

Congress and Labour Movement  
in India.

By

P. P. Lakshman

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CONGRESS  
AND  
LABOUR MOVEMENT  
IN  
INDIA

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## FOREWORD

We often hear the charge levelled against the Congress that it being a capitalist or at least a capitalist dominated organization it has so far given scanty attention, nay totally neglected the interests of the labour. Those who make this charge consciously and seriously make it, they know, out of mischief and malice and those who believe it do so out of ignorance. This brochure prepared by Shri P. P. Lakshman of the Labour Section of our Economic and Political Research Department, is an effective answer to this charge and proves to the hilt that the Congress has been, practically from its very birth, very solicitous for the interests of the workers and has always tried its utmost to safeguard them from the foreign government as well as the Indian capitalists. Of course, the Congress being a national organization, its first and foremost objective was national freedom. It knew that all other freedoms could flow from this freedom only and therefore it concentrated all the energies of the nation on achieving this goal by providing a common anti-imperialist platform for the various interests in the country. It could not in the very nature of things, like a class or communal organization, confine its activities to the furtherance and safe-guarding of the interests of a particular class or community to the exclusion of others. It had necessarily to follow the policy of proper adjustment of conflicting interests of different communities and classes and thus try to keep them all on the right path of nationalism. If the Congress had not followed this golden path India would not have achieved its freedom in such a short time with so little sacrifice.

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But this does not mean that the Congress sacrificed at any time the interests of the masses. As Mahatma Gandhi put it very succinctly at the time of the second Round-Table Conference, whenever there was a real conflict between any other interest and the mass interest Congress has always upheld the interests of the masses. This can be easily proved by the history of the last thirty years of the Congress. Not only has the Congress by its constructive programme always served to the needs of the masses but as its fight for freedom developed it gradually gave more and more economic and social content to its freedom till at last at the time of its final struggle for driving the foreigner out of the country it declared that "the primary object of the Indian Government must be to promote the well-being and progress of the workers in the fields and factories and elsewhere to whom essentially all power and authority must belong." Thus Congress has unequivocally declared that the Swaraj for which it was fighting was the Swaraj of the people. The Congress does not stand for a dictatorial regime even in the transitional period before real power is transferred to the people. For it firmly believes freedom can never come through dictatorship. That is the real difference between those who are nurtured and nourished exclusively on foreign ideology and methods of its achievement and the Congress which wants to work and build its political and economic edifice on the firm foundation in the native soil. It stands through and through for democracy. Therefore it declared in its Meerut resolution that "Swaraj cannot be real for the masses unless it makes possible the achievement of a society in which democracy extends from the political to the social and economic spheres and in which there would be no opportunity for the privileged classes to exploit the bulk of the people, nor for gross inequalities such as exist at present." Thus the difference is not of ends, but only of means.

According to Gandhiji this process of levelling could

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be undertaken by labour itself if they educated themselves and acted in a nonviolent manner. Labour is the producer of wealth and therefore it must be its master also. Only it must become conscious of its power and role. That is the congress work in labour for the future. This brochure narrates how it has done so in the past and how it intends to do in the future. Therefore I recommend it to all the well-wishers of the workers.

*New Delhi*  
*22nd. October 1947*

SHANKARRAO DEO



## INTRODUCTORY NOTE

The history of the Labour movement in India begins practically after the end of the first World War. The All India Trade Union Congress was formed in 1920 with Lala Lajpat Rai, the President of the Indian National Congress, as its first President. The organisation was sponsored and supported by Congress, and it was common practice then that Congress Presidents and Secretaries functioned as its President or Secretary at one time or other. This gave it prestige as well. But before it could grow naturally and become sufficiently strong, differing theories and ideologies disturbed the unity of its ranks. The result was that by 1931, in place of one organisation there were three viz., All India Trade Union Congress, Indian Trades Union Federation and All India Red Trade Union Congress, neither of which by any manner or means could make a claim or speak on behalf of Indian labour. Some joint efforts were however made in the same year by some labour leaders with a view to close up the ranks and put their house in order. One such effort was a representative conference of Trade Unionists in Bombay in 1931 when a Trade Union Unity Committee was formed. The finding of the Committee was that the gulf which divided the communists from other sections in labour was unbridgeable and that a platform of unity for non-communists be formed. Based on this platform of unity an organisation called the National Federation of Labour was formed. This organisation and the Indian Trade Union Federation were amalgamated into National Trades Union Federation in 1933. In 1938 All India Trade Union Congress and National Trades Union Federation decided to combine into one central organisation

and the decision was formally ratified at the Eighteenth Session of AITUC. But at the very same session a further split was caused when a section headed by Shri M. N. Roy formed a new central organisation known as the Indian Federation of Labour.

When top leadership of labour was thus being fought for by different groups and sections, Congressmen down the ladder kept themselves busy doing field work among labour. That was Gandhiji's method which led the historic labour movement at Ahmedabad in 1918 to a successful end and brought into being there the biggest labour organisation in the country. "If I had my way," wrote Gandhiji, "I would regulate all the labour organisations of India after the Ahmedabad model. It has not sought to intrude itself upon the All India Trade Union Congress and has been uninfluenced by that Congress. A time, I hope, will come, when it will be possible for the Trade Union Congress to accept the Ahmedabad method and have the Ahmedabad organisation as part of the All India Union. But I am in no hurry. It will come in its own time." When Congress passed under Gandhiji's leadership in 1920, most of its time and efforts were directed to constructive channels, and in the labour field especially such activities like organisational work, educational services, housing facilities, health services, campaign against drinking, gambling and other evil habits among workers, were undertaken. This has been the Congress line of activity ever since, not only at Ahmedabad but wherever Congressmen undertook to do service to labour. In 1938 the Labour Committee of the Gandhi Seva Sangh set up an organisation called Hindusthan Mazdoor Sevak Sangh mainly with the purpose of putting trained workers in labour field in order to help labourers organise, establish welfare activities among them and better equip them to fight for their rights. After eight years of service to labour, this organisation received recognition from Congress in August, 1946.

Both Congress and Hindusthan Mazdoor Sevak Sangh adopted a policy of cooperation with All India Trade Union Congress till 1947. The growing communist influence in the Trade Union Congress and the gradual displacement of democratic methods by dictatorship made it increasingly difficult for non-communists to have any voice in the organisation. At present, the communist members of both the General Council and the Working Committee of this organisation constitute 55 per cent of the total. The 1946 Provincial Assembly Elections showed that 66% of the votes polled in labour constituencies in all the Provinces were polled in favour of Congress. Communists who secured only 23% of the total labour votes are controlling an organisation which claims to speak on behalf of Indian labour. This was resented by prominent trade unionists in India. At a representative conference of trade unionists in Delhi in May 1947, it was decided to set up a new national organisation of labour called the Indian National Trade Union Congress. Hindusthan Mazdoor Sevak Sangh recognised by Congress has extended its support to this organisation. The aims and policy of this new organisation are in consonance with those of Congress regarding labour. The Congress Working Committee has therefore recommended to all Congressmen to get those unions which they are organising affiliated to the newly formed Indian National Trade Union Congress.

An attempt has been made in this brochure to trace the history of the labour movement in India, to examine in general the efforts made by Congress towards bringing into being a sound, healthy trade unionism, and to study in particular the Congress stand in regard to certain problems facing labour in this country. It has not been the intention of the author to record all that has been done and is being done to labour by Congress, Congressmen and Congress Governments. The attempt made here is to indicate the Congress attitude and service to labour, and to show that the imple-

mentation of the Congress policy should ultimately result in a transfer of power to the workers in fields and factories.

*10th October, 1947*

P. P. LAKSHMAN

## CHAPTER I

# CONGRESS AND LABOUR ORGANISATION—A HISTORICAL ACCOUNT

### INDUSTRIALIZATION AND BIRTH OF INDUSTRIAL LABOUR

The Indian National Congress which took its birth in 1885 was for a long time concerned mainly with the immediate redress of urgent grievances in administration. Their fight for administrative reform was, however, inspired by the economic deterioration of the masses as well as the political bondage of the people which prevented them from being masters of their destiny. Indigenous industries in which a large number of persons were employed were one after another crushed out of existence by the competition of mechanised industries of Britain who dumped her goods into Indian markets. Agitation was set on foot that to meet this economic conquest India should adopt the industrialization policy of her conquerors and impart technical education to the masses. The Indian National Congress at its third session held at Madras in 1887 passed the resolution:—"That, having regard to the poverty of the people, it is desirable that the Government be moved to elaborate a system of technical education, suitable to the condition of the country, to encourage indigenous manufactures by a more strict observance of the orders already existing in regard to utilizing such manufactures for state purposes, and to employ, more extensively than at present, the skill and talents of the people of the country." Speakers on this resolution stressed the point that labour in India was progressively getting unemployed due to

the competition of foreign skilled labour assisted by machines. Shri Kashinath Trimbuck Khare (Bombay) in the course of his speech on the resolution said:—“These factories and workshops, gentlemen, when they spring up, will be a source of gaining an honest livelihood to thousands of our countrymen who now, destitute by any means, are driven to despair how to keep body and soul together and, Gentlemen, how welcome will be the day for India when, by the immense and growing development of her arts and industries, she will be able to find at least a wholesome morsel of food for her forty-five millions of completely destitute children, who are now, by official admission, going without even one single full meal a day!” The question of industrialization came up again before the Fourth Session of Congress held in 1888 when a resolution was moved and passed stating that “Govt. be moved to delay no longer the appointment of a Mixed Commission to inquire into the present industrial condition of the country.”

The agitation for industrialization of the country took deep root and, as stated before, it was felt in revenge that the competition by the British industries which killed the indigenous crafts in India should be met with the development of similar industries in India. The spirit of Swadeshi inculcated by the Indian National Congress and its call to people to make sacrifices in that behalf were in no small measure responsible to this feeling and to the resultant strides in industrial progress that the country made during the last quarter of the century. In the cotton mill industry, for example, while in 1877 there were only 51 mills with 12,44,206 spindles and 10,385 looms, in 1900 the number of mills was 193, spindles 49,45,783 and looms 40,124. The number of persons employed in the industry in 1900 was 1,61,189.<sup>1</sup> In Jute mill industry, the average

<sup>1</sup> Indian Year Book, 1929 p. 724.

number of mills for quinquennial periods following 1879-80, 1899-1900, 1909-10 and 1914-15 were 21, 36, 60 and 73 respectively. The increase in capital investment in the industry for these periods could be seen from the following figures expressed in lakhs of Rupees

271	680	1209	and	1404
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For the same periods the number of persons employed were 39, 114, 208 and 259 thousand respectively. Taking the period from 1877 to 1915, while sacking looms in the industry increased from 2,950 to 17,750 the hessian looms increased from 910 to 22,603 that is, there was a growth of 2,400 per cent in hessian looms, as against 430 per cent in sacking looms.<sup>1</sup> Although with industrialization, the number of persons employed in industries also increased, workers looked upon their masters as giving them food where they had none before and the attitude was generally one of reverence. But, with the first World War the atmosphere had changed. The cotton, jute and iron and steel industries prospered during the war absorbing an increasing amount of labour. After the war, in 1922, India obtained recognition by the League of Nations as one of the eight chief Industrial states of the world. The grounds on which this claim was based are stated in the Memorandum prepared by the India Office which gave the following figures to illustrate the industrial importance of the country:— “28,000,000 agricultural workers (excluding peasant proprietors), 141,000 maritime workers, lascars, etc., a figure second only to that for the United Kingdom, over 20,000,000 workers in industries including cottage industries, mines and transport.” According to Industrial Census in India taken in 1921, there were 15,606 establishments (employing more than ten persons) giving employment to 2,681,125 persons. In factories

<sup>1</sup> Deolalker: *Textile Industries in India*—M. A. Thesis.

alone in 1922, there were 1,361,002 employed (Indian Year Book—1936).

But the country had given birth to an industrial labour class which had no voice in the management and control of the industries concerned and which was slowly beginning to feel that they were not given a just share of the profits made by these industries. Smarting under the economic distress caused by the high level of prices, labour grew restive at the closure of war. The frequent use of the terms like democracy, freedom of association, rights of man etc., in the war period had made the workers alert and assertive and their harnessed spirit burst forth at the cessation of hostilities. Workers in many factories resorted to strikes in the hope of forcing the mill-owners give necessary relief. The strike situation became very grave in the period 1919-1921. In 1920 there were 200 strikes, and in 1921, 396.<sup>1</sup>

### THE ORIGIN OF LABOUR MOVEMENT

For the first time Labour in India was driven to the necessity of organising for the purpose of fighting for their rights. Till the end of the first World War, Trade Unionism as it is understood to-day was practically unknown in India. There were a few friendly societies and welfare associations and some of these organisations were rather for the workers than of the workers. But the decade following the end of the war provided a suitable atmosphere for labour to rise and assert itself. The signal for a labour uprising had already been given at Ahmedabad in 1918 where the mill-workers under Gandhiji fought to a successful finish a glorious non-violent war against the mill-owners.\* The movement which started at Ahmedabad resulted in the formation there of a strong labour union which is to-day the big-

<sup>1</sup> Bulletin No. 43 of Industries and Labour—Industrial Disputes in India, 1921-28.

<sup>2</sup> See Chapter V—Section 1.



gest and the most well-organised labour association in India, and is a beaconlight to labour organisation and labour discipline in other parts of the country. But few copied Ahmedabad, and most of the 'strike committees' formed in different parts, though managed to secure concessions in wage-rates etc., fell into a state of inanity on the conclusion of a dispute. A good few of them, however, emboldened with the success they had met with, set themselves with the task of creating permanent associations of the workers. The Congress realised the need for permanent associations for workers to improve their social and economic conditions and directed its Provincial committees to help the workers in the task of setting up labour unions. At its thirty-fifth session held at Amritsar in 1919, Congress passed the following resolution: "This Congress urges its Provincial Committees and other affiliated associations to promote Labour Unions throughout the country with the view of improving social, economic and political conditions of the labouring classes and securing for them a fair standard of living and a proper place in the body politic of India." During the year that followed after the passing of this resolution, the labour movement gained considerable momentum, and while the capitalist employers were adamant the British Government resorted to ruthless suppression of the workers' struggle. At its session held at Nagpur in 1920, Congress passed the following resolution:—

"This Congress expresses its fullest sympathy with the workers of India in their struggle for securing their legitimate rights through the organisation of trade unions, and places on record its condemnation of the brutal policy of treating the lives of Indian workers as of no account under the false pretext of preserving law and order.

The Congress is of opinion that Indian Labour should be organised with a view to improve and promote their well-being and secure to them their just rights

and also to prevent the exploitation (1) of Indian Labour (2) of Indian resources by foreign agencies; and that the All India Congress Committee should appoint a Committee to take effective steps in that behalf."

In their deal with labour class, Congress was motivated by the twin-object of organising them and better equipping the class for the struggle for its social and economic improvement and of keeping them within the Congress fold so as to enable them to join with other classes in their struggle to take the country to its political goal. This double object was expressed by two resolutions on Labour one by the All India Congress Committee at Nagpur in January, 1921, and the other by the Working Committee in April, 1922. By the first, a Committee consisting of C. R. Das, Lajpat Rai, Anasuya Sarabhai, Gangadharrao Deshpande and others was appointed 'to carry out the labour organisation work according to the Congress resolution,' and by the latter, it was felt that "in order to make the Congress organisation more democratic and representative, special efforts should be made by Congress workers to enrol a large number of members from the depressed and working classes on the Congress register."

#### THE NEED FOR AN ALL INDIA LABOUR ORGANISATION

The workers of Ahmedabad, the pioneers of Labour movement in the country, were a source of inspiration to labourers in other parts of India who also began to set up unions among them. Within a period of five years (1919-1923) scores of unions were formed in different parts of the country. The movement had made fair penetration on the railways, in postal and telegraph departments, among seamen and in the textile industry. The disadvantages arising out of the uncoordinated activities of various unions scattered all over the country demanded the formation of an apex organisation controlling these unions. A central organisation would

also be helpful in holding discussions on a national level with the Government in matters like legislation and other measures affecting at the labour class. Employers who looked askance at the growth of organisation among their workers, were also trying to form into associations to combat trade unionism. To face this combat as well a national organisation on the side of labour was absolutely necessary. The Committee of 11 members appointed by the All India Congress Committee in January, 1921 carried on organisational work in Labour. But the Congress itself could not become an apex body for the trade unions in the country. Congress was as much a labour organization as it was kisan and every other class. It was representative of the people of the country at large. It could not represent any class exclusively. The Treaty of Versailles in providing for the creation of an International Labour Organization and the holding of periodical International Conferences had laid down that the delegates representing labour from the States Members should be chosen by National *Labour* organizations. It was necessary therefore that there should be a separate organisation exclusively for labour. One such body was formed in 1920, namely the All India Trade Union Congress. Congress welcomed this body and decided to support it through a Committee of six appointed for the purpose. The following is the resolution bearing on this, which was passed by the Congress at the Gaya Session in 1922:

“Whereas this Congress is of opinion that Indian Labour should be organised with a view to improve and promote their well-being and secure to them their just rights and also to prevent exploitation of Indian labour and of Indian resources, it is resolved that this Congress, while welcoming the move made by the All India Trade Union Congress and various Kisan Sabhas in organising the workers of India, hereby appoints the following committee with power to coopt, to assist the Executive Council of the All India Trade Union Congress for the

organisation of Indian Labour, both agricultural and industrial.

- |                    |                             |
|--------------------|-----------------------------|
| 1. C. F. Andrews   | 4. Swami Dinanath           |
| 2. J. M. Sen Gupta | 5. Dr. D. D. Sathaye        |
| 3. S. N. Haldar    | 6. M. Singaravelu Chettiar" |

This all-India organisation of labour owed much of its strength and growth to the efforts of Congressmen. Many Congress Presidents and Secretaries added prestige to the organisation by becoming its Presidents or Secretaries. In fact its very first President was Lala Lajpat Rai who was the President of Indian National Congress in 1920. Deshabandhu C. R. Das who was the Congress President in 1922 was elected President of All-India Trade Union Congress in 1923. Pandit Jawaharlal Nehru and Shri Subhas Chandra Bose were elected Presidents in succession at its tenth and eleventh sessions respectively. Shri V. V. Giri, the reputed Congressman of the South, was elected President at its twentieth Session.

It may be mentioned that besides the All-India Trade Union Congress, other federations of workers' unions were also formed by about the same time. The All India Railwaymen's Federation, coordinating all unions of railwaymen on an industrial basis was formed in 1922, as also the Bengal Trades Union Federation and the Central Labour Board, Bombay, in the same year. This was closely followed by the creation of both provincial and central federations of unions of postal and telegraph employees.

#### DIFFICULTIES IN THE WAY

But the Trade Union Movement in the country had to make a very hard beginning. At the very outset they were confronted with the difficulty of getting recognition from the employers. The trade unions were faced with a three-edged weapon. On the one side workmen taking interest in trade union activities were victimised;

on another, the majority of the employers refused to recognise unions and on the third, an amendment passed in the Indian Penal Code in 1913 for the purpose of dealing with criminal conspiracies was such as to make trade unions doing the only kind of work for which they are generally formed illegal bodies in the eyes of the law. Trade Union leaders felt that if trade unionism was to progress in India some legislation for the protection of trade unions was a preliminary step. In March 1921, the legislative Assembly of the Government of India, on the motion of Shri N. M. Joshi, the then General Secretary of All India Trade Union Congress, passed a resolution recommending that Government should introduce legislation for the registration and protection of trade unions. Opposition to such a measure from associations of employers was, however, so great that it was five years before the necessary legislation could be placed on the Statute Book.

Yet another difficulty was placed in the way by the infiltration of undesirable elements in the labour arena, who were not so much concerned with the task of planning a strong-based trade unionism in India as with the opportunities which the labour field gave them for coming into limelight. The part played by Communists in India in the closing twenties was chiefly calculated to advance their ulterior political aims, and not the interests of healthy trade unionism which required slow, steady and cautious treatment. The Communist leaders were good propagandists who often strung together all kinds of impossible and preposterous demands in the hope that by doing so they would transport Indian Industrial Labour at once into an Arcadia. Congress leaders, on the other hand, believed in taking all possible steps to educate the worker in their rights and training them to acquire sufficient strength before they had occasion to fight for them when denied, and make a simultaneous attempt to adjust the relations between the employers and workmen as to give no room for such oc-

casions. Congress at its Gauhati Session held in 1926 passed a resolution embodying this idea:—"The work in the country shall be directed to the education of people in their political rights and training them to acquire the necessary strength and power of resistance to win those rights by carrying out the Constructive Programme of the Congress with special reference to . . . the organisation of Labour, both industrial and agricultural, the adjustment of relations between employers and workmen and between landlords and tenants."

But, the Communists thought of affecting a millennium overnight. The idea of class-war and other doctrines imported from the West were served to the workers in attractive forms in those highly emotional days of the Bombay Cotton Textile Strike and Oil Strike in the year 1928. This was responsible for rioting in Bombay City on a scale previously unknown. Thirty-one of the ring leaders of the movement were arrested early in 1929 on charges of organised conspiracy and were taken to Meerut for trial. Such of the Communists as remained unarrested engineered the general Cotton Textile Strike in Bombay of the year 1929. This lasted for more than three months and was called off only after the publication of the report of a Committee of Enquiry appointed by the Government and which allocated the whole of the blame for this unwarranted strike to the Bombay Girmi Kamgar Union. The publication of this report and the effect of the 1929 strike dealt a blow to the trade union movement from which it took ten years to recover.

#### THE COMMUNIST GAME

In the year 1929 when Pandit Jawaharlal Nehru (who was also the General Secretary of the Indian National Congress at the time) was the President of the All India Trade Union Congress, the Communists made an attempt to capture or to break the All India Trade Union Congress. The year witnessed a severe trial

of strength between the Communists and the leaders of the unions working on constitutional lines. They affiliated the Bombay Girni Kamgar Union and the G. I. P. Railway Workers' Union to that body during the year and with the assistance of the voting strength which these two unions together with some of their other unions gave them, they captured both the General Council and the Executive Committee of A. I. T. U. C. at its tenth Session held at Nagpur towards the end of that year. Resolutions were adopted favouring the affiliation of All India Trade Union Congress to international communist organisations and for the boycott of the Royal Commission on Indian Labour and the International Labour Conference. Moderate trade unionists under the leadership of Shri N. M. Joshi thereupon seceded from the All India Trade Union Congress and formed a new organisation called the Indian Trades Union Federation. The All-India Railwaymen's Federation which was till then affiliated to the Trade Union Congress left that body in 1929. At the Nagpur Session of AITUC, Pandit Nehru was relieved of his Presidency and Shri Subhas Chandra Bose who held the office of the General Secretary of Indian National Congress with him the previous year was elected President of the All India Trade Union Congress for the coming year. During his tenure of office too, Shri Subhas Chandra Bose could not find the work either smooth or easy. There were dissensions of a personal character among its office-bearers, further aggravated by differences in views. One section was plainly for the methods recommended by the Third International at Moscow, while the other favoured the adoption of tactics dictated by Shri M. N. Roy who at that time was in India without his presence being known to the authorities.<sup>1</sup>

At the Eleventh Session of the All India Trade Union Congress held at Calcutta in July 1931, a further

<sup>1</sup> B. Shiva Rao: *Industrial Worker in India*, p. 153.

split occurred in its ranks and the extreme left-wing under the leadership of Shri S. V. Deshpande and B. T. Ranadive broke away to form the All India Red Trade Union Congress. Trade unionism in India was at its lowest ebb and none of the three national organisations could by any manner or means make a claim or speak on behalf of Indian Labour. While labour was thus being split by interested groups for their ulterior aims, disinterested friends of labour, however, noted with relief the efforts of a committee called the Trade Union Unity Committee, appointed at a representative conference held in Bombay on the 10th May 1931 under the auspices of the All-India Railwaymen's Federation. This Committee's observation on trade unionism in India was, that of the three different and distinct sections in existence viz., the Communist, the liberal, and the rest, the gulf which divided the Communists from the other sections was not bridgeable. The Committee, therefore, recommended a platform of unity for the remaining sections. It was proposed to organise and unite all unions which accepted this platform of unity under a new federation to be called the National Federation of Labour. At a joint meeting between the General Council of the Indian Trade Union Federation and the Provisional Committee of the National Federation of Labour held at Calcutta in April 1933, the two federations were amalgamated on the basis of the platform of unity as finally evolved by the Trade Union Unity Conference but subject to certain modifications, and the new amalgamation was named the National Trades Union Federation. In 1935, the two sections of the All India Trade Union Congress composed their differences and it was agreed that the parent body should be recognised as the Central organisation of the working classes in India. In the month of February of the same year an agreement was reached between the representatives of the All India Trade Union Congress and the National Trades Union Federation by virtue of which a joint committee of the two organisa-



tions called the All India Joint Labour Board was formed with a view to exploring the possibilities of common action with the assistance of the affiliated unions. It consisted of equal representatives of both the organisations and had as its President Shri V. V. Giri, a reputed Congressman and Trade Unionist. This Board had the support of the Congress Labour Committee appointed by the Working Committee in 1935 to keep in touch with labour problems. Another direction in which an effort towards common action on agreed matters was made was the agreement entered into between the National Federation of Labour and the All India Congress Socialist Party for joint action on specific political activity. At the end of the year 1937, the National Trades Union Federation had a membership of 83,000 with 62 affiliated unions and the All India Trade Union Congress had a membership of 46,000 with 98 affiliated unions<sup>1</sup>. When the number of persons employed in factories and mines in India was taken in the following year, it was found to be 1,740,331 and 303,191 respectively i.e., 2,043,522 in all. The membership of the two central organisations referred to above amount to 1,29,000. This number would represent only 6.3% of the number of persons employed in factories and mines. It would show that the actual workers were not being drawn into the trade union movement. The history of trade union movement in the country in the thirties was the history not of workers but of their leaders fighting against one another.

<sup>1</sup> *Indian Year Book*, 1947.

I. *No. of Workers Employed in Factories in British India*

Year					No. of Factories	Average daily no. employed
1933	..	..	..	..	8452	14,03,212
1934	..	..	..	..	8658	14,87,231
1935	..	..	..	..	8831	16,10,932
1936	..	..	..	..	9323	16,52,147
1937 <sup>1</sup>	..	..	..	..	8930	16,75,869
1938	..	..	..	..	9743	17,37,755
1939	..	..	..	..	10466	17,51,137
1940	..	..	..	..	10900	18,44,428
1941	..	..	..	..	11868	21,56,377
1942	..	..	..	..	12527	22,82,237
1943	..	..	..	..	13209	24,36,819
1944	..	..	..	..	..	25,20,251

<sup>1</sup> The figures from 1937 onwards are exclusive of Burma.

II. *Registered Trade Unions in British India*

Year			No. Membership	Total income Rs.
1933-1934	..	..	191 237,369	11,19,936
1934-1935	..	..	213 208,071	10,34,119
1935-1936	..	..	241 284,918	10,90,046
1936-1937	..	..	262 268,326	12,44,927
1937-1938	..	..	420 257,306	10,60,105
1938-1939	..	..	562 390,112	13,13,977
1939-1940	..	..	667 399,119	13,82,176
1940-1941	..	..	727 513,832	17,38,100
1941-1942	..	..	747 573,520	25,60,936
1942-1943	..	..	693* 685,299	25,54,093
1943-1944	..	..	761 780,967	38,11,300
1944-1945	..	..	865 889,388	35,21,514

## CONGRESS PRE-OCCUPIED

We have seen the occupational distribution of population in India as presented to the League of Nations in 1922. The figures for the 1931 population census shows that the number of Agricultural labourers has increased to nearly 31½ million. This figure excludes cultivating owners (27 million), cultivating tenants (34 million), landlords (3½ million) and others (6½ million). The number of earners plus working dependants in Industry, Trade, Transport and Mines amounts to twenty-six millions. Nearly eleven million persons are employed as domestic servants. The number of agricultural labourers in 1931 was 31½ million as against 28 million in 1922. The number of persons employed in factories in 1931 was 1,438,487 as against 1,361,002 in 1922. Industry occupied 10% of India's workers in 1931 as compared to 11% in 1921. Pasture and agriculture occupied 71% of the actual workers in India.<sup>1</sup> Yet the industrial workers could voice their feelings louder and get their grievances redressed better than the agricultural workers who formed the bulk of India's working population, because there was some organization or other to speak for the former, while the latter was practically unorganised. From its very inception, Indian National Congress which is sometimes referred to as a Kisan organisation had to give a good share of its time and attention to the Kisans and the ameliorative measures directed to uplift this major section of the population. The Constructive Programme and activities allied to it undertaken by Congress were suited to an agricultural country. But this does not mean that industrial labour did not get due attention from Congress as will be shown presently.

The dissensions in the labour field also made Congress hesitant to take any direct part in the labour

<sup>1</sup> *Indian Year Book*, 1936 p. 492.

movement, lest any such step result in further splitting of labour. There was also the difference in ideology and outlook. Many Congressmen belonging to moderate section in the Congress viewed with disfavour the revolutionary methods, not calculated to sound, healthy trade unionism in India, used by the Communist elements who controlled a good portion of the labour class. It is significant to note that organisations like the Ahmedabad Textile Labour Association which had a membership of over 30,000 in 1935 and which drew its inspiration from Gandhiji stood aloof from either of the two central organizations in labour.

Another reason was that Congressmen being absorbed in countrywide struggle against British Imperialism could not possibly divert their attention from a people at war to a particular section of it involved in too many internal conflicts. Congress had launched the Civil Disobedience Movement of 1932-33. Gandhiji had been imprisoned. 120,000 people including many factory workers were arrested. There was severe and relentless repression in the country. The attention of congressmen within and outside jails was diverted exclusively to the struggle that was going on. At this time the Communists started digging the labour field, presumably laying foundation of the Communist state of their dream. Whatever their ulterior aims, the communists were as good members of Congress as others, and their declared policy and programme had not become so distinctly different as to necessitate a decade before, the disciplinary action that the Congress was forced to take against them in 1945.

The Congress which passed its labour programme at Karachi in 1931 was declared an unlawful body after it launched the mass struggle of 1932-'33. At the Karachi Session the Congress declared that any constitution which might be agreed to on its behalf should provide or enable the Swaraj Government to provide the following for labour.

1. A living wage for industrial workers, limited hours of labour, healthy conditions of work, protection against the economic consequences of old age, sickness and unemployment.

2. Labour to be freed from serfdom or conditions bordering on serfdom.

3. Protection of women workers, and, specially adequate provisions for leave during maternity period.

4. Prohibition against employment of children of school going age in factories.

5. Right of labour to form unions to protect their interests with suitable machinery for settlement of disputes by arbitration.

Before the attainment of Swaraj, all that the Congress could do was to agitate the bureaucratic government into activity on the above lines for the good of the working class. The last item in the programme cited above relating to the organisation of labour and the provision of suitable machinery for the settlement of disputes brooked no delay and Congress utilized its organisation to utmost strain to get it implemented. The Working Committee which met at Wardha in June, 1934 after the ban on Congress had been lifted, advised responsible Congress workers to engage in constructive activities like organisation of industrial labour. The Labour Committees appointed by the Working Committee and which functioned from 1935 to 1938 collected mass of information relating to industrial labour in India, helped in the organisation of labour and in forging unity on the labour front, and advised the provincial Governments under Congress regime on the lines of a programme evolved for labour. The Election Manifesto on which Congress fought the Provincial Elections in 1937 stressed the right of labour to organise and to strike for the protection of interests. In all the 11 Provinces, Congress contested 20 labour seats and won 18 i.e., 90% of the seats contested.

### UNITY AND DISUNITY ON THE LABOUR FRONT

The Labour Committee appointed by the Congress Working Committee in 1936 and reconstituted in 1937 and 1938 to study problems relating to industrial labour provided a platform for the factions in labour to meet face to face and settle their differences if they could. It was gratifying that the All India Trade Union Congress and the National Trade Union Federation met in a joint session in April 1938 and decided to combine into one central organisation. The decision was formally ratified at the Eighteenth session of the All India Trade Union Congress held at Bombay in September 1940. But, unfortunately, the very same session was responsible for yet another split in the organisation. It was one year after the declaration of war in Europe, and Congress had declared individual civil disobedience movement against British Government in India as a protest against India being dragged without her knowledge and against her will into a war, which was not her own. But the All India Trade Union Congress claiming to speak for the labour class in India, at its Eighteenth Session, adopted a resolution of neutrality in connection with the War effort. Worse than that, certain elements headed by Dr. Aftab Ali, President of the Seamen's Union at Calcutta, desired to support Britain in its war effort and Dr. Ali went to the extent of disaffiliating his union from AITUC on this ground. Another section, headed by Shri M. N. Roy and known as Royists with Shri Jannadas M. Mehta formed a new central organisation known as the Indian Federation of Labour. The Federation carried on a country-wide campaign and propaganda for all-out support by Indian Labour for the War effort.

### DISCIPLINARY ACTION AGAINST COMMUNISTS

The All India Congress Committee by its resolution dated August 8th 1942 asked the Britishers to quit India and was for that reason declared an unlawful body

and all its leaders jailed. Terrible repression followed. The British Government even resorted to machine-gunning from aeroplanes of people who in height of fury lost control over themselves whilst there were no leaders left in the country to exercise control over them. In one case the guns were directed from air against a gang of innocent Railway workmen. Workers went on strike for indefinite periods, and many mills had to be closed down. The closing down of more than 100 Textile Mills in Ahmedabad and other parts of Gujerat for over three months was unique both in the history of political struggles and Trade Union movement. The strike in Tata factories was also a unique event. The Government tried to make the closed mills refuction either by dividing the ranks of labour or arresting the mill-owners. The Royists who broke away from All India Trade Union Congress in 1940 were given money from the Government Treasury in monthly instalments to do the necessary propaganda among labour. The Communists worked hard to wrench off the labour class from the nation's struggle for independence. "To call upon workers to go on political strike is not to exert pressure upon the British Government but to disrupt the country's advance and starve the workers for nothing." (People's War dated August 23, 1942). The workers of Hindustan Mazdoor Sevak Sangh<sup>1</sup> an organisation set up in 1938 by the Labour Sub-Committee of Gandhi Seva Sangh, to organise industrial workers on sound trade union lines were all jailed for their manifest sympathy for Congress in the struggle. The field was therefore left almost exclusively to the members of the Communist Party which was now a lawful body in the State, and which started an educative campaign of turning the working class against the policy and programme of Congress particularly after August 1942, and

• <sup>1</sup> For an account of Hindusthan Mazdoor Sevak Sangh, See Section 2 of Chapter V.

of up-bringing the class in a political hot-house of communism. They also condemned as traitors many Congressmen and Congress groups and carried on a virulent campaign against the people's movement.<sup>1</sup>

Gandhiji was released in 1944 and the members of the Working Committee in 1945. The Working Committee which met at Calcutta in December 1945 resolved to take disciplinary action against the Communist members of A. I. C. C. and remove them from the membership of that body and from all other elective Congress Committees of which they were members. The Provincial Congress Committees were also directed to take similar action for the removal from all Congress elective offices of members of the Communist Party of India. Having lost their place in Congress, the Communists now turned to make their position strong in the All India Trade Union Congress and make it impossible for non-communists to thrive on that body. They also prepared themselves to contest all the labour seats in the forth-coming Provincial Assembly Elections.

#### LABOUR ORGANISATION BY NATIONALISTS.

During the war the industrial labour class have grown in number. Five million is believed to be an approximate estimate of its strength. In 1943 the number of persons employed in factories alone was 2,436,312 and in mines 349,361. There was remarkable increase in trade union membership also as will be seen from the table on Page 26. But only about a million workers i. e. about 20% of the total industrial labour in India are organised to-day. When the ban on Congress organisation was lifted in 1945 it was confronted with very serious problems in labour. The economic distress caused by the rise in the cost of living which

<sup>1</sup> Report of the Sub-Committee appointed by the Congress Working Committee to go into the charges of indiscipline made against Congress members of the Communist Party.



remained uncompensated to a very large extent even by the highest dearness allowance granted to labour, began to strike at the very root of industrial peace and set at unrest the entire labour force. In 1945 there were 848 stoppages involving 7,82,192 workers. It was felt that the employers unjustly apportioned to themselves most of the war-profits and it fell on the employees to fight for their share in them. The need for strong organisation among workers was more than ever felt. Organisation of labour which would be the sheet anchor in any labour movement again engaged the serious attention of Congress. The right of labour to form unions to protect their interests and the provision by State of safeguards for conditions of work and life were again emphasised by the Congress in its Election Manifesto with which it fought the elections in labour constituencies in the Provincial Assembly Elections of 1946. Whereas in the Elections of 1937, Congress secured 18 labour seats, this time Congress secured 23 seats. The Communists who opposed Congress in all the labour constituencies but could get only 7 seats in all the 11 provinces, started creating trouble to the Governments set up by the people including labour who voted in large number for Congress and returned it to power. They started fomenting strikes whenever and wherever it was possible to discredit the Congress Governments. Peaceful machinery like conciliation and arbitration was seldom considered a means of settlement for an industrial dispute. In the first four months of popular rule, April to July, there were as many as 690 stoppages in the country, involving 928, 312 workers. The Working Committee which met in Wardha in August, 1946 observed that the labour upheaval was largely occasioned by the excessive rise in the cost of living that had remained uncompensated to a very large extent, for which it urged upon Governments and employers to take early steps to satisfy the legitimate needs of the workers; but the committee noted that the undesirable features of the

labour situation were due in part to the efforts of certain individuals and sections to exploit the ignorance of the workers for ulterior aims, political or others, for which it felt that Congressmen should develop further contacts with labour, through a central agency like Hindustan Mazdoor Sevak Sangh which had for a long time been carrying out a policy and programme which the Congress had in view in relation to labour.

The Sangh proceeded on the basis that it could perform its functions of serving and guiding the working classes through the channel of the All India Trade Union Congress, and its Central Board passed a resolution on 17th November 1946, advising all unions under its influ-

### III. *Industrial Disputes in British India*

<i>Year</i>	<i>No. of Disputes</i>	<i>Workers involved</i>	<i>Loss of mandays</i>
1933	146	164,938	2,168,961
1934	159	220,808	4,775,559
1935	145	114,217	973,457
1936	157	169,029	2,358,062
1937	379	647,801	8,982,257
1938	399	401,075	9,198,708
1939	406	409,189	4,992,795
1940	322	452,539	7,577,281
1941	359	291,054	3,330,503
1942	694	772,653	5,779,945
1943	716	525,088	2,342,287
1944	685	550,015	3,447,306
1945	820	747,530	4,054,499
1946	1629	1,961,948	12,717,762

ence to affiliate to this organisation, and try to effect such changes in its constitution as would bring it to conform to the policy and ideology of the Sangh and indirectly

of the Congress. But it was soon felt that such attempts were bound to be futile as All India Trade Union Congress was practically owned by Communists who with the advantage of having little use for scruples or honest dealings, could so manipulate it as to be always in a dominant position. According to a statement issued by Shri N. M. Joshi,<sup>1</sup> its General Secretary, the Communist members of its Executive and General Council constituted more than 50%. There was nothing to warrant that the Communist hold on labour was such as to get so much representation on a national organisation which claimed to be representative of Indian Labour and reserved the right to speak on its behalf. The polling in labour constituencies in the Provincial Elections held in 1946 showed that Communists could hardly get 25% of the total number of votes from labour. Congress got more than 65% of the total votes polled in its favour.<sup>2</sup>

The Sangh decided to hold a conference of prominent trade unionists in India to discuss at length the anomalies in labour organisation in India and find out ways of correcting them. Congress welcomed this move of the Sangh. Its General Secretary urged the Provincial Congress Committees to send their representatives to the conference. The conference took place in Delhi on the 3rd and 4th May, 1947, and the labour representatives present at the conference decided to set up a new organisation called the Indian National Trade Union Congress.<sup>3</sup>

According to a Report of the Chief Labour Commissioner submitted to the Government of India in July, 1946, the All India Trade Union Congress formed in 1920 has 336 unions affiliated to it with a total membership of

<sup>1</sup> Statement by N. M. Joshi, General Secretary, A. I. T. U. C. dated 7th May, 1947.

<sup>2</sup> See Table on Page 41

<sup>3</sup> See Chapt. V, Section 3.

6,96,555; the Indian Federation of Labour formed in 1940 has 134 unions with a total membership of 3,13,807. The Indian National Trade Union Congress formed in May 1947 secured by June 1947, 35 unions affiliated to it with a total membership of 1,57,000. This new organisation which is progressing at great speed among the labouring class appears to meet a long-felt need of the labourers for a truly nationalist organisation to represent them. The organisation being supported by Hindustan Mazdoor Sevak Sangh recognised by Congress and its aims and policy being in consonance with those of the Congress, the Congress Working Committee when it met towards the end of September, 1947 recommended "to all Congressmen to get those unions which they are organising and of which they are members, affiliated to the newly formed Indian National Trade Union Congress."

## CHAPTER II

# CONGRESS IN RELATION TO LABOUR AND CAPITAL IN THE COMMUNITY

### CONGRESS AND LABOUR

The workers of India are only a section of the people and not a class apart. Their culture and their tradition form part of the common heritage of the people of India. In organising them and seeking the redress of their grievances ways and means have to be evolved in consonance with our conditions. The Labour Investigation Committee (1945) observed<sup>1</sup>—“It is obvious that labour conditions in a country are greatly influenced by the activities of the State including the general community, employers and by what the workers themselves are able to do for themselves.” No mere grafting or transplantation of a foreign ideology and method, howsoever suited to the conditions elsewhere, is likely to yield healthy results. . What is required is an indigenous movement having its roots in the Indian soil. Hindusthan Mazdoor Sevak Sangh, an indigenous organisation of labour, which seeks, among its other functions, to propagate the principles of truth and non-violence in relation to the labour movement, lays down in its constitution that a trade union before it is enlisted as an Associate Union should accept the condition that *“it will keep in view not only the advancement of the legitimate interests of the workers, but also the true well-being of the entire community,”* and *“it will endeavour to see that its delegates and representative on organisations of labour*

• <sup>1</sup>Labour Investigation Committee, Government of India, Main Report, p. 384.

or other bodies function solely *with the view to further the best interests of the working class and the community and not for personal aggrandisement or partisan ends.*" Congress does not consider labour as a separate class distinct from the general community, with a code of rights distinct from that of Society and enforceable against Society. Segregating labour from the rest of society and allowing it an independent growth would be as harmful as, for instance, the formation of communal electorates. On separate housing of labour, the Industrial Housing Labour Sub-Committee<sup>1</sup> remarked:—"It is socially and psychologically undesirable to build a large housing estate entirely for one class of the population, and it is essential for proper social progress and for a proper and full civic life that provision be made for all types and classes." Congress would resist any tendency on any section of society to cut adrift and wage war against society. The necessity of weaving all sections of society firmly into the fabric of social and economic life is never so strongly felt as to-day when the society is called to mobilise itself to avert an economic crisis and plan for economic reconstruction of the country. This does not mean that Congress would pay no special attention to the depressed sections in our economic society. The colossal unemployment of labour, the greatest problem confronting labour in this country, should be the main target of attack in any State planning in India, and Congress in its Election Manifesto (1945) says:—"It is essential that in planning and the development of industry, while maximum wealth production for the community should be aimed at, it should be borne in mind that this is not done at the cost of creating fresh unemployment. Planning must lead to maximum employment, indeed to the employment of every able-

<sup>1</sup> Report of the Industrial Housing Sub-Committee of the Standing Labour Committee (May, 1946), Government of India, Page 4.

bodied person. Landless labourers should have opportunities of work offered to them and be absorbed in agriculture or industry." The very small percentage of India's working population which has found employment in industries is itself subject to very unsatisfactory conditions of work and life, and awaits much needed reform. The Congress Election Manifesto states:—"The State shall safe-guard the interests of industrial workers and shall secure for them a minimum wage and a decent standard of living, proper housing, hours of work and conditions of labour in conformity, as far as economic conditions in the country permit, with international standards, suitable machinery for the settlement of disputes between employers and workmen, and protection against the economic consequences of old age, sickness and unemployment. Workers shall have the right to form unions to protect their interests."

How far Congress has been able to fulfil its pledges to labour will be examined in a later chapter. It made a beginning in 1937 and continued its activity again in 1946 through the Governmental machinery when it assumed power in the Provinces, although its service to labour through private organisations date back to the birth of the industrial labour class in this country.

The attitude of labour to Congress has always been one of whole-hearted support. It was not wanting to acknowledge the services which Congress rendered to the people in general and labour in particular when it polled heavily in favour of Congress in the 1937 and 1946 Provincial Assembly Elections. Of all the political parties in India, Congress secured the maximum number of votes and won the greatest number of labour seats. (Tables showing Election Results on Pages 41 and 46).

When in 1945 Congress came out of Jail, it was doubted by many Congressmen whether, in view of the efforts of several groups and sections to capture labour during the 3 years' long incarceration of Congress, labour still maintained its loyalty to Congress. The

Election Manifesto of the Communist Party contained the following:—"Our Party will put up its own candidates in almost all labour seats to demonstrate that it is the accepted leader of the working class."<sup>1</sup> Several other parties contested the labour seats in the Provincial Assembly Elections in 1946. The Congress Election Manifesto made no prophecy of its strength among the labour class. It only said:—"In these elections, petty issues do not count, nor do individuals nor sectarian cries,—only one thing counts: the freedom and independence of our Motherland from which all other freedoms will flow to our people.... This election is a small test for us, a preparation for the greater things to come. Let all those who care and long for freedom and the independence of India meet this test with strength and confidence and march together to the free India of our dreams."

The results of the Elections showed increased support to Congress from labour class. Congress topped the list with 60.6% of the total labour seats in all the provinces, with 66.1% of the total number of votes polled in all the Labour Constituencies. While Congress secured 23 seats, Communist Party got 7, Radical Democratic Party 1 and other parties like Scheduled Castes' Federation and Muslim League nil.

<sup>1</sup> Election Policy of Indian Communists—P. C. Joshi, *People's War*, Oct. 14, 1945.



*Votes Polled For Congress And Other Parties In The Provincial Assembly Elections, 1946*

(TABLE DOES NOT INCLUDE VOTES OF UNCONTESTED SEAT)

Parties	No. of votes polled in the labour constituencies	Percentage to the total No. of votes polled (486818)	No. of seats Secured	Percentage of the No. of seats to the total No. of seats
Congress .. .. .	321,607	66.1	23	60.6
Communist Party .. . .	112,736	23.2	7	18.4
Radical Democratic Party	8,591	1.7	1	2.6
Independent .. .. .	26,332	5.4	7	18.4
Mazdoor Union (Bihar) ..	8,078	1.6	..	..
Scheduled Castes Federation	9,101	1.9	..	..
Muslim League .. .. .	373	.1	..	..
<b>TOTAL ..</b>	<b>486,818</b>	<b>100.0</b>	<b>38</b>	<b>100.0</b>

## CONGRESS AND CAPITAL

Congress attitude to capital should be clear enough. While it does not seek to penalise or victimize individual capitalists unless their actions have been inhuman and not sanctioned by law, it will definitely put forth its best efforts to eliminate all forms of exploitation carried on under a capitalist system, through a change of the system itself. This it does, not so much out of its antagonism towards a pernicious and unjust class, but out of consideration for the interests of the toiling masses it seeks to serve. In this consideration it will not be deterred by any consideration of vested interests. Whatever interest comes in conflict with the interests of the masses must go. The Congress has left for itself no other standard in the scheme of Swaraj contemplated by it under the guidance of Gandhiji. Every interest must prove itself to be for the good of the toiling and starving millions. It is this fact that makes so many indigenous vested interests fight shy of the Congress particularly after it announced its Economic Programme at Karachi<sup>1</sup> which in its implementation would divest all concerned of all the unjustly appropriated wealth. The Congress Election Manifesto issued before the Provincial Assembly Elections in 1937 and 1946 which considers it necessary "to prevent the concentration of wealth and power in the hands of individuals and groups, to prevent vested interests inimical to society from growing and to have social control of the mineral resources, means of transport and the principal methods of production and distribution in land, industry and in other departments of national activity", was a further blow to the prospects of capitalism in India.

Self-interest, however, would not let the capitalist class lend its support to Congress. This is clear from the

<sup>1</sup> Resolution on Fundamental Rights and Economic Programme passed by the Congress at Karachi, 1931.

results of the Provincial Assembly Elections. There are in all 93 seats in all the 11 Provincial Assemblies to represent capital interests, 37 seats for Landholders and 56 for Commerce and Industries. In the 1937 Elections, Congress could secure only 7 of these seats, 4 from the Landholders and 3 from Commerce and Industries.<sup>1</sup> This means that Congress could secure only 7.5% of the total capital representation in the Provincial Assemblies of the country. In spite of the best efforts put forth by the Congress to make capital interests see sense and play their role in the emancipation and reconstruction of the country they seemed to have chosen to thrive under Imperialism by allowing themselves to be returned as 'Independents' to the Provincial Legislatures. But in the course of the decade that followed, as Congress was making definite progress towards its goal of complete independence for the country and the days of Imperialism under whose protection vested interests thrived and prospered were numbered, the futility of withholding support to Congress any longer was increasingly felt by most of them. Some enlightened industrialists thought that, in view of the competition from foreign interests that they had to face in British India, they would be more favourably placed in a free India. The 1946 Election results showed a less stiffening attitude to Congress from Capital. Whereas in the Previous Elections, Congress secured 7 seats i.e., about 7.5% of the total representation of Capital in the Provincial Assemblies, it now secured 25 i.e., about 27%.

<sup>1</sup> A Brief Analysis of the Election Results—Issued by the Political and Economic Information Department of the A. I. C. C., March, 1937.

*Seats Allotted For Capital Secured By Congress In the 1937 and 1946 Provincial Assembly Elections*

Province	Representation of Commerce & Industry in the Assembly			Representation of Land-holders in the Assembly		
	No. of seats in the Assembly	No. of seats secured by Congress in the 1937 Elections	No. of seats secured by Congress in the 1946 Elections	No. of seats in the Assembly	No. of Seats secured by Congress in the 1937 Elections	No. of seats secured by Congress in the 1946 Elections
- Madras .. ..	6	..	..	6	..	2
Bombay .. ..	7	2	3	2	..	..
Bengal .. ..	19	..	4	5	..	4
U. P. .. ..	3	..	..	6	..	..
Punjab .. ..	1	..	1	5	..	1
Bihar .. ..	4	..	1	4	1	..
C. P. & Berar ..	2	1	2	3	2	2
Assam .. ..	11	..	3	..	..	..
N. W. F. .. ..	..	..	..	2	..	..
Orissa .. ..	1	..	1	2	..	..
Sind .. ..	2	1	1	2	..	..
<b>TOTAL ..</b>	<b>56</b>	<b>4</b>	<b>16</b>	<b>37</b>	<b>3</b>	<b>9</b>

Whereas Labour seats secured by Congress increased from 18 in 1937 to 23 in 1946, Capital seats secured by Congress increased from 7 in 1937 to 25 in 1946. Percentage of Congress representation of Labour to total representation of Labour in the Provincial Assemblies increased from 47.4% in 1937 to 60.6% in 1946 and the percentage of Congress representation of Capital to total representation of Capital interests in the Provincial Assemblies increased from 7.5% in 1937 to 26.9% in 1946.

One often comes across the charge that there is much of capitalist influence in Congress. Dr. John Mathai, member of the Indian Cabinet and an eminent economist, in the course of a recent speech,<sup>1</sup> was trying to prove with a thesis that our national movement was controlled by capitalists. His thesis, briefly, is as follows:—If one examines the progress of a national movement in any country since the beginning of the 19th century, one finds that the national movement, while it is in progress, is made to depend, often in spite of itself, on the influence, support and resources it gets from the vested interests in the country. It is a very good investment for organised vested interests because nationalism affords them a large measure of protection against foreign competition. When the national movement has achieved success in its immediate objective, when it has achieved victory, it finds itself in the grip of those vested interests on which it had depended during the period of the struggle. Dr. John Mathai has been driven to the conclusion that this “to some extent is the stage that we have reached in India to-day.”

Dr. Mathai has never been a Congressman, and when he makes a charge against the national movement in the country, it is the Congress which symbolises our national movement that is called upon to bear the charge.

• <sup>1</sup>“*Independence and the Task Ahead*”—Speech at the Delhi Rotary Club, 7th. Aug. 1947.

*Congress Strength Among Capital and Labour Representation in the Provincial Assemblies after the Elections in 1937 & 1946*

Provinces	Labour Representation in the Provincial Assembly			Capital Representation in the Provincial Assembly		
	No. of seats in the Assembly	No. of seats secured by Congress in the 1937 Elections	No. of seats secured by Congress in the 1946 Elections	No. of seats in the Assembly	No. of seats secured by Congress in the 1937 Elections	No. of seats secured by Congress in the 1946 Elections
Madras .. ..	6	6	4	12	..	2
Bombay .. ..	7	1	3	9	2	3
Bengal .. ..	8	5	5	24	..	8
U. P. .. ..	3	3	3	9	..	..
Punjab .. ..	3	2	1	6	..	2
Bihar .. ..	3	1	3	8	1	1
C. P. & Berar ..	2	..	1	5	3	4
Assam .. ..	4	..	3	11	..	3
N. W. F. .. ..	..	..	..	2	..	..
Orissa .. ..	1	..	..	3	..	1
Sind .. ..	1	..	..	4	1	1
<b>TOTAL ..</b>	<b>38</b>	<b>18</b>	<b>23</b>	<b>93</b>	<b>7</b>	<b>25</b>

We would in this connection like to emphasise that owing to the non-violent character of our struggle the Congress has never had to depend on the support and resources of the propertied classes. Vested interests have never been able to influence the policy and programme of the Congress and of our national movement. For a long time in the past the British Press and the British publicists were carrying on the propaganda that the Congress was heavily financed by the industrialists and merchants. "This is wholly untrue," says Pandit Jawaharlal Nehru with his first-hand knowledge of the working of the Congress. This is what he says on the point in his *'Discovery of India'*:—"A few industrialists have financially helped from time to time in the social reform activities of Gandhiji and the Congress such as village industries, abolition of untouchability and raising of depressed classes, basic education, etc. But they have kept scrupulously aloof from the political work of the Congress, even in normal times, and much more so during periods of conflict with Government. Whatever their occasional sympathies, they believe, like most sober and well-established individuals, in safety first. Congress work has been carried on almost entirely on the petty subscriptions and donations of its large membership. Most of that work has been voluntary and unpaid."

But, while we hold that vested interests were not able to secure any measure of grip over our national movement, we do not mean to minimise their strength and pertinacity in this country. Vested interests and many opportunist groups have taken deep root in Indian soil with the support and sustenance they received from the British Government in India. Now that alien domination has been removed, the Congress will inevitably go forward to "so carry our fight forward that the grip that vested interests have been able to establish over our people is lessened, if not eliminated." Addressing a Congress Workers' meeting in Wardha Shri

Shankarrao Deo,<sup>1</sup> General Secretary of the A. I. C. C., called upon Congressmen to get themselves to "the task of reconstructing India after August 15 on the basis of a Social democratic state wherein power will be in the hands of the tillers of the soil and the labourers and workers in fields and factories." "The time has come," he said, "when the Congress will have to transform itself into another body by changing its creed, policy and programme as independence, its objective, has been achieved." With this end in view, Shri Shankarrao Deo has issued a Circular<sup>2</sup> wherein Independence and the tasks ahead, as outlined by Dr. Mathai finds many an echo. Here are a few words from the Circular:— "If democracy is not merely to be a form but a reality, then it must be based on some sort of economic equality. In the present so called democratic society there are glaring economic inequalities and therefore it requires levelling up and down."

#### CONGRESS AND CLASS-WAR

In War these economic inequalities have been accentuated and in the field of industry this has resulted in the deterioration of the relation between capital and labour and discontent and unrest among the latter. The unfair appropriation by management of a disproportionate share in the earnings of industries has gone on without check, with the result that labour was being paid so much less than what was due. Though up-to-date figures of profits are not available, the available figures of the profits of Bombay Mills can be taken as an indication of the trend during the war years.

Fifteen leading Bombay Cotton Mills made a total profit of Rs. 90 lakhs in 1940; Rs. 295 lakhs in 1941;

<sup>1</sup> Congress Workers' meeting at Gandhi Bhawan, Wardha 7-8-1947.

<sup>2</sup> Circular to All Provincial Congress Committees, dated 1-8-1947.



Rs. 801 lakhs in 1942; Rs. 1,752 lakhs in 1943, Rs. 1,306 lakhs in 1944.<sup>1</sup>

Taking 1939 profits as 100, all the 61 cotton mills in Bombay Island with a total paid-up capital of about Rs. 1,394 lakhs made 187.2 per cent of profits in 1940; 1,302 per cent profits in 1941; 2,726.5 per cent in 1942; 5,280.3 per cent in 1943; 3,891.8 per cent in 1944. The annual average for the five years came to more than 26 times the 1939 profits.<sup>2</sup>

According to the 'Indian Labour Gazette' in the year 1944 the rise in the total annual earnings was a little over 100 per cent in the case of textiles, under 100 per cent in the case of engineering, only 50 per cent in the case of Government ordnance Factories, only 24% in the case of mining. As for dearness allowance, nowhere in the country does it fully off-set the rise in the cost of living. Even in Bombay, which has sanctioned a fairly high dearness allowance, the rise only meets the increasing prices to the extent of 75 per cent. It is therefore no exaggeration to say that what the average worker gets as wages to-day is a good deal less than what he was getting before the war in terms of commodities and comforts.

It is evident that the balance between Capital and Labour has been more terribly weighted on the side of Capital as a consequence of war. Speaking at the Lahore Congress (1929) Pandit Nehru in his Presidential speech remarked: "The Congress, it is said, must hold the balance fairly between capital and labour and Zamindar and tenant. But the balance has been and is terribly weighted on one side and to maintain the status quo is to maintain injustice and exploitation." The Congress Working Committee which met in August, 1946, referred to the privations to which the workers have been subjected in consequence of the tremendous economic

<sup>1</sup> *Commerce*, July 7, 1945.

<sup>2</sup> *Commerce*, 1946 Annual.

maladjustments created by the war, and noted that the rise in the cost of living was uncompensated to a large extent. The Committee urged on Governments and employers in the country to take early steps to satisfy the legitimate needs and aspirations of the working class and to remove every cause of genuine discontent.

But the restoring of the balance between capital and labour cannot be left to any individual or group. There has been loose and irresponsible talk about promoting class hatred and effecting a class war in the country. In 1934, the Congress Working Committee expressed its opinion<sup>1</sup> that "confiscation and class-war are contrary to the Congress creed of non-violence." This does not mean that Congress fails to recognise the class antagonism that exists today. Speaking on Congress and Class-war at the open session in Bombay in 1934, Acharya J. B. Kripalani observed:—"Whenever there was a revolution in the past individuals or groups did not hesitate to take action against other individuals and groups on their own initiative, without bringing in the machinery of the State into action. Individual and class hatred was promoted, leading to massacres and reigns of terror. The Congress is rightly against such class hatred leading to class war. This does not mean that the Congress fails to recognise the class antagonism that exists to-day and has been in existence for centuries. It has been and shall be its constant effort to eliminate any class, caste or communal antagonism that leads to injustice to any class, caste or community or to the nation as a whole. The Harijan, Khadi and village industries programme are conceived on the recognition of this antagonism between different groups in the Indian nation. But while the Congress recognises this conflict of interest it will not accentuate it nor will it countenance an individual or a group taking to itself the right of

<sup>1</sup> Resolution of the Congress Working Committee dated June, 18, 1934.

restoring the balance and in the process taking the law into its own hands.

“The Congress also makes a distinction between a system and the individuals that are the willing or the unwilling, the conscious or the unconscious instruments of the system. While Congress will put forth its best effort to eliminate a pernicious and unjust system, it will not penalise or victimize individuals unless their actions have been inhuman and not sanctioned by law. It will, therefore, set itself against all individual, unorganised wreaking of vengeance upon any person or group. Such vengeance in the past has disgraced the annals of many a glorious revolution. As the Congress creed is non-violence, it cannot but distinguish between the system and the individuals. It is pledged to lay no violent hands upon individuals except by the process of law. It must therefore discountenance from the very beginning any talk of class hatred and class-war.”

We would, however, hasten to point out that the implementation of Congress programme would in itself, be a long-drawn non-violent battle against the few privileged classes, stripping them of all the wealth that do not justly belong to them. The programme that Congress has chalked out tentatively in what is known as the “Fundamental Rights and Economic Programme” resolution passed at Karachi is a big programme of divestment. This divestment it seeks to effect in the interest of the masses. But, while Congress seeks to do all this, it at the same time discountenances any loose or irresponsible talk about confiscation of property. For instance, while it holds that workers should be owners of the means of production, it may not tolerate, unless it wants to abrogate its good name and its claim to the guardianship of the public weal, taking possession of a mill by mill-workers or setting fire to it. All this has been done in the past in revolutions with results temporarily or permanently disastrous to the nations, to cure the evil effect of

which they had to undergo years of dislocation, trouble, travail and sacrifice. It is therefore necessary in the interests of public good that the country is advised to countenance no loose talk about confiscation and class war. Such talk would give to the ignorant peasant and the labourer false political and economic ideas and hopes. Political and legal rights in all well regulated societies recognise some processes by which wrongs are redressed. "Redress of wrongs can never be left to individual, unorganised, chaotic and ignorant initiative. There must be a method and a system."

According to Gandhiji,<sup>1</sup> process of levelling could be undertaken by labour itself if they educated themselves and acted in a non-violent manner. Labour, he says, is a great leveller of all distinctions. If they realised that truth, he would like them to go a step further. Labour, because it chose to remain unintelligent, either became subservient or insolently believed in damaging capitalist goods and machinery or even killing capitalists. According to Gandhiji there should be marriage between capital and labour. They could work wonders in co-operation, but that could happen only when labour was intelligent enough to co-operate with itself and then offer co-operation to capital on terms of honourable equality. Capital controlled labour because it knew the art of combination. Drops in separation could only fade away. Drops in co-operation made an ocean which carried on the broad bosom ocean greyhounds; similarly if all the labourers in any part of the world combined together, they could not be tempted by higher-wages or helplessly allow themselves to be attracted for, say, a pittance. A true and non-violent combination of labour would act like a magnet, attracting to it all the needed capital. Capitalists would then exist only as trustees. When that happy day dawn-

<sup>1</sup> Gandhiji—Post-prayer address at Metiabruz (Bengal), August 27, 1947.

ed, there would be no difference between capital and labour. Then labour would have ample food, good and sanitary dwellings, all the necessary education for their children, ample leisure for self-education and proper medical assistance.

CHAPTER III  
INDUSTRIAL DISPUTES AND THEIR  
SETTLEMENT

SOME MAJOR STRIKES AND LOCK-OUTS  
BEFORE THE WAR

In the past, workers in India had to suffer much more than the workers in England at the time of Industrial Revolution, because they had to suffer at the hands of both the capitalists and the foreign government in India which, for political reasons, was generally averse to all people's movements. Workers whom the employers considered docile beings to whom they could dole out some payment for their work were slowly organising with a view to collective bargaining with the management on equal terms. This, for the capitalist, was hard to reconcile. So, whenever the workers went on strike, the Government and the employers were in alliance to suppress them. Congress which stood for the elimination of foreign domination and of capitalist exploitation of the masses was the only support left for the workers. It was natural therefore that in almost all the strikes when the dispute reached a crisis the workers approached either the Congress President or other Congressmen for support and guidance. Congress leaders did not fail to fulfil their expectations. Through statements to the press they voiced the interests of workers, appealed to the public to lend their support to the workers in distress, urged the Governments concerned to appoint courts of enquiry, and persuaded the employers to agree to boards of conciliation. In the meanwhile local Congressmen kept themselves busy collecting relief fund and offering all possible help to

workers on strike. Whenever any strike assumed serious proportions and settlement became difficult and complex, either the All India Congress Committee or the Working Committee considered the dispute in detail and suggested ways of settlement.

At times the solution suggested by the Congress for the settlement of a dispute was welcomed by the employer concerned in a conciliatory spirit. But there have been many occasions when Congress intervention in a strike was taken the signal for more repressive measures against the workers. In 1927, when a strike in the Burma Oil Company was in progress at Madras, the strikers were shot upon, and Congressmen found no other alternative except to organise civil disobedience to vindicate the workers' rights of organisation and strike. The shooting was entirely without provocation or justification and the Madras public opinion was very much agitated over it. The matter was reported to the All India Congress Committee which passed the following resolution at Bombay in May, 1927. "This meeting of the A. I. C. C. condemns the unjust, inhuman and illegal action of the Burma Oil Company authorities in taking the law into their own hands and shooting on the unarmed workmen on strike, expresses its full sympathy with the workmen in their great fight and calls upon the members of the Madras Legislative Council to organise Civil Disobedience at once."

The year 1928 was full of labour troubles. Although the total number of disputes in the year was only 200, the loss in working days reached the record figure of  $31\frac{1}{2}$  million or more than the total for all the previous five years. The dispute in the iron and steel works in Jamshedpur lasted over five months resulting in a loss of nearly  $2\frac{1}{2}$  million working days. The strike in the East Indian Railway workshops at Lilloh exceeded four months in duration and involved a loss of about  $1\frac{1}{2}$  million working days. The workers of Jute mills of Calcutta were on strike for more than four months.

The Textile mills in Bombay and Cawnpore were also scenes of long-drawn fights. In all these disputes the workers were put to untold suffering, although the determined fight they put up received praise from all quarters. The All India Congress Committee which met in Delhi in November 1928 considered the labour unrest in the country and passed a resolution expressing its admiration for the workers' struggle against the forces of the employing class and the Government. The resolution reads as follows:—"This meeting of the A. I. C. C. expresses its sympathy with the workers who have been on strike in various parts of India and its admiration for the determined struggle which they have waged against hunger, and the forces of the employing class and the Government.

It was usual for the Congress Working Committee in place of A. I. C. C. to take note of, from time to time, the important strikes in the country individually and suggest means of settlement. The strikes of Golmuri Tinsplate workers in 1929 and the G. I. P. Railway workers in 1930 may be cited as examples. Of these the former was a long-drawn strike lasting nearly 11 months. The Tinsplate Company remained adamant and even made efforts to break the morale of the workers. Eminent Congress leaders including Mahatma Gandhi, Pandit Motilal Nehru, Dr. Rajendra Prasad, Pandit Jawaharlal Nehru, Shri Subhas Chandra Bose and Prof. Bari wholeheartedly supported the workers in their struggle, and, impressed by the justice of their cause, tried to persuade the Company to settle the dispute by agreeing to a Board of Conciliation or a Court of Enquiry. The Company was not prepared to agree to any suggestion. Both the central and provincial Governments also refused to intervene in the dispute. On the other hand, it was said, that they directly helped the Management in crushing the strike even against the strong public opinion roused by Congress leaders in favour of the workers on strike. Members of the Central Assembly passed a resolution recommending the with-



drawal of the tariff protection granted to the Tinsplate Industry. An adjournment motion was passed in the Bihar Legislative Council censuring the Local Government for its non-intervention in the dispute. The Congress Working Committee which met at Allahabad in July, 1929 authorised the Secretary "to communicate with the authorities concerned and to take steps as may be necessary to prepare the case for the strikers and to secure such relief for them as is possible." The report of the Secretary was considered by the Working Committee at Lucknow on September 27-29 and the following resolution passed:—"Having read the papers prepared by the Secretary in connection with the Golmuri Tinsplate workers' strike the Working Committee regards the demand of the strikers for a board of conciliation to be eminently reasonable and just and regrets that the Bihar Government would not entertain this demand, and hopes that a representative and impartial committee will be forth-with appointed to enquire into the grievances of the strikers with full power to grant such relief as the strikers may be found to be entitled to. The Committee notes with satisfaction the stand taken up by the members of the Assembly recommending the withdrawal of the protection granted to the Tinsplate Industry."

In 1930 there was a strike of a major character on the G. I. P. Railway in Bombay as a protest against the unsatisfactory conditions of service, such as low wages and absence of facilities for leave. The Working Committee which met at Sabarmati on February 14 to 16, 1930 considered the demands of the workers reasonable, regretted the attitude of the railway authorities and hoped that a conciliation Board would be appointed to bring about a satisfactory and honourable settlement. The following is the full text of the resolution—"This Committee expresses its general agreement with the demands of the G. I. P. Railway workers for security of service and abolition of racial discrimination and no victimization. The Committee is of opinion that these demands

are reasonable and regrets that the attitude of the railway authorities towards them has been such as to compel the railway workers to go on strike. The Committee trusts that a conciliation Board will be appointed to consider the workers' grievances and thus bring about a satisfactory and honourable settlement." But, so far as the workers were concerned, the strike was a failure and it ended with the discharge of several thousands who had participated in it.

The early thirties were full of labour troubles, particularly on the railways. Reduction of wage-rates and retrenchment on a large scale stared the workers in the face. The All-India Railwaymen's Federation proposed that a Board of Conciliation be appointed to examine the policies and methods of retrenchment. The Railway Board raised several objections to the appointment of a conciliation board. The Congress Working Committee which met in Bombay in July, 1931 expressed the opinion that "notwithstanding technical objections and precedents to the contrary, the demand of the All India Railwaymen's Federation for a Board of Conciliation to examine the policies and methods of retrenchment, specially so as to avoid the discharge of the lower paid staff, is just and reasonable." The Government appointed a Court of Enquiry soon after, presided over by a judge of the Bombay High Court, to enquire into the policy of retrenchment carried out on practically all the railways. The actual number of workers employed on all the railways in India at the end of March 1930 was nearly three-quarters of a million, of whom 40,000 had been discharged—75 per cent of them being permanent workers and the rest temporary. The Court endorsed the criticism of Railwaymen that on the East Indian Railway, the representatives of the union had been specially marked out for victimization. All the office-bearers of the unions and those who gave evidence before the Royal Commission had been retrenched—a fact admitted by the railway autho-

rities, though they did not accept its implications. The Court also held that the interpretations given to the Railway Board's general directions for the methods to be pursued in carrying out retrenchment were varied because of lack of precision in the instructions to the agents of the several railways. It was also held by the Court that in a number of cases there was room for legitimate inference that many workers had been unjustly retrenched, that in regard to discharge of men with ten years' of service and over, not a single railway administration had paid heed to the orders of the Railway Board and, in fact, only two had cared to consult the unions of the workers. "If this could be the history of a dispute to which the strongest workers' organisation in India, with fifteen unions affiliated and a total membership of nearly 130,000, was a party, it can easily be imagined how less organised or even completely unorganised workers would fare in similar circumstances."

The unrest on the railways continued, and a strike followed in 1932 on the Madras and Southern Maharatta Railway, which lasted for about ten weeks. The Railway workers on state-owned railways demanded a court of inquiry into the question of Railway retrenchment in general and the question of the reduction of the pay of the lower grades of Railway service in particular. The Government took no notice of this demand. When the Indian National Congress met in its fiftieth session at Faizpur in 1936, the workers of the B. N. Railway were already on strike. The following resolution was passed by the Congress at the session:—"The Railway workers on the State-owned Railways, and their organizations supported by the public have been demanding a court of inquiry into the question of Railway retrenchment in general and the question of the reduction of the pay of the lower grades of Railway Service in particular. The Government and the Railway Board have persistently ignored this just and legitimate demand. This Congress

is of opinion that even now if such a court of inquiry is instituted the present strike on the B. N. Rly. can be amicably settled.

This Congress congratulates the workers on the B. N. Railway on their solidarity and the brave stand they have made against the repeated invasions on their rights. The Congress hopes that the public will extend to the strikers their full support and sympathy."

The Textile industry in India also was to face wage-cut and retrenchment on a large scale. In Bombay City alone more than 50,000 workers were thrown out of employment in 1933. In these circumstances, driven by the prospects of starvation, the workers were prepared to accept reduced rates as better than no employment. Encouraged by this attitude of the workers, mills one after another introduced wage-cuts and by 1934 almost every mill in Bombay had brought down wages by a substantial proportion. The Ahmedabad Millowners also wanted to introduce reductions in wage-rates. But, Mahatma Gandhi, as one of the members of the permanent arbitration board, refused to countenance any proposals for wage-reduction without an exhaustive enquiry. Prolonged negotiations took place, culminating in a reduction of  $6\frac{1}{2}$  per cent subject to the condition that the minimum earnings of a two-loom weaver should not go below Rs. 41/4/- for twenty-six working days.

The year 1937 more than any previous year was full of labour troubles. There were altogether 379 stoppages in the year involving 648,000 workers and resulting in a loss of 10 million working days. One of the biggest strikes of the year was the strike of the jute workers in Bengal involving 200,000 workers and lasting more than a month. The resolution of the Working Committee which met in Allahabad in April, 1937 describes briefly the importance of the strike and the stand which Congress took in it:—"The Working Committee views with alarm and concern the grave situation of the Jute workers of Calcutta who have been conducting a

heroic struggle for the last twelve weeks for the recognition of their elementary right to form a union and for securing redress of their legitimate grievances. The Jute workers' struggle has assumed a great national importance. The strike has made rapid strides and today something like two hundred thousand workers are involved in it.

The Committee offers its heart-felt sympathy to the strikers and expresses its admiration for the determined and peaceful manner in which they are struggling against the combined forces of employers and the Government.

The Committee puts on record its sense of disappointment at the attitude of the employers who by refusing to satisfy the reasonable demands of the workers are prolonging the strike and deepening the misery of the strikers.

The Committee is of opinion that it is the imperative duty of the Government to intervene in the conflict and to secure speedy settlement of the dispute on the basis of the recognition of the workers' rights and satisfaction of their just demands. The Committee, however, notes with regret that the Government is taking the side of the employers in this dispute and places on record its strong condemnation of the repressive policy of the Government which seeks to suppress the workers' struggle by promulgation of prohibitory orders under Section 144, Cr. P. C., arrest of labour leaders and workers and various acts of police and military violence. The Committee, in particular, records its strongest protest at the reported entry of the police and military into the workers' quarters, the assault on one of the Labour Members of the Bengal Legislative Assembly, the prohibition of these members including the President of the Trade Union Congress from entering their constituencies and the firing on unarmed workers including little boys."

An equally important strike was the strike in the Assam Oil Company in 1939. The Digboi strike as it is called, has since then become famous in the history of

trade unionism in this country. The cent per cent organizational strength that the Digboi workers showed under the leadership of Shri Sudhindra Pramanik, a well-known Congressman, and their unparalleled resistance for eight months have won the admiration of people all over India. The All India Congress Committee which met in Bombay in June, 1939 while expressing its sympathy with the strikers in distress sounded a note of warning that if the Company did not see its way to accept the modest suggestion of referring the question of the method and time of re-employment of the strikers to a conciliation Board, the Committee might be obliged to take steps to stop the renewal of the lease to the Company on its termination. Oil industry being a key industry, the Committee drew the attention of the Company to the Karachi Resolution of the Congress relating to the state-ownership or control of key industries. Following is the full text of the resolution of the Committee:—"This Committee views with grave concern the prolonged strike at Digboi and expresses its sympathy with the strikers in their distress. The Committee regrets that the Assam Oil Company has not seen its way to accept the modest suggestion of referring the question of the method and time of re-employment of the strikes to a conciliation Board to be appointed by the Government of Assam.

In the opinion of this Committee no corporation, however big and influential it may be, can be above public criticism or Government supervision and legitimate control. Moreover, as was declared at the Karachi Session, the Congress policy is that there should be state-ownership or control of key industries. The oil industry is undoubtedly a vital key industry. This Committee therefore hopes that better counsel will prevail with the Company and that its Directors will accept the modest suggestion made on behalf of the Committee by the President of the Congress. If, however, the Directors do not see their way to do so, the Committee

advises the Assam Government forthwith to undertake legislation for making the acceptance of the decisions of Conciliation Boards obligatory and further to give notice to the Company that the Committee may reluctantly be obliged to take such steps as may be necessary to stop renewal of the lease to the Company on its termination. At the same time that this Committee urges the Company to fall in with the just suggestion made by the Committee, it hopes that the Labour Union will be ready to listen to the Committee's advice and if they were to retain Congress and public sympathy they will be ready and willing to abide by the advice that may be tendered to them by the Committee."

The strike at Digboi which lasted for nearly eight months was on the verge of victory and the Congress Coalition Government of Assam was honour bound to give effect to the reports of the Court of Inquiry and the Conciliation Board in terms of their own declarations and according to the express direction of the Congress Working Committee to enforce the recommendations of the Conciliation Board, if necessary even by legislation. But, then, the unprecedented intervention of the Viceroy and the then Governor of Assam on the untenable plea of war snatched away their fruits of hard toil and sufferings.

When Congress took over the administration in eight provinces, strikes were regarded to be more prospective of success to the workers because the capitalist employers could no longer hope to get any support from the Provincial Governments which were pledged to carry out far-reaching socialist reforms contained in the Election Manifesto of Congress on whose ticket they had been installed into power. As Prof. Radhakamal Mukherjee observes,<sup>1</sup> "With Provincial autonomy more strikes have succeeded than in the past owing to the sympathetic

<sup>1</sup> Prof. Radhakamal Mukherjee: *The Indian Working Class*, page, 311.

attitude of the Congress Ministries in eight provinces." One or two instances may be cited. In July, 1938, a general strike of 40,000 textile workers in Cawnpore, involving a loss of two million working days was settled by the intervention of the Premier, Pandit Govind Ballabh Pant, with the acceptance of a rise in wages as recommended by the Enquiry Committee, the establishment of a Wage Fixation Board, of a Labour Exchange and of a Labour Office and the recognition of the workers' union on its reorganisation in accordance with the proposals of the Committee. A lockout in Madura in 1938 lasting for 3 months, from January to April, was successfully settled by the Congress Government in Madras and it is notable for the fact that for the first time in India, Section 144 of the Criminal Procedure Code was utilized, not against the workers but against the manager of the mills, restraining him from opening them except with the full complement of the workers resulting in the employer's immediate acceptance of arbitration by the Labour Commissioner and the settlement including a rise in wages, thirteen days' leave in a year with pay, interest-free advances to the workers for house-building and unconditional recognition of the registered union. "In general it may be observed that since the advent of the new constitution the attitude of Provincial Governments (particularly of those under Congress control) towards labour has been clarified; industrial peace, not by suppression of the workers' organisation and a denial of their demands, but on a basis of certain minimum standards of living and general rights of citizenship."<sup>1</sup>

#### LABOUR UNREST IN THE POST-WAR PERIOD

The Congress Working Committee which met at Wardha in August last year reviewed the labour situation in the country and passed the following resolution:—

"The Working Committee view with deep concern

<sup>1</sup> B. Shiva Rao: *Industrial Worker in India*, p. 251.



the intense and widespread labour unrest which has in recent months involved numerous industries and services in the country in large-scale and prolonged stoppages, entailing heavy material loss and serious hardships to the community as well as the working class. The Committee are aware of the fact that the labour upheaval through which the country has been passing is largely occasioned by the serious privations to which the workers have been subjected in consequence of the tremendous economic maladjustments created by the war, especially the excessive rise in the cost of living that has remained uncompensated to a very large extent. The Committee are further of opinion that the labour troubles in the country have been aggravated by the total absence of a well-defined national plan or policy in dealing with the claims of this class, by the delay in redressing grievances by means of conciliation, arbitration and adjudication and by the confusion arising out of the unco-ordinated action taken in the matter in different parts of the country.

The sympathy of the Congress with the working class in its struggle to improve its economic position and its status is too-well-known to require reiteration and, in furtherance of this, the Committee urge on Governments and employers in the country to take early steps to satisfy the legitimate needs and aspirations of the working class and to remove every cause of genuine discontent by arranging for an impartial examination of the conditions and complaints of the employees and by prompt settlement of points of disagreement by processes of conciliation and arbitration.

The Committee feel further that it is necessary in the general interest to point out that avoidable strikes cannot have the backing of public opinion, and in view of the dire need of the country for more goods and services, hasty or ill-conceived stoppages and the refusal to take advantage of the available means of settlement by negotiation, conciliation and arbitration, constitute a distinct

disservice to the Community and the working class itself.

The Committee in this connection emphasise that in particular industries and services, which are essential for the existence of the community and on which the continuity of the public administration depends, should be immune from dislocation by strikes and lockouts and all disputes between the employees and employers (including governments) should be finally settled by arbitration and adjudication.

The Committee have also, with regret, to take note of the growing lack of discipline and disregard of obligations on the part of the workers which have become evident in some recent labour disputes, and would stress the need for discipline and respect for the rights and requirements of others and of the community as a whole, as the indispensable foundation of a strong trade union movement and the basis of economic progress and orderly social life.

The Committee understand that the undesirable features of the labour situation are due in part to the efforts of certain individuals and sections to exploit the ignorance of the workers and the need of the community for ulterior aims, political or others and this makes it all the more incumbent on Congressmen to develop further contacts with labour and serve its cause to the best of their ability, and to discriminate between occasions on which labour action deserves their support and those which call for restraint or dissuasion.

While the means suggested by the Working Committee for improving the relations between employees and employers and for promoting amicable settlement of disputes will help to relieve the situation, the Committee are convinced that the inflated level of prices which still persist is retarding the restoration of normal economic conditions and is leading to a vicious race between prices and wages, accentuating the existing difficulties and that no lasting solution of these difficulties

will be available so long as a definite policy regarding a future price structure does not take shape and an orderly and just basis is not provided for the economic relations in the country. While these fundamental problems can be handled only by a Central Government the Committee feel that such integration of policy and action in this matter as is possible in the provincial sphere should be attempted immediately."

The above resolution contains the following points:—

(1) The labour unrest is causing heavy material loss to the country.

(2) The Committee urge on Governments and employers to satisfy the legitimate needs of the working class.

(3) Avoidable strikes should be discouraged.

(4) Public utility services should be immune from strikes and lock-outs.

(5) Labour to be freed from interested sections and individuals.

(6) All disputes to be finally settled by arbitration and adjudication. A well defined national plan in meeting the claims of labour class, and a definite price structure policy would provide lasting solution to the present labour crisis.

The magnitude of labour unrest in the country can be judged from the following figures. For the year 1946 the total number of stoppages was 1,629 involving 1,941,948 workers and a loss of 12,717,762 man-days. In the first nine months of 1946 about 418 stoppages lasted from 1 to 5 days while 44 lasted from 20 to 30 days and 47 strikes continued for 30 days or more; nearly 415 stoppages involved between 100 and 500 workers and about 356 stoppages between 1,000 and 10,000 workers, while 13 stoppages involved 10,000 workers or more. The industry which suffered most:

during the year was the textile industry with 631 stoppages and it was followed by the engineering industries with 133 stoppages, Jute Mills with 95, Railways with 72 and Mines with 28 stoppages. The estimated production of the principal industries in 1946 (on the basis of the figures of monthly production upto August) indicated considerable decline from the previous year. In the cotton cloth industry the fall was not less than 600 million yards, while the decline in cotton yarn output would be about 200 million pounds (lbs.). Production in steel would be less by about 30,000 tons, cement about 2 lakh, paper 84 thousand and so on in other industries. The gravity of the continued loss of goods and services to the country due to prolonged strikes should be more at a time as now when there is shortage of output all round. For instance, under the present rationing scheme, the average yardage of cloth for all India is  $13\frac{1}{2}$  per head. With a reduction of 600 million yards in the nation's output of cloth, a fall in this standard would be inevitable.

2. Regarding the call of the Congress to Governments and employers to meet the legitimate needs of the working class, the Congress Governments in the Provinces have been responsive. The Central Government appointed a Pay Commission to revise the scales of pay of the employees in its services, and have accepted most of its recommendations. The Provincial Governments also have made use of its recommendations. The Madras Government appointed a Cabinet Committee to consider the question of revision of salaries of non-Gazetted Government services and have accepted most of its recommendations. Besides enhancement of scales of pay, the U. P. Government provided for a recurring and non-recurring expenditure of Rs. 94,900 and Rs. 39,800 respectively in the budget for the last financial year for the expansion of labour welfare schemes, development of trade unions, expansion of conciliation machinery etc. Ameliorative and legislative measures

have been taken in other provinces as well.<sup>1</sup> The attitude of the employers, however, has not been quite sympathetic. The Employers' Association of Northern India have said: "During the last elections to the provincial legislature irresponsible promises were made to labour. These were obviously incapable of fulfilment and are the real cause of the crisis." (Statement issued at the time of the recent Cawnpore Strike). The Tatas, however, set an example by introducing a scheme of profit-sharing. The employees of the Tata Iron and Steel Works would get 22½% of the net profits of the Company after deduction towards depreciation, taxes and payment of dividends on Preference Shares. If the Governments and the employers could straightaway effect all the possible increment in the emoluments of the workers in their services without waiting to be pressed by strikes for effecting such increments, it would go a long way in narrowing the existing gap between wages and price level which is at the root of most of the major strikes. The following figures for the first nine months of 1946 will show the percentage of stoppages in which the question of wages or dearness allowance was the only cause of dispute.

Jan.	Feb.	Mar.	Apr.	May.	June	July	Aug.	Sep.
29	35	38	40	43	39	34	43	51

Insufficient income, important though, is not the only grievance of the workers. Strikes due to administrative causes such as hours of work, reinstatement of dismissed personnel, recognition of trade unions and inadequate rations are quite frequent. Employers have been a little too slow in giving even the minimum of facilities to factory labour and the provincial and central Governments had to expand their inspection staff to enforce factory laws more effectively.

<sup>1</sup> For an account of these measures, see Chapter IV.

3. The Working Committee have used the term 'avoidable strike.' Although it is difficult to define, the present labour situation in the country abound in instances of strikes which are not necessitated by any pressing want and could as well be avoided. Some time back about five thousand workers in a Bombay Mill downed tools because they were denied a holiday on account of the death of the proprietor's wife. In a different mill, there was stoppage of work because the proprietor gave no special allowances on the occasion of his daughter's wedding. Somewhere else there was strike because the workers wanted a particular welfare officer to be appointed. Our country cannot at this stage afford to have the luxury of parading the union strength on such occasions by starving its productive power even for a day. For the same reason the attitude to all general, sympathetic strikes may be apathetic.

4. The Working Committee emphasise that public utility services should particularly be immune from the strike fever. Strikes cannot affect the arteries of the nation like railways and posts and telegraph without paralysing the whole economy of the country with all her industries and trade. The Railway Strike threatened in June last year was averted to the great relief of the nation. The Postal workers started strike in July and caused an uproar throughout the country and assumed serious proportions in the leading industrial and commercial towns. However, both the Railwaymen and the Postal workers succeeded in getting most of their terms accepted. It is unfortunate to realise that the ability and willingness of the Government to concede to the workers' demands should need for expression a wholesale stoppage of the country's essential services. To say of the workers, it is not considered advisable to resort to strikes or 'go slow' policy merely because time has necessarily to elapse before the Government decisions are arrived at. The most unfortunate and ill-advised strike last year had been the strike of the S. I.

Railway employees in September. It had neither the approval of its mother institution nor public support. The strike lasted one month and ended in a failure—with 300 of its promoters in Jail, and the disaffiliation of their union by the All-India Railwaymen's Federation in the end. It inflicted a loss of Rs. 80 lakh to the Railway Department and 15,000 gallons of scarce petrol to the Madras Government to transport food during the strike period.

5. In disaffiliating the S. I. R. Union, the Council of the All-India Railwaymen's Federation expressed the view that the S. I. Railway Strike was engineered by the Communist Party and that it had weakened the solidarity of labour by precipitating such strikes. It is reported that the Union is being used by its leaders not to promote the moral and material progress of the workers but to gain their own ends which are extraneous to the causes the trade union movement stands for. The Working Committee has observed that "the undesirable features of the labour situation are due in part to the efforts of certain individuals and sections to exploit the ignorance of the workers and the need of the community for ulterior aims, political or others, and this makes it all the more incumbent on Congressmen to develop further contacts with labour and serve its cause to the best of their ability." In their service to labour, Congressmen in the labour field would accept the guidance of Hindusthan Mazdoor Sevak Sangh as recommended by the Working Committee.<sup>1</sup> The Central Board of Hindusthan Mazdoor Sevak Sangh while welcoming the resolutions adopted by the Congress Working Committee passed a resolution to the effect that "any activity undertaken by Congress organisations for the benefit of the working class, in the interest of economy, efficiency and uniformity of policy and direction be entrusted

<sup>1</sup> Resolution on 'Hindusthan Mazdoor Sevak Sangh' passed by the Working Committee, Aug. 13, 1946. See page 150.

to the appropriate branches of the Sangh and Congress organisation concerned will give its full support and co-operation to the Sangh in the conduct of these activities.”

6. Of strikes in general, the Working Committee have said:—“In view of the dire need of the country for more goods and service, hasty or ill-conceived stoppages and the refusal to take advantage of the available means of settlement by negotiation, conciliation and arbitration, constitute a distinct disservice to the community and the working class itself.” Experience has shown that the settlement of disputes through the machinery of conciliation and arbitration is more prospective of success than by the use of the strike-weapon. The following table<sup>1</sup> would show the low percentage of success in the stoppages for the years 1945 and 1946.

Results.	No. of disputes in 1946 <sup>2</sup>	Percentage to total in 1946.	Percentage to total in 1945.
Successful ..	278	17.8	16.9
Partially successful ..	274	17.5	19.5
Unsuccessful ..	696	44.5	46.6
Indefinite ..	317	20.3	17.0
Total ..	1,565	100.0	100.0

In order to create conditions which will lessen the frequency of strikes and develop a strong trade union movement on sound, healthy lines, the Bombay Government enacted the Bombay Industrial Relations Bill, 1946. -It provides for a peaceful and amicable settle-

<sup>1</sup> Indian Labour Gazette, July 1947.

<sup>2</sup> 29 disputes were in progress and results are not known in 35 cases.



ment of all industrial disputes by conciliation and arbitration and includes within its scope the regulation of the relations of the employer and employees in general. C. P., U. P. and Madras moved in the direction of Bombay in enacting a similar bill in these provinces. But, it was soon noticed that piece-meal legislation in individual provinces left an uncoordinated labour policy for the country as a whole. The Working Committee at Wardha felt the absence of a well-defined national plan in dealing with the claims of the working class and a price structure policy as the root cause of the labour trouble. The formulation of a Five-Year Programme for labour by the National Government and the raising of the Bombay Industrial Relations Bill to an all-India level are significant in this respect. As regards the formulation of a price structure policy, it is hoped that the Commodities Prices Board recently appointed by the National Government will make periodical reviews with a view to fixing rates and reducing the cost of living, so as to secure to every man, woman and child, rich or poor, the essential minimum to keep body and soul together at a price within the reach of all.

#### LEGISLATION RELATING TO INDUSTRIAL DISPUTES

A complicated question of labour legislation is the establishment of amicable relations between employers and employees, especially in India where trade unionism has not made satisfactory progress. It is only strong trade unionism which can enable industrial workers to continue any negotiation with employers for collective bargaining, and influence, by their representation or otherwise, provincial and central legislatures for improving the machinery for establishing and maintaining amicable relations between employers and employees. The Trades Union Act of 1926 has established the legal status of trade unions, which has scarcely been recognised by employers. What is still more difficult is to establish the methods of conciliation and arbitration between

employers and workers. The problem has been a serious one in view of the increasing number of strikes and lock-outs that have occurred in India during the last two decades and more, resulting in serious privations of workers, diminution of output and profits for industries, inconvenience to the general public and the attitude of mutual distrust and suspicion between workers and employers. The Industrial Disputes Bill, 1947, recently passed by the Central Legislature and which came into force on April, 1, 1947, seeks to set up a machinery for a satisfactory solution of the problem.

Institution of a proper machinery for the settlement of industrial disputes in India has also been the object of Trades Disputes Act of 1929. And up to the beginning of the last war, excepting the province of Bombay, it was the only legislation dealing with strikes and labour troubles generally. But to all intents and purposes, the Act remained a dead letter, and exercised little or no influence on the relations between the employer and his labour. According to available information, it has been resorted to only on five occasions between 1929 and 1936, and only twice in Bengal since 1936. This is not surprising, for the machinery which the Act sought to set up was technically unfit to deliver the goods—either a proper settlement of the disputes when they arose or elimination of the causes leading to them. The Act relied entirely on the creation of external machinery, viz. Boards of Inquiry and Boards of conciliation, for the investigation and settlement of disputes. It disregarded entirely the fact that, by the time an industrial dispute has reached the stage of a strike, relations between employer and employed have become so estranged that it is difficult if not impossible for them to arrive at any agreed settlement between them. Equally the Act did not provide any means whereby the decision of a Board of Inquiry or of Conciliation could be implemented. It did nothing to prevent the develop-

ment of trade disputes from the stage at which they might be settled by conciliation to the stage at which a strike became inevitable. Nor, having provided the machinery for the establishment of facts, did it lay down any means by which a reasonable compromise could be enforced.

Worse still, the Act appeared a serious menace to the labour movement in the country. It sought to check the political activity of the workers. The growth of democratic conscience among the working-class and their desire along with the rest of the people of India to replace the foreign government in India with a popular national government, frequently sought expression through hartals and strikes, whenever the nation as a whole, smarting under the repression of the alien rulers, voiced its desire for freedom under the leadership of Congress. But the Act made illegal all political strikes, as also strikes in sympathy with the sufferings of workers elsewhere. The first was an attempt to wrench off the labour class from the national movement in the country, while the second was a measure directed against the increasing solidarity of workers which proved a source of alarm to the dictatorial employing class and a threat to the established autocratic British rule in India. Indian National Congress at its forty-fourth session held at Calcutta (1928) regarded the Trades Disputes Bill as "a wholly reactionary attempt to restrict the growth of an organised labour movement." The Congress Working Committee<sup>1</sup> which met before the Session called upon the Congress Party in the Assembly to resist and oppose the Trades Disputes Bill, as it was "a deliberate and most unjustifiable attack on the fundamental rights of labour to organise and to strike as well as on peaceful demonstrations organised for political purposes."

When Congress came to power after the Provincial Assembly Elections in 1937, a number of

<sup>1</sup> Working Committee, Lucknow, Aug. 27 and Sept. 1, 1928.

reforms was proposed in the labour legislation in the Congress provinces relating to the machinery for the settlement of industrial disputes. The Bombay Industrial Disputes Bill enacted by the Congress Government of the Province in 1938 introduced machinery which provided for conciliation and arbitration between the employer and the employed and established the principle of making resort to conciliation compulsory before either side took resort to strike action. The Congress Labour Committee<sup>1</sup> expressed general approval of the labour legislation by the Congress Government in Bombay. Considerable doubt was however expressed by several labour leaders as to the desirability of introducing compulsory conciliation necessitating the postponement of strikes. Though the act was applied only to the textile industry and the period of its working has roughly coincided with the abnormal war period, it is safe to conclude that compulsory conciliation which was the basic principle of the Act has since secured wide acceptance and the doubts expressed against it have lost all their force. The fear of labour that such legislation would take away their right to strike or at least render it ineffective has also proved groundless. When the Act was amended in May 1941, the Provincial Government was empowered to refer any industrial dispute to the arbitration of the Industrial Court if the dispute was likely to cause serious disturbance to peace, or hardship to community, or the industry concerned is likely to be seriously disturbed and the prospects of employment curtailed.

Similar powers were assumed by the Central Government and also delegated to Provincial Governments when in January 1942 Rule 81-A of the Defence of India Act empowered the then Government to refer disputes for conciliation or adjudication if it was neces-

<sup>1</sup> Labour Committee appointed by Congress Working Committee in April 1938. For details see Pages 89 to 95.

sary or expedient to do so for securing the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of the war or for maintaining supplies and services essential to the life of the community. The Government (Central or Provincial) could also prohibit strikes and lock-outs in connection with such disputes and require employers and workmen to observe certain conditions and terms of employment for a given period and enforce the decision of an adjudicating authority. Compulsory conciliation and compulsory adjudication (with power to enforce the award of the adjudicator) thus amounted to complete stoppage of industrial warfare, if the Government considered this necessary for the purposes of defence, etc. mentioned above. Later, the Government of India extended and strengthened its conciliation machinery by appointing a Chief Commissioner of Labour, assisted by the Regional Deputy Commissioners and a number of conciliation officers in different parts of the country. Thus, in principle as well as in the machinery set up for the peaceful settlement of disputes, the developments during the war period may be said to have prepared the ground for an advance which is attempted by the Bombay Industrial Relations Bill, 1946 and the Industrial Disputes Bill, 1947. Both these bills too aim at securing increased production and industrial peace to the community through providing a better machinery for settling disputes to the workers and relieving the employer of his anxieties of frequent lightning strikes. Needless to say that industrial peace and increased production were never so vitally necessary as now when India is faced with the problem of executing a long-term production plan while at the same time meeting the immediate shortages in the nation's output of goods and services.

The Bombay Industrial Relations Bill, enacted by the Congress Government in Bombay in 1946 is in many respects an innovation in the field of labour legislation in this country. Briefly, it aims to set up labour courts

for the quick disposal of all disputes arising from the interpretation of standing orders, changes made by the employers and references regarding illegal strikes and lock-outs. It provides for the establishment of joint committees in industrial establishments in order to iron out day-to-day difficulties between management and labour. It aims to foster as well as regulate trade unionism in the province. It introduces three types of trade unions—Representative Union, having a membership of not less than 15% of the total number of employees in an industry, Qualified Union, having a membership of not less than 5% of the total number of employees in an industry and Primary Union, having a membership of not less than 15% of the employees in any undertaking in an industry. It gives certain privileges to these unions and in return requires them to fulfil certain obligations in the interest of industrial peace and healthy trade unionism. The Bill provides for the compulsory arbitration of industrial disputes and empowers the Provincial Government to make the award of an arbitrator binding on both the parties. It seeks to remove ambiguity regarding penalties arising out of illegal strikes.

The Bombay measure had been the main source of inspiration for a similar one in other Congress provinces like Madras and United Provinces, but they withdrew in view of an identical measure being sponsored by the Interim Government at the Centre with Shri Jagjivan Ram as the first popular Labour Minister.

That measure was the Industrial Disputes Bill, 1947 which was passed by the Central Legislature early this year. It became law on 1st April, 1947. The Bill makes provision, among others, for the establishment of Works Committees in industrial establishment, employing a hundred or more workmen. The Committee shall consist of the representatives of management and workmen and the number of representatives of workers shall not be less than the number of employer's repre-

sentatives. It has been generally recognised that there is more room for threshing out a conflict mutually within a factory than when it has become a complicated issue calling for the intervention of a third party. If enduring industrial peace is to be secured, it is necessary that both labour and management should meet each other in an informal way and cooperate to iron out their day-to-day difficulties. In recognition of this principle, the Bill lays down that the chief function of the Works Committee shall be 'to promote measures for securing and preserving amity and good relations between the employer and workmen.' But the Bill says that the labour representatives of the Committee shall be *appointed in consultation with a trade union* if any in existence. "This cannot take us far," says Shri Shankarrao Deo<sup>1</sup> in his Award in the Delhi Cloth Mills Dispute, "the Works Committee in order to be really useful should have the intelligent and willing cooperation of the workers. On no account it should be allowed to develop into a rival to the regular trade union, for if it does, it will only create suspicion, and instead of being a remedial institution will itself prove a source of discontent and strife. It is therefore necessary that the labour representatives on the Committee should be *nominated by the Union*, as long as the Union is a representative Union as defined in the B. I. Relations Act 1947." (Italics author's).

The object of the Works Committees as already stated, is to remove causes of friction and promote amity and goodwill between employers and employees by voluntary agreement and mutual understanding. But as this object may not be fully realised in practice, the Bill also provides for the establishment of a Board of Conciliation and a Court of Inquiry. Provision is

<sup>1</sup> Recommendations to ensure future industrial peace—Award in the matter of an industrial dispute between the workers and the Management of the Delhi Cloth & General Mills Co., Ltd., Delhi, dated 9th May, 1947.

also made in the Bill for setting up Industrial Tribunals composed of High Court Judges for adjudication of industrial disputes. In order to secure conclusive determination of disputes, it has been provided that the award of Tribunals and Boards of Conciliation should be binding on the parties concerned, for a period agreed upon by the parties or for a period of six months if no agreement is reached on that point. In the case of disputes in public utility services, the Government concerned is empowered to intervene directly, if it considers that such a course is expedient in the interests of the public. In the case of an award in a dispute where the Government is a party as employer, the award will not, however, be binding on the Government if the latter feels that the implementation of such will not be in the interests of the public. It prohibits strikes and lock-outs during the pendency of conciliation proceedings.

Two features of the Bill have been widely criticised, viz., its non-prohibition of political strikes and the provision made in it for compulsory arbitration. During the debate on the Bill in the Assembly, the Interim Government accepted despite strong opposition from certain sections of the House an amendment deleting the Sub-clause (iii) of clause 24 of the Bill which prohibited sympathetic or political strikes. Shri Jagjivan Ram, the Labour Member, Pandit Jawaharlal Nehru, the Vice-President of the Interim Government, and several other Congressmen supported the amendment. It was expected of them. About twenty years back Congressmen in the Central Legislature and outside had vehemently opposed the Trades Disputes Bill which prohibited peaceful political demonstrations of workers. In this connection, the Labour Member pointed out that the British Labour Government, on assuming Office, repealed the British Act which contained a similar clause. The sub-clause prohibiting sympathetic or political strikes had been reproduced in the Trades Disputes



Act, 1929, in India, from the British Trade Disputes Act of 1927 passed by the then Conservative Government in Britain, and protested against by Congress in India.<sup>1</sup> It is significant that while the Conservative Government in England enacted the British Trade Disputes Bill of 1927 restricting the freedom of the working-class and its counterpart in India enacted a similar Bill in India and Congress protested against Britain's aggressive imperialism which was manifest in all these measures, the British Labour Party in power repealed the Act of 1927, and, in a way inspired the National Government in India to do likewise and enact a new Bill which permitted political and sympathetic strikes to the workers. In fact we achieved our freedom from British Imperialism not when the Conservatives were in power, but when they suffered defeat and Labour Party came to power.

#### CASE FOR ARBITRATION IN INDIA

Much criticism has been levelled against the principle of compulsory arbitration enunciated in sections 10 (c) and 18 of the Industrial Disputes Act, 1947. From the side of management it is argued that it is an invasion on their 'natural right' to run their business in their own way and determine the relations with those in their employ. Some of the labour leaders argue that by assuming

<sup>1</sup> The All India Congress Committee at Bombay, May 15-16, 1927, passed the following resolution on the introduction into Parliament of the British Trade Disputes Bill:—

“This meeting of the A. I. C. C. views with apprehension the introduction into Parliament of a Trade Dispute and Trade Union Bill, of an extremely reactionary and repressive character. It expresses its opinion that the Bill, while it is an open attack upon the working-class of Great Britain, is only part of a general policy of aggression by British Imperialism against all movements and sections which stand in opposition to its aims of conquest and dominance.

• “This meeting particularly protests against the attempt to deprive the working-class of their right to declare a general strike.”

drastic powers of compulsory arbitration, Government is depriving the working class of its rights of collective bargaining and concerted action. They even question the State's right of intervention in the Trade Union movement of the country.

A pluralist like G. D. H. Cole, while discussing the duty of the State to control relations between capital and labour says:—"It is an essential part of the Socialist case that this power in the days of modern large-scale business is too great to be left in the hands of any private person or group. This power is too great to be irresponsibly exercised. It cannot rightly be left in the hands of any authority less than the whole community." Compulsory arbitration provided for in the Industrial Disputes Act may be construed to confer upon the community the power to control relations between the employer and workmen. The need for Government intervention in industrial relations arises from the interdependence of industry and the community. An industrial conflict is not a domestic question between employers and employees. It affects a multitude of people who are in no way responsible for it. No state which claims to exist for promoting the maximum social good can be a mute observer to the industrial warfare resulting in huge losses in output and services that are essential to the community. If the Government do not intervene, then there is a danger that the community's life may be threatened by chronic internal disturbances.

If we take into account the varied institutional structure provided for the prevention and settlement of industrial disputes in the Act, it would appear that arbitration does not supplant but supplements conciliation. Critics of the Act who see compulsory arbitration magnified in it have apparently failed to see the provision made in it for voluntary arbitration as well. The purpose of the Act on the whole may be said to give free scope for the working of voluntary forces in har-

monising industrial relations. In a way, the knowledge that there is provision for even compulsory arbitration in law will have a wholesome effect on employers and workers to come to an agreement of their own accord. There is no reason to believe that compulsory arbitration will be the normal procedure in settling industrial conflicts. The necessity for providing for compulsory arbitration in the Act has arisen from the fact that an adamant employer or an intransigent trade union is in a position to hold up the community and endanger its economic life. In the final analysis, it might appear compulsory arbitration is the only possible solution of an industrial dead-lock. Once this judicial principle is accepted, the significance of other related provisions of the Act will be clear.

Lack of proper appreciation of arbitration, even voluntary, as a means of settling disputes, seems to be at the root of so much opposition against the principle of compulsory arbitration. How fruitful both for employers and workers arbitration can prove is writ large across the industrial history of Ahmedabad. Mahatma Gandhi, the pioneer of labour movement at Ahmedabad, realised very early in his public life that peace in industry was possible only through the establishment of machinery for the prompt disposal of complaints from the workers. A strong point of the labour activities in Ahmedabad was an arbitration board consisting of a representative each of the workers and mill-owners to decide all points in dispute, with a right of appeal, in the event of disagreement, to an impartial umpire acceptable to both sides. The machinery set up for the settlement of the disputes is responsible for the very small number of strikes at Ahmedabad compared with other industrial cities like Bombay; and, a relatively smaller proportion of industrial disputes has always meant a fair proportion of success for the workers. Between 1928 and 1940 there were only 249 strikes in Ahmedabad involving only 180,694 workers while in Bombay for the same

period there were 343 strikes involving 961, 820 workers. The loss of wages in Ahmedabad was only about 1.5 per cent of that in Bombay.<sup>1</sup> Again, during the period which covered the last war, the number of strikes at Ahmedabad was relatively much smaller than those in other industrial cities, yet it was the Ahmedabad workers who secured the highest dearness allowance given in the country, off-setting 96.6% of the rise in the cost of living.<sup>2</sup>

For one thing, if one remembers that most of the strikes that occur are due to the apathy and neglect on the part of the employer and irritating delays in the redress of genuine grievances, one might feel that these could be better avoided through conciliation and arbitration than through a use of the strike-weapon. The stress on arbitration would be appreciated better if it is known that in most cases strikes do not have a favourable outcome for the workers. A table showing the results of the industrial disputes in the various industries in India for the year 1946 is given on the next page. It will be seen from this table that only 88 out of the 631 disputes in textile industry met with complete success, whereas in Jute Mills it was only 12 out of 95, Engineering 26 out of 133, Railways 15 out of 72 and so on in other industries. The percentage of successful disputes to the total number of disputes in the above industries are 13.9, 12.6, 19.5, 20.8 etc., respectively. It may be mentioned that even in the case of these successful disputes, settlement is often brought about at the end of prolonged strikes through official enquiry, conciliation or arbitration. Sometimes it is felt that gains would have been greater had not the relations with the

<sup>1</sup> S. C. Gupta: Unpublished MS on the Industrial Disputes of India, cited by Prof. Radhakamal Mukerjee—*Indian Working Class*, page 311.

<sup>2</sup> Report of the Textile Labour Association, Ahmedabad for the years 1942-43 and 1943-44, page 2.

• Results in Industrial Disputes in India for the year 1946<sup>1</sup>

Industry	No. of disputes	No. of workers involved	Man-days lost	No. of disputes in which the results were:—				
				Successful	Partially successful	Unsuccessful	Indefinite	In Progress
Textiles .. ..	631	1051231	5298932	88	76	337	115	8
Jute Mills .. ..	95 <sup>2</sup>	313714	1877710	12	9	49	10	..
Engineering .. ..	133	101024	2534191	26	25	53	23	6
Railways .. ..	72	119684	437870	15	6	15	36	..
Mines .. ..	28	29025	293787	10	2	11	5	..
Miscellaneous .. ..	670 <sup>3</sup>	347270	2275272	127	156	231	128	15
TOTAL .. ..	1629	1961948	12717762	278	274	696	317	29

<sup>1</sup> Indian Labour Gazette, July, 1947

<sup>2</sup> Results not known in 15 cases.

<sup>3</sup> Results not known in 13 cases.

management been embittered through stoppage of work and all the hostile demonstrations that are usually attendant on it. In their distress, and in their anxiety to wreak vengeance on the management through strikes, trade unions are apt to forget that arbitration is an equally important instrument to fight with. Employers are, as a rule as averse to arbitration as stoppage of work, and almost invariably they are either compelled to accept arbitration under pressure of the organised strength of the workers or it has to be imposed on them under official sanction.

But the influence of foreign ideology and programme on the labour movement in India seems to be giving it an artificial twist. The methods which trade unions in a country should adopt to secure better wages and working conditions for their members should have some bearing to the types of societies and environment in which they work. In a well-developed economy run on a fully capitalistic basis, for example U. S. A., soundly organised trade unions can well achieve their objectives by judicious and timely use of the strike weapon. In such an economy, the problem of production would have been solved to a large extent, and faulty distribution of nation's wealth may necessarily have to be corrected by aggressive trade union action. With the society frankly wedded to capitalism, the moral justification of organised cessation of work for securing better conditions of work and life will be stronger. Nor will such cessation of work for the large masses of the public cause such disastrous consequences as it does in an undeveloped economy, such as India is to-day, characterised by a chronic shortage of essential goods, arrested economic development and consequent widespread ill-health and malnutrition. In such an economy again, trade unions are likely to be organizationally and financially much stronger and therefore the chances of success of organised trade union action immeasurably greater. When the working class is thus strong enough to fight

its own battles and the society rich enough to afford the occasional luxury of watching a parade of union strength in its major industries, there is no need for compulsory arbitration, and trade unions may well demand that arbitration should be voluntary and in no case compulsory.

But in India where society is poor enough, workers unorganised and employers relatively better organised, there is a case for compulsory arbitration. There have been many cases in this country, particularly in industries where workers are not organised where Governments have had to use their compulsory powers when the workers approach them in a state of helplessness or exhaustion. In such industries if there is a trial of strength through strikes, it is always the employers who stand to gain. It is significant to note that when the Industrial Disputes Bill was being discussed in the Central Legislative Assembly the representatives of European planters opposed compulsory arbitration and wanted the parties to a dispute to be free, in the last resort, to fight it out among themselves. In case of many disputes, workers would be the weaker party and it is in their interests particularly that Government intend to intervene and refer disputes to compulsory arbitration. "I feel", said Shri Jagjivan Ram, the Labour Minister, in his reply to Labour critics at the end of the discussion on the Industrial Disputes Bill in Central Assembly, "that in the interests of the workers themselves the intervention of Government is necessary. Apart from any other consideration, apart from the consideration of the benefit of society as a whole, in the interests of the workers themselves, Government intervention is necessary and this is what we insist." It may be mentioned here that New Zealand introduced and maintained a system of compulsory arbitration between 1894 and 1932 and it was a Labour Government which in 1936 re-introduced the system and considerably strengthened it. "The choice of the appropriate method

for the realization of the aims of the Labour Movement and for the redress of the wrongs of the workers," says Shri Gulzarilal Nanda, "will rest on the balance of real all-round advantage. In the present condition, it lies on the side of arbitration and not on the side of strikes. It would be insensate cruelty to add to the agony and sufferings of the people of this country by stopping production and dislocating the system of transport and distribution while it is possible to procure a reasonable settlement of dispute by arbitration or other peaceful means." The Congress Working Committee which met in August last year felt it necessary in the general interest to point out that "in view of the dire need of the country for more goods and services, hasty or ill-conceived stoppages and the refusal to take advantage of the available means of settlement by negotiation, conciliation and arbitration, constitute a distinct dis-service to the community and the working class itself."

But, if organised labour agrees to cooperate in the productive effort of a nation-in-making by consenting to discard the frequent use of the weapon of strike and to submit to compulsory adjudication, it should insist that employers should frankly recognise trade unions and negotiate with them as the authorised representatives of their employees. The employers should give up all attempts to weaken or break workers' organization. A bill for compulsory recognition of representative trade unions is already before the Central Legislature and it should be one of the immediate objectives of trade unions in India to see to it that this reaches the statute book as early as possible. It is worth pointing out in this connection that the New Zealand Industrial Conciliation and Arbitration Act of 1936 which restored compulsory arbitration in New Zealand also provided that all workers who are subject to an arbitration award or industrial agreement should be members of a trade union and that employers should employ only members of a trade union.



## CHAPTER IV

# CONGRESS GOVERNMENTS AND LABOUR WELFARE

### INTRODUCTION

It is intended to review briefly the attempts made by Congress towards labour welfare through the Governments it has set up in eight provinces after the Provincial Assembly Elections of 1946. This would be preceded by a brief reference to the labour problems taken up at high level by Congress. It is also proposed to take note of some of the labour schemes attempted by the Congress Ministries of 1937-39.

The Congress Working Committee at its meeting held in July, 1935, had appointed a Labour Sub-Committee consisting of Shris Jairamdas Daulatram, K. F. Nariman and Shankerlal Banker "to keep in touch with problems affecting industrial labour and from time to time to report to and advise the Working Committee thereon." This Committee which later included Acharya J. B. Kripalani in place of Shri Shankerlal Banker and made him its Convener, set to work immediately after drawing up a programme of work which included the collection of information regarding labour unions and organisations and industrial disputes. This was the time when labour which was so long claimed to be represented by one single organisation, viz., All-India Trade Union Congress, had been split up to give place to three organisations in place of one. Attempts were, however, being made to unite these three organisations. The Congress Labour Committee offered its services

in the attempts to effect the much desired unity among the labour ranks, to help them in organisation and to secure improvement of their working and living conditions. The All-India Trade Union Congress expressed its desire to meet the members of the Committee. It was arranged that representatives of All-India Trade Union Congress, National Trades Union Federation, All-India Railwaymen's Federation, Ahmedabad Textile Labour Association, All-India Postal and R. M. S. Union, and All-India Press Workers' Federation, should be invited to meet the Congress Labour Committee at its next sitting. This meeting took place on August 18 and 19, 1936. The Conference addressed itself to the question as to how best the Congress could help labour organisations in their difficulties and could be useful to them generally. The employers in the country were urged to give their attention to the necessity of giving facilities to the workers for building up labour organisations, giving recognition to bonafide unions for the purpose of negotiation, and refraining from victimizing workers who participate in the activities of the unions. The Congress parties in the Legislatures were recommended to secure suitable legislation for the purpose of giving adequate wages to workers and generally according fair treatment to them. The attention of States and Congress Committees in the Provinces was drawn to the growing necessity of taking steps to improve the conditions of labour and to take more active interest in questions affecting the welfare of industrial labour. Again, the increasing transference of Railways to the State, and the retrenchment in the State-owned Railways and the reduction in the scale of salaries of lower paid grades of service in them created problems which the Labour Committee and Conference recommended to the attention of the Working Committee for the adopting of suitable resolutions.

The responsibility of Congress towards labour became greater and more direct when it took upon itself

the responsibility of administering seven out of eleven provinces after the Provincial Assembly Elections in 1937. The Labour Committee appointed by the Working Committee in 1937 consisted of Shris. Jairamdas Daulatram, Shankerlal Banker, M. R. Masani, Acharya J. B. Kripalani and Shri V. V. Giri who was later replaced by Shri Jai Prakash Narayan. This Committee and the Labour Ministers of the Congress Provinces and parliamentary secretaries had a Joint Conference at Calcutta on 26th and 27th October, 1937. The Conference realised the importance of laying down uniform programme with regard to labour and suggested that the Congress Labour Committee and Congress Labour Ministers should meet from time to time to review the situation with regard to carrying out the labour programme. It formulated a comprehensive programme of labour reform which was accepted by the All India Congress Committee at its meeting held at Calcutta on October 29-31, 1937. The programme was embodied in a resolution of the Joint Conference which is reproduced below:—

“With a view to secure uniform action in the various provinces the Conference recommends to the Provincial Governments the adoption of the following programme and resolves that necessary investigation in respect of the various items should be carried out, mutual consultations held, and proposals formulated, before the 30th of June 1938:—

- (a) Introduction of legislation facilitating the collection of statistics;
- (b) Extension of the Factories Act to unregulated establishments;
- (c) Stricter enforcement of the Factories Act in the case of seasonal factories;
- (d) Introduction of legislation providing for maternity benefit for a period of not less than eight weeks in provinces where it does not exist;

- (e) Inquiry into the question of adequacy of wages in organised industries;
- (f) Labour exchanges;
- (g) Leave with pay during sickness;
- (h) Minimum wage fixing machinery;
- (i) Machinery for the settlement of disputes;
- (j) Recognition by the State and employers of Trade Unions which accept the policy of using peaceful and legitimate means;
- (k) Housing of labour;
- (l) Scaling down of debts;
- (m) Hours of work;
- (n) Holidays with pay;
- (o) Employment insurance;
- (p) Conditions for State aid to industries in regard to treatment of labour.

The Conference further resolves that administrative or legislative action, as the case may be, should be taken by Provincial Governments in respect of as many of the aforesaid matters as possible in the course of the next year.

The Joint Conference is of opinion that it would help the evolving of uniform policy and programme if the Congress Ministries of Labour met in periodical conference. The Conference is further of opinion that the Congress Labour Committee and the Congress Labour Ministers and Parliamentary Secretaries should meet from time to time to review the situation in regard to the carrying out of the labour programme."

The Congress Labour Committee also passed several resolutions embodying the following important recommendations for the consideration of the Labour Ministers in the Congress provinces:—

(1) Effective measures for the liberation of communities from the condition of semi-serfdom and for the

rendering of assistance necessary to enable them to earn a decent livelihood as persons; (2) devising of plans for the relief of landless labourers from the distress of meagre wages and periodical and enforced idleness and for the supply of suitable occupations in rural development during periods of seasonal unemployment; (3) the institution of an enquiry into the backward conditions of plantation and mining labourers with a view to evolving schemes of improving their conditions; (4) the payment to women of the same wages as to men for doing the same kind of work and the introduction of a suitable standard of wages for factory women in each province; (5) effective measures for improving the conditions of work and increasing the rates of wages of the sweepers employed by municipalities; (6) the setting up of canteens by employers on factory premises for the supply of wholