable to be fined.

#### PERIODS OF WAGE PAYMENTS.

172. The Managing Committee of the Union considered this question so early as in 1926 and addressed a letter to the Director of Labour,

\* Not printed in this Memorandum.

expressing its views on the prompt payment of wages. The important parts of that letter are reproduced below :—

“The Committee desires to express its appreciation of the move made by the Government of India in the direction of securing by legislation the prompt payment of the workers. The move was overdue ; and had it been made earlier, some of the hardships from which the workers suffer, may have disappeared long ago. However the Committee is glad to find that the Government of India propose, though a little late, to legislate on a matter with which the financial interests of the working classes are vitally connected.

“The Committee agrees with the Government of India that the state of affairs in respect of the periods by which wages are paid in organised industries and in respect of the delays which are associated with their payment, cannot be regarded as other than satisfactory, that these delays are, in a number of cases, so great as to add appreciably to the economic difficulties of the workmen and give rise to several abuses and that if these abuses can be checked or eliminated by legislation, it is the duty of Government to introduce such legislation. It is the opinion of the Committee that the real remedy for checking the abuses lies in enacting a legislation making payments of wages fortnightly or weekly and the Committee would have accorded its hearty support to such legislation. The Committee is aware of the opposition to the Weekly Payments Bill of Mr. Chaman Lall, a part of which had come from some workers. But it feels confident that if the system of weekly payments, the advantage accruing therefrom and the disadvantages of the system of monthly payments had been fully explained to the workers, they would have withdrawn their opposition and agreed to the system of payments for shorter periods. But as Mr. Chaman Lall's Bill had unfortunately to be withdrawn on account of the joint opposition of the Government and the interested parties, the Committee has to be content with the alternative now proposed by the Government of India, as being the next best.

“The Committee generally agrees with what the Government have said in paragraph 6 of their letter of July 28 regarding the setting of the statutory limit to the time within which wages must be paid. It, however, desires to emphasise that such limit should be placed not only in the case of monthly wages but also in the case of fortnightly, weekly and daily wages. The limit to be placed on the delays should be, in the opinion of the Committee, at the most

a week in the case of monthly wages, four days in the case of fortnightly wages, two days in the case of weekly wages and the daily wages should be paid on the same day. There does not seem to be any necessity to delay the daily wages by a day as seems to have been suggested in paragraph 6 of the letter. In fact these wages are in most cases paid on the days for which they are earned.

“As regards the enforcement of such law, the Committee is in entire accord with the view of the Government of India stated in paragraph 7 of their letter that “if the enforcement of the law is to depend upon the initiative of the workmen themselves the Act will fail to achieve its object” and that, therefore, “it is essential that the power to prosecute should be granted to some external authority, such as an inspecting staff.” The dangers pointed out in the paragraph such as dismissals, if the responsibility of recovering the wages in a court of law is thrown on the workmen, and the difficulties of the workers in the same establishment joining together in prosecuting the employer, are real, cannot but prevent action. Moreover, the amount of inconvenience that may be caused to the workers is disproportionate to the amount that they may get. If, therefore, the Act is to function efficiently and is not desired to remain a dead letter, it is essential that the Act should set up an independent machinery to enforce it.

“The scope of the measure to be enacted should be, the Committee is of opinion, as wide as possible and should cover all the establishments, large or small, Government, semi-Government or private, such as railways, tramways, docks, plantations, municipalities, local boards, Government services, in addition to the establishments covered by the Indian Factories and Mines Acts. The Committee does not agree with the Government of India that the Act should be confined, in its operation, to those establishments which are subject to the operation of the Factories Act and the Mines Act. Such restrictions in the operation of the measure will surely defeat to a great extent the object for which it is intended. It is true that an additional staff will have to be employed; but it is worth while doing so even at the cost of some extra expenditure. Otherwise the measure will lose much of its utility and the abuses which it seeks to check or eliminate will remain where they are. It is therefore the considered opinion of the Committee that for the measure to be both useful and effective, its scope should be wide enough and its enforcement should be in the hands of an outside and independent agency. The Committee requests the Government

of India to consider this point seriously and hope that they will accept it.

“There are one or two other points in connection with this subject which the Committee desires to bring to the notice of the Government of India for their consideration. One is that in some cotton textile mills in Bombay the workers who are discharged or leave the service in the middle of the month, are not paid immediately for the days for which they have worked in the mills but are asked to come on the next pay day, which means a good deal of delay. The Committee thinks that such delays should also be covered by the proposed legislation. Another point is that there is a practice prevailing in many cotton textile mills in Bombay that the wages claimed after a certain period which varies from three to six or even more months, are forfeited. There are occasions such as continued illness or other domestic difficulties on account of which the workers cannot claim their wages earlier; but it is only fair that they should get them as soon as they are in a position to claim them. It will be well if such forfeiture of wages which is more serious than the delays in getting the wages, is prohibited under the new measure.”

#### INDEBTEDNESS.

173. The following paragraph from the Family Budgets report of the Labour office will give the Commission some idea about the extent of indebtedness of the workers :—

“Interest on debts shows an average expenditure of nearly 3 per cent. of the total monthly expenditure. No less than 47 per cent. of the families were in debt..... The usual rate of interest is one anna per rupee per mensem or 75 per cent. per annum, and in a few cases 2 annas per rupee per mensem or 150 per cent. per annum..... The indebtedness of the family in debt extends ordinarily to the equivalent of two and half months' earnings. The extremes are equivalent to 14 months' and one third of a month's earnings. Some money lenders obtain in effect even a higher rate than 150 per cent. by taking promisory notes of higher value than the loan actually given.” (pp. 33).

#### LEAVE.

174. The system of leave both with and without payment is absent in Bombay mills. Whenever urgent work or illness makes  
—Without Pay. it impossible for a worker to go to work, he either sends word to his jobber or explains his absence the next day when he goes to the mills. If the jobber is well disposed towards the worker, the latter gets

back his machine; otherwise he gets a sack on the ground that he was absent without leave. There may be exceptions to this method and it may be that the workers have got leave of absence; but the point the Union wants to emphasise is that in the absence of any system, the jobbers possess a very considerable power of mischief and the Union has on its record a number of complaints of this character. The question of leave was fully dealt with before the Fawcett Committee and the Millowners' Association have now agreed to grant two months' leave to the workers on an application and, to keep the record of such leave. The rule has not yet come into operation and it is to be seen how far it works in actual practice.

175. The Union strongly suggests for the sympathetic consideration of the Commission that the workers should get some  
 —With Pay. leave on pay. In its opinion such leave will have a good effect not only on the worker's health but on their efficiency as well. After their return from the villages, they have always shown better efficiency. In Germany, such leave on pay has been secured by the workers and in England, the agitation to get it is going on and it is probable that it may succeed.

#### FAIR WAGES CLAUSE.

176. The Union is in favour of the Fair Wages Clause in public contracts. It will have a healthy effect on the general wage level in the City.

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## CHAPTER XI—WORKERS' EFFICIENCY

177. The fact that the Bombay mills are gradually going from coarse to medium and from medium to fine counts and are producing better kind of cloth than before, shows that the workers' efficiency has not remained stationary but has improved. The reduction of working hours from 12 to 10 has also shown an improvement in the efficiency of the weavers. In view of the fact that the millowners have made no efforts to improve the efficiency of the operatives, the improvements they have shown in their work, are indeed highly creditable.

An Improvement.

178. A comparison is sometimes made between the number of looms and spindles that the workers in India and the workers in other countries mind, in order to show that the Indian workers are less efficient than the other workers. It is mischievous to make such a comparison without taking into account other factors of great importance. The Bombay millowners conveniently forget the climatic conditions obtaining in different countries, the stamina of the operatives, their conditions of service, their housing, their education, the quality of raw material supplied, the differences in machinery, the labour saving appliances, etc., and without any justification they condemn their own operatives. Mr. Arnos S. Pearse, General Secretary of the International Federation of Master Cotton Spinners' and Manufacturers' Association, has recently stated that the average number of looms per operative in Japan is 5.5 as against 4 in England; but he has not declared that the English worker is less efficient than Japanese worker. Mr. N. M. Joshi had suggested before the Tariff Board that if a scientific comparison between the efficiency of the Indian and the British worker was to be made, about a half dozen Indian workers should be sent to Lancashire and asked to work there under conditions in which the British workers worked and that if the results showed that the Indian workers were less efficient than the English workers, then only he would admit the truth of the allegation of the Bombay millowners; but not till then. The Union supports Mr. Joshi's stand and declines to believe that the Bombay worker is less efficient than any other worker of other countries. The Union desires also to point out that Dr. Rajani Kant Das in his book on the "Hindustani Workers on the Pacific Coast" has proved that the Hindustani workers working in America have proved themselves as efficient as the workers of other nationalities including the Americans.

Comparison.



179. In sharp contrast to the improvement that the workers have effected in their efficiency, howsoever small it may be, **Efficiency of Management.** the Union regrets to say that the efficiency of the mill officers, including jobbers and head jobbers, is not as it should be. There is, the Union knows, a fair sprinkling of superior officers, both Indian and British, whose technical knowledge is of a high order and it is perhaps due to their presence that the Bombay industry has maintained its existence, such as it is to-day. The Union, however, knows by experience that there are some mill officials whose knowledge of the technique of the industry and whose organisational capacity is no better than that of the outsiders in the trade unions who are attacked so mercilessly by the millowners. If an examination is held and these officials are put to test, the Union has no doubt that many of them will fail. Many of the ills of the industry can be traced to the incompetency of these men. But it is human nature to see a mole in others' eyes forgetting the mountain in their own.

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## CHAPTER XII—TRADE COMBINATIONS

180. The extent of the trade union organisation in the Bombay textile industry may be obtained from the Bombay Labour Office. Suffice it to say that the trade union movement took an organised form only after the 1925 general strike and with the formation of this Union in January 1926. Writing about this Union in his report of the investigations into the conditions of the Indian textile workers, the Rt. Hon. T. Shaw, M.P., has the following remarks to make :—

“ In Bombay is to be found perhaps the nearest approach on what, for a want of a better name, I will call the European model. The Union takes all textile workers as members, in whatever branch they work, and its business is done from five different centres. The membership cards are printed in Urdu and Marathi, and give details which are quite customary in Europe. There is also an active propaganda by means of big posters in prominent places in the mill areas. These posters give summaries of the work of the Union, and invite all textile workers to join it.....There is a central Managing Committee which is really the authoritative managing body for the Union. It consists of the principle officers and representatives of the workers in the proportion of one for each 200 members in any given mill. There are also committees in each centre or district, but the functions of these committees are purely advisory. There are also mill committees and the Central Committee's idea is to give the actual workers themselves the greatest possible share in the management of the Union.”  
(pp. 42-43).

With its propaganda the Union could succeed within a period of two years to secure a paying membership of between 8,000 to 10,000. Then came the 1928 strike in which the Girni Kamgar Union came into existence. Taking advantage of such success of the strike as was obtained and by its unrealisable promises and hopes to the workers, the G. K. Union could increase its membership to, according to the Labour Office figures, over 40,000. It can be said that after the 1928 strike the Union mentality had been created among the workers and if the 1929 strike had not intervened and things would have gone on smoothly, the trade union membership might have increased very considerably. But the last year's strike destroyed not only the future hope but killed the strength that had been built up; and today, it must be said with great regret and pain that the trade union movement in the textile industry is on its last legs!

181. So far as this Union is concerned, it can be said that it has been able to redress a numbers of workers' grievances.

Effects. The three annual reports of the Union that are enclosed to this Memorandum will show that in such cases as dismissals, re-employment, rates and wages, fines, strikes, assaults etc., the Union had been a real help to the workers. Had the millowners been a little sympathetic towards the Union, the success it had achieved would have been more substantial and the Union would not have required to go through the agonies it went through after the 1928 strike. It was a healthy check on those mills where it had good membership and some of the mill managers and other officers had admitted the usefulness and the utility of this Union. Although it cannot be said that the Union has been able to leave a permanent mark of its work on the general conditions of the operatives by securing to them higher wages, reduced hours, better housing or stability of employment, it is true to say that it had stopped very considerably the tyrannies of the mill officials practised on individual workers and created in them a kind of awe about Trade Unions. Thanks to the short sighted policy of a majority of the millowners and their born hatred of trade unions, the activities of this Union had to be curtailed for the present and it could not continue in the manner in which it did function before the 1928 strike !!

182. The Union has not been able to organise schemes for giving benefits to its members, such as unemployment, sickness or old age benefits. The Union officials had to concentrate their energies and attention all these years on organisation and the workers' complaints and deal with the strikes as they took place; and there was also the difficulty of finance. However, it has given special financial help to some of its members who were in distress and spent about Rs. 6,000 in distributing relief to its members and other workers during the 1928 strike. It had also collected special funds for the same purpose in the sectional strikes in a few mills. It may further be stated here that owing mostly to the influence of its President, Mr. N. M. Joshi, in the international labour movement, the Union could secure about Rs. 40,000 for distributing relief during the 1928 strike.

183. The Constitution and the three annual reports of this Union enclosed to this Memorandum, will give the Commission some idea about the history and the activities of this Union; and it is not necessary to repeat them here.

## EMPLOYERS' ATTITUDE.

184. In spite of the fact that the relations of some of the officers of this Union are more or less cordial with some of the mill-owners in Bombay, it must be stated quite frankly that the general attitude of the employers as a class is one of hostility towards the trade unions and the trade union movement. It is only recently when an undesirable element entered the trade union field that the employers have begun to talk in terms of sympathy towards the unions; but their talks have not yet been translated into action. If anything, their Association in its Memorandum to this Commission has boldly advocated amendments to the Indian Trade Unions Act, most of which, if carried into effect, are calculated to make the independent trade union movement impossible in this country and convert the trade unions into departments of Government. The Association may say that it was compelled to make these suggestions owing to the activities of the Girni Kamgar Union. But it fails to realise that for the action of one or two Unions like the Girni Kamgar Union, the Association wants to penalise all the trade unions which have been carrying on its activities in a legitimate and constitutional manner. It is also significant to remember that when the Girni Kamgar Union did not exist and when other Unions were functioning on trade unions lines, it never occurred to the Millowners' Association to look at them with a sympathetic eye or grant them recognition. On the contrary the negotiations by this Union in one of the strikes of its own members with the Association were characterised by it as "officious" in one of its Annual Reports. If this case is considered as rather old as it happened in 1926, the Union can cite another to prove the hostile mentality of the millowners. It took place only last September. The Union held a joint enquiry over the dismissal of one worker in a mill where it had very strong membership. The enquiry lasted for about three months but the parties could not come to any agreement. The matter was taken up to the Millowners' Association which appointed a sub-committee to negotiate with the parties. The negotiations failed to reach a settlement and, as a last alternative, the sub-committee of the Association asked the parties to refer the dispute to arbitration and this suggestion was sent to the Association. It was accepted by the Union but rejected by the mill. In its anxiety not to displease the powerful mill, the Association turned down the suggestion made by its own sub-committee. This clearly proves that when the interests of a mill clash with those of the Union, the Association does not hesitate to throw overboard not only the Union but its own representatives who, not being directly involved in the dispute, can sometimes take a detached view.

185. The Union can also give another illustration of the millowners' dislike of the trade unions. The Chairman of the Commission put it to the representatives of this Union in their oral evidence whether they would meet the millowners to discuss the problems of industry and they replied that they would. The millowners have not done anything yet in the direction of calling the quarterly general meetings contemplated by the Chairman owing perhaps to the present weak position of the Union. The Union understands this position and does not complain. But it does complain about the way in which the Millowners' Association has started its work of coming in contact with the workers and dealing with their complaints. It has recommended to the management to keep complaints boxes in the mills and ask the workers to take the complaints to the officers or put them in the boxes. In the case of collective grievances, the Association says that the mill agents will make enquiries and, if necessary, take them to the Association. If such methods had solved the workers' grievances, the world would have heaved a sigh of relief at the solution of one of the most difficult industrial problems. But the Union may not complain about the procedure laid down by the Association although it feels that it will not improve matters. What it takes serious objection to is the complete disregard shown by the Association towards the trade unions. It knows that they do exist, though in a feeble condition and it should have informed the workers that if they could not get redress by the procedure laid down by the mills, it would sympathetically consider their grievances if sent through their Unions. If the Association had expressed itself in its instructions to the mills and the workers in these or similar terms so as to convey to the operatives its willingness to deal with the Unions, it would have proved its *bona fides* about its attitude towards the trade union organisation. In times of difficulties and owing to public pressure, it shows some lip sympathies towards that Union which it considers to be less harmful than the others.

186. Another illustration of the attitude of the millowners towards the trade unions can be given and it is the organisation, by an important mill group in Bombay, of what can be called company unions organised through its jobbers and head jobbers. In para 182 of the Memorandum of the Bombay Government will be found the names of these Unions with a membership of 29 only which were organised during the period of the last year's strike. This Union has reason to believe that all the three Unions were started under the instigation of a mill group and one of them is already registered. In spite of the fact that the Unions at the time of their

registration had to give their official addresses to the Registrar, some of the letters addressed to the registered union in the list given in the Bombay Government's Memorandum on page 182, had come to the address of this Union as the postal authorities could not trace the existence of that Union! This shows clearly how company unions are functioning. An attempt was also made to encourage the formation of what is called the "Amalgamated Millowners' Self-help Union," one of the objects of which was to so inculcate the habit of thrift among the workers as to enable them to purchase one or more mills and run them on model lines. The promoters of this so-called Union were to be the representatives of one Bombay Ownership Housing and Tenants' Welfare Institute (it is not traceable) and of the existing trade unions in the mill industry. It was to have mill committees, a "general administrative committee", and a "board of control" whose functions though defined could not be understood. One of the promoters of this so-called union was a Government pensioner, another a municipal retired officer, and a third a landlord, besides one or two others. This Union has not heard of the activities of that Union; but the facts stated above are sufficiently indicative of the mentality of the millowners and their organisation.

187. The attitude of the millowners and their Association towards labour legislation of ameliorative character introduced by the Government of India since 1921 has been mostly one of opposition. The following summary of their views, prepared from the annual reports of the Association is enough to substantiate the above statement:—

Attitude towards Labour Legislation.

(1) Legislation for the registration and protection of trade unions was at that juncture (1921) premature.

(2) The Association was opposed to the voluntary registration; it demanded compulsory registration which implies, it may be stated parenthetically, the suppression by law of unregistered trade unions.

(3) It deprecated the policy of "slavish adherence" to the provisions of the British trade union legislation.

(4) It was "opposed to the introduction in the Indian law of any provisions that might tend to countenance the practice of picketing in any shape or form".

(5) The Association was not in favour of having legislation prohibiting the employment of women before and after child birth. (1921 report) and opposed Mr. N. M. Joshi's Maternity Bill. (1923 report).

(6) The Association declined to express an opinion on the proposal to repeal the Workmen's Breach of Contract Act, 1859.

(7) It opposed Mr. Chaman Lall's Weekly Wages Bill.

(8) It "lodged an emphatic protest" against the Government of India's proposed legislation on prompt payment of wages.

(9) It opposed Mr. N. M. Joshi's Bill to amend the Indian Penal Code so as to give immunity from legal proceedings to unregistered trade unions.

It may also be stated that the Association supported the Intimidation and *Goonda* Acts passed by the Bombay Government last year. On the top of all this, the Association has now suggested in its Memorandum to this Commission amendments in the Indian Trade Unions Act the effect of which, if carried out, is calculated, in the opinion of the Union, to paralyse the growth of independent trade union movement!

#### TRADE UNIONS ACT.

188. The Union is not in favour of amending the Trade Unions Act in such a way as to curtail the liberties of the Unions or increase the restrictions and limitations already imposed on them. It therefore does not support the amendments of the Millowners' Association suggested in its Memorandum to this Commission; nor can it support the proposals of the Bombay Government made in their "Note on Labour Position in Bombay"—proposals which are intended to increase the power of the Registrar of Trade Unions in respect of supervision and intervention and vest him with more power of cancelling the registration of trade unions and ascertaining their membership. In the opinion of the Union, these proposals will only impose additional restrictions on trade unions without achieving the object of putting them on sound lines. The Union is rather inclined to suggest that the Act should be so amended as to give the benefit of immunity from civil and criminal liability even to unregistered trade unions and that it should be brought in conformity with the British Trade Union law *minus* the 1927 Act.

#### MISCELLANEOUS QUESTIONS.

189. Hitherto there was no conciliation machinery between the millowners and the trade unions for the purposes of Methods of Negotiations. of negotiations. During the discussions before the Fawcett Committee, the Mediation Rules were framed and accepted by the Millowners' Association and the Joint Strike Committee. The Union gave a trial to these Rules in one of the disputes referred to above and it found that during the very first stage the joint

meeting had to be held no less than ten times over the dismissal of one worker. By mutual agreement the dispute was referred to a sub-committee of the Millowners Association and the Union committee, instead of going through the other two stages of the Rules. The result was that the worker was sacked on June 4, the joint meetings commenced on July 1 and continued to the end of the month, further negotiations took a month and the strike was declared only on September 18. It can easily be realised what the fate of such a strike can possibly be. If the Mediation Rules are to be used for the purpose of marking time, creating divisions in the trade union rank and file and damping the resentment of the workers over unjust actions of the employers, then clearly the Union has no use for such mediation machinery; it prefers to go without it. In the light of the experience gained in the dispute referred to above, the Union now insists upon a radical change in the Mediation Rules. It wants a deletion of the second part of the negotiation machinery in which the dispute has got to go before a joint meeting of the representatives from the mediation panels on either side. This second stage is absolutely unnecessary and seems to have been devised simply to prolong the negotiations. It also insists that a time limit should be laid down for the completion of the negotiations under the Mediation Rules. The Union suggests that a maximum period of a week should be fixed subject to it being increased with the consent of both the parties.

190. The Mediation Rules are applicable only to the trade disputes; but there is no joint machinery which deals with the workers' grievances all of which may not develop into serious trade disputes. Speaking before the Fawcett Committee, Mr. Bakhale had suggested, on behalf of the Joint strike Committee, that joint committees should be set up in each mill to deal with the day-to-day grievances so as to check the growth of discontent among the workers. The representatives of the Millowners' Association vehemently opposed the proposal. The Fawcett Committee refrained from expressing an opinion on it on the ground that it did not come within their terms of reference.

191. So far as the Union is aware no attempts have been made to secure the cooperation of labour in the attempts to increase its efficiency. Schemes were prepared, the jobbers were informed and the Schemes were brought into operation. Such is the method generally employed in Bombay mills. Irritation and discontent are the results of such non-cooperation.

Results of Non-cooperation.



## CHAPTER XIII—INDUSTRIAL DISPUTES

192. The statistical information about the several strikes in the textile industry, their causes, methods of settlement and loss to the industry and workers may be available to the Commission from the Memorandum of the Bombay Government and Labour Office. The Union desires to point out here that a good many strikes could have been avoided if only the attitude of the millowners had been a little sympathetic and if they had taken the necessary precaution to deal with the workers' grievances before allowing them and the resulting discontent to accumulate. It is painful to record that no head is taken of the workers' difficulties and grievances and the blame for the strikes is generally laid at their door. The employers' attitude is mostly responsible for the strike mentality of the operatives. They by their indifference and disregard for their workers create that mentality in the latter; and they must therefore face the consequences.

193. The Union is opposed to those sections in the Trade Disputes Act which have put additional restrictions on the workers working in public utility services. Those sections should either be repealed or, in the alternative, if retained, special privileges should be conferred on those on whom they are imposed.

194. The Government are themselves a great employer of labour and their attitude towards it and labour legislation cannot be sufficiently sympathetic. The Union fully recognises that during the last few years they passed some labour legislation for which they deserve credit. But it feels that they should have done more. There are a number of Geneva Conventions and Recommendations which the Government of India have either not carried out or postponed. There are certain departments of Government such as Postal department, which have shown greater sympathy towards labour unions than some other departments such as Railways. There are railway unions in India which, though registered, have been declined recognition. The late Agent of the G. I. P. Ry. had, it is understood, refused to see Mr. N. M. Joshi in connection with a dispute. Enormous delay, which has driven men to desperation, in dealing with labour matters is indicative of the mentality of Government. Circumstances and pressure of public opinion may have compelled them to show greater sympathy towards labour; but the mentality has not yet undergone a full change.

195. During industrial disputes, the attitude of Government officers is many times hostile towards labour. The Union can cite a few instances in support of this statement. In 1928 Mr. Joshi had gone to the Madras Presidency to try to settle the S. I. Ry. strike. While he was going from place to place to see the situation for himself with a view to sound the strikers' opinions and arrive at some settlement, a magistrate served him, Mr. Giri and one or two others with a notice restraining them from making speeches and ordering them to leave the district immediately! In the 1928 textile workers' strike at Sholapur where this Union has a branch, the police unnecessarily interfered with peaceful picketing to which the strikers are entitled to resort, and made it almost impossible. Prosecutions were launched against some volunteers and a large number of them were fined. It was also stated that in the conduct of these cases, the magistrate was reported to have remarked that he would like to see what resources the Union had for the payment of fines for cases already decided and for cases that might come up later on. It could be gathered from this remark that the magistracy and the police at Sholapur wanted not only to stop peaceful picketing but also to break the financial backbone of the Union itself! In a courteous letter to the Collector of Sholapur, Mr. Joshi brought this matter to his notice and requested him to stop the illegitimate interference of the police and allow the strikers to picket in a peaceful manner. The Collector in a curt reply informed Mr. Joshi that "I regret I cannot discuss the Sholapur Mill strike with the Bombay Textile Labour Union, Bombay, or its President who have no title to be heard in Sholapur affairs". Mr. Joshi again sent another letter but no reply was received. The *Labour Gazette*, the official publication of the Bombay Government, gives periodically a list of the Trade Unions in the Presidency; and in that list the Sholapur Union was first shown to be a branch of this Union. Subsequently when that strike took a more serious turn, the Labour Office omitted to mention the Sholapur Union as a branch of this Union; it was shown as if it was an independent Union. Why this was done can be easily inferred. After Mr. Joshi's protests, the Sholapur Union was again shown as a branch of this Union. Again, the Union declared a strike at the Kurla Swadeshi Mills in September last. The Union men, including the General and Assistant Secretaries of the Union, were picketing the mill gates in a perfectly peaceful manner. The mill officials whose number was larger than that of the Union, were also counter-picketing. The Sub-Inspector of Police and the constables were on the spot. If they had confined themselves to their duty of maintaining law and order, no objection could have been taken. But the Sub-Inspector and a few constables warned the Union pickets not to stand

on a public road ( but they had allowed the mills officials to do the same ) and to withdraw; they asked some workers to go inside the mills; the Sub-Inspector asked the Union pickets not to shout "Comrades, don't go to work", but he said not a word to the mill officials who were goading the men in; and a few constables warned some men inside the tea shops which were opposite the mills, not to wait there but to go to the mills. The police were clearly helping the mill authorities and putting every obstacle in the way of the Union. On the 22nd September the Union made a complaint to the District Superintendent of Police, Bandra, and copies of the letter were sent to the General and Home Departments of the Bombay Government. The General Department directed the Union to the Home Department which merely acknowledged the complaint and did nothing more. The District Superintendent of Police never cared to send a reply. Such instances are enough to create a suspicion in the mind of the workers about the *bona fides* of Government and there should be no surprise if they feel that Government side more with employers than with labour.

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#### CHAPTER XIV—MASTER AND SERVANT

196. The Union is of opinion that the Madras Planters Act which is more or less on the lines of the Workmen's Breach of Contract Act should be repealed.

Repeal of Madras Planters Act.

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#### CHAPTER XV—ADMINISTRATION

##### LEGISLATURES.

197. The attitude of the Central and Provincial legislatures, like that of the Central and Provincial Governments, is not sufficiently sympathetic. A majority in these legislatures consist of capitalists, pro-capitalists or of men with capitalist inclinations and it is not expected that they would show adequate sympathies with labour. A fairly large element of nominated officials in these bodies add to the difficulties of labour getting a square deal. The representation of labour on the legislatures, which is only by nomination, is so poor as to be almost ineffective. A Scheme of Labour Representation on the Central and Provincial Legislatures, (copies of which are enclosed to this Memorandum), a part of which was adopted by the all-Indian Trade Union Congress some four years ago, will show the comparative strength of labour and capital on these bodies. Such being their constitution labour legislation has not advanced as rapidly as it should and in some cases anti-labour legislation

Attitude.

has been put on the statute book. Mr. Joshi's Maternity Benefit Bill was defeated; Mr. Chaman Lall had to withdraw his Weekly Payments Bill; the provisions in respect of the public utility services in the Trade Disputes Act were passed; the Intimidation and *Goonda* Bills were passed in the Bombay Council; in the same legislature a Bill to lower the municipal franchise from Rs. 10 to Rs. 5 or Rs. 3 was defeated; and some of the important Geneva Conventions were either not passed or shelved! This record is enough to indicate the attitude of the present legislatures towards labour.

#### RELATIONS BETWEEN CENTRAL & PROVINCIAL GOVERNMENTS.

198. The Union is of the considered opinion that labour legislation should be a central subject so that it would be common to the whole of India. If Provincial Governments are empowered to enact labour legislation, it may have a serious effect on labour conditions in India. Uniformity of labour legislation which is very essential in a country like India, will be disturbed and some provinces may be placed at a disadvantage over others. In special conditions which may be peculiar to a particular province, a Provincial Government may be allowed to have legislation of its own, subject always to the sanction of the Central Government. But in matters such as hours, workmen's compensation, wage fixing machinery, social insurance and the like, the Union is clear that there must be all-India legislation.

#### BRITISH INDIA AND INDIAN STATES.

199. As compared with British India, the Indian States are very backward in labour legislation. Many States have not got the Factories Act and in some where it exists, its administration is reported to be slack. There is thus a natural tendency on the part of the capitalists to remove their factories to the Indian States where there are fewer restrictions, if any, on hours, wages, employment of women and children, compensation for accidents and where labour is comparatively cheap. It is very essential that the Indian States should be brought in line with British India in respect of labour legislation so as to equalise, as far as possible, labour conditions and remove whatever exploitation exists in the Indian States.

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#### CHAPTER XVI—INTELLIGENCE

200. The labour statistics in India are very inadequate and, where they exist, are not always accurate. The Union is of opinion that some machinery should be devised to compile adequate and reliable industrial statistics.

Inadequate  
Statistics.

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Confidential.

APPENDIX A

Exhibit No. 3.

( Vide paragraph No. 21, page 17-18 ).

Reduction in the number of workers in a mill under the Efficiency Scheme.

MILL No. I.

*A Consolidated Statement of Gains and Losses to the Mill and the Workers.*

Department.	No. of men retrenched.	Percentage of Gains or Losses to	
		The Mill.	The Workers.
1. Blow Room ... ..	9 out of 46	55,	45
2. Card Room ... ..	14 " " 40	42.5	57.5
3. Drawing Frame ... ..	14 " " 42	28.5	71.5
4. Ring Frame ... ..	160 " " 386	64	36
5. Roving... ..	26 " " 52	51.6	48.4

Total.	Average Percentage.	Average Percentage.
223 out of 566	48.3	51.7 to 343 men.

Saving to Millowners:—

Loss to 223 men:—

	Rs.	a.	p.		Rs.	a.	p.
Blow ... ..	72	0	0	Blow ... ..	130	8	0
Card ... ..	84	0	0	Card ... ..	128	0	0
Ring ... ..	1,511	0	0	Ring ... ..	764	0	0
Roving ... ..	429	0	0	Roving ... ..	403	0	0

Drawing—56	} 2,096 0 0 on 543 men.	} 1,426 0 0 on retrsach- ed men.	} Drawing—70 pies per hank for 14 men.
pies on 343.			
Drawing—70	} 1,426 0 0 on retrsach- ed men.	} 1,426 0 0 on retrsach- ed men.	} Drawing—70 pies per hank for 14 men.
pies on 223.			
	} 3,522 0 0		

Confidential.

MILL No. I.

A Comparative Statement of Gains or Losses to the Mill and the Workers under the New System.

Blow Room.

System.	No. of Men.	No. of Men Retrenched.	Pay per Worker.	Gain or Loss per Worker.	Total Wages.	Gain or Loss to Mill.	Gain or Loss to Workers.	Total Gain or Loss.	Percentage Gain or Loss	
									To Mill.	To Workers.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
<i>Old System.</i>										
One man one Machine ...	46	...	14 8 0	...	667 0 0	...	...	...	...	...
<i>New System.</i>										
One man one machine ...	28	...	14 8 0	...	406 8 0	...	...	...	...	...
One man two machines ...	9	...	21 0 0	6 8 0	189 0 0	...	...	...	...	...
	37	9	...	...	595 0 0	+72 0 0	+58 8 0	+130 8 0	+55	+45

Confidential.

MILL No. I.

*A Comparative Statement of Gains or Losses to the Mill and the Workers under the New System.*

CARD ROOM.

System.	No. of Men.	No. of men Re-trenched.	Pay per Worker.	Gain or Loss per Worker.	Total Wages.	Gain or Loss to Mill.	Gain or Loss to Workers.	Total Gain or Loss.	Percentage of Gain or Loss	
									To Mill.	To Workers.
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
<i>Old System.</i>										
Strippers ...	12	...	15 0 0	...	180 0 0	...	...	...	...	...
Grinders ...	7	...	15 0 0	...	105 0 0	...	...	...	...	...
Fly Gatherers ...	*4	...	13 8 0	...	*54 0 0	...	...	...	...	...
Lap Carriers ...	*5	...	13 8 0	...	*67 8 0	...	...	...	...	...
Can Minders ...	12	...	12 8 0	...	150 0 0	...	...	...	...	...
	40	...	...	...	558 8 0	...	...	...	...	...
<i>New System.</i>										
Front Jobbers ...	4	8	26 0 0	+ 11 0 0	104 0 0	+ 76 0 0	+ 44 0 0	...	...	...
Back Jobbers ...	4	3	26 0 0	+ 11 0 0	104 0 0	+ 1 0 0	+ 44 0 0	...	...	...
Lap Carriers ...	*6	3	16 0 0	+ 2 8 0	*96 0 0	+ 25 8 0	+ 15 0 0	...	...	...
Can Minders ...	12	...	14 0 0	+ 1 8 0	168 0 0	+ 18 0 0	+ 18 0 0	...	...	...
	26	14	...	...	472 0 0	+ 84 8 0	+ 121 0 0	+ 205 0 0	+ 42.5	+ 57.5

III

Confidential.

MILL No. 1.

*A Comparative Statement of Gains or Losses to the Mill and the Workers under the New System.*

DRAWING FRAMES (14 Machines.).

System.	No. of Men.	No. of men Re-trenched	Pay per Worker.	Gain or Loss per Worker.	Total Wages.	Gain or Loss to Mill.	Gain or Loss to Workers.	Total Gain.	Percentage of Gain or Loss	
									To Mill.	To Workers.
<i>Old System.</i> One man, one head or three men for each machine.	42	...	14 pies per hank or 42 pies per machine.	...	558 pies.	...	...	...	...	...
<i>New System.</i> Two men, 3 heads or 2 men for each machine.	28	14	19 pies per hank or 38 pies per machine.	+ 5 pies.	532 pies.	+ 56 pies.	+ 140 pies.	+ 196 pies.	+ 28.5	+ 71.5

41



Confidential.

I I L I No. I.

*A Comparative Statement of Gains or Losses to the Mill and the Workers under the New System.*

RING FRAMES.

System.	No. of men.	No. of men re-trenched.	Pay per worker	Grain or Loss per worker.	Total wages.	Gain or Loss to Mill.	Gain or Loss to Workers.	Total Gain or Loss.	Percentage of Gain or Loss	
									To Mill.	To Workers.
<i>Old System.</i>										
			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.		
Side boys (one man one frame).	216	...	15 8 0	...	3,348 0 0	...	...	...	...	...
Tarwalas ...	62	...	15 8 0	...	961 0 0	...	...	...	...	...
Doffer boys ...	108	...	11 8 0	...	1,242 0 0	...	...	...	...	...
	386				5,551 0 0					
<i>New System.</i>										
Side boys (one man 2 frames)..	108	108	22 0 0	+6 8 0	2,376 0 0	+972 0 0	+702 0 0	...	...	...
Tarwalas ...	42	20	17 0 0	+1 8 0	714 0 0	+247 0 0	+63 0 0	...	...	...
Doffer boys ...	76	32	12 8 0	+1 0 0	950 0 0	+292 0 0	+76 0 0	...	...	...
	226	160	...	...	4,040 0 0	+1,511 0 0	+841 0 0	+2,352 0 0	+64	+36

Confidential.

MILL No. I.

A Comparative Statement of Gains or Losses to the Mill and the Workers under the New System.

ROVING.

System.	No. of men.	No. of men re-trenched.	Pay per worker.	Gain or Loss per Worker.	Total Wages.	Gain or Loss to Mill.	Gain or Loss to Worker.	Total Gain or Loss.	Percentage of Gain or Loss	
									To Mill.	To Workers.
<i>Old System.</i>			Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.		
One man and one machine ...	52	...	32 0 0	...	1,164 0 0	...	...	...	...	...
<i>New System.</i>										
One man and two machines ...	26	26	47 8 0	+15 8 0	1,235 0 0	+429 0 0	+403 0 0	+832 0 0	+51.6	+48.4

## APPENDIX B

( *Vide para 26, page 21-22* )

## RESOLUTIONS ON RATIONALISATION

PASSED BY THE WORLD ECONOMIC CONFERENCE HELD  
AT GENEVA, MAY 1927.

"The Conference considers that one of the principle means of increasing output, improving conditions of labour and reducing costs of production is to be found in the rational organisation of production and distribution.

"The Conference considers that such rationalisation aims simultaneously:

(1) At securing the maximum efficiency of labour with the minimum of effort;

(2) At facilitating by a reduction in the variety of patterns (where such variety offers no obvious advantage), the design, manufacture, use and replacement of standardised parts;

(3) At avoiding waste of raw materials and power;

(4) At simplifying the distribution of goods;

(5) At avoiding in distribution unnecessary transport, burdensome financial charges and the useless interposition of middlemen;

Its judicious and constant application is calculated to secure:

(1) To the community greater stability and a higher standard in the conditions of life;

(2) to the consumer lower prices and goods more carefully adapted to general requirements;

(3) To the various classes of producers higher and steadier remuneration to be equitably distributed among them.

"It must be applied with the care which is necessary in order while at the same time continuing the process of rationalisation, not to injure the legitimate interests of the workers; and suitable measures should be provided for cases where during the first stage of its realisation it may result in loss of employment or more arduous work.

"It requires, further, so far as regards the organisation of labour in the strict sence of the term the co-operation of employees, and the assistance of trade and industrial organisations and of scientific and technical experts.

"The Conference accordingly recommends that Governments, public institutions, trade and industrial organisations or the public opinion as the case may be :

(1) Should lead producers to direct their endeavours along the lines indicated above, and in particular;

(a) To encourage and promote in every way the investigation and comparison of the most adequate methods and most practical processes of rationalisation and of scientific management, and of the economic and social results obtained thereby;

(b) To apply these endeavours in industry, agriculture, trade and finance, not merely to large but also to medium and small undertakings, and even to individual workers and handicraftsmen, bearing in mind the favorable effects which they may have in household organisation and amenities;

(c) To give special attention to measures of a kind calculated to ensure to the individual the best, the healthiest and the most worthy employment, such as vocational selection, guidance and training, the due allotment of time between work and leisure, methods of remuneration giving the worker a fair share in the increase of output, and generally, conditions of work and life favourable to the development and preservation of his personality;

(2) Should carry on systematically on an international as well as national basis the standardisation of materials, parts and products of all types which are of international importance, in order to remove the obstacles to production and trade which might arise from a purely national policy of standardisation;

(3) Should undertake on an international basis investigations for ascertaining the best methods employed and the most conclusive results obtained in every country in the application of the principles set out above, utilising the investigations already made in certain countries and encouraging the exchange of information among those concerned;

(4) Should spread in all quarters a clear realisation of the advantages and the obligations involved in rationalisation and scientific management as well as the possibility of their gradual achievements."

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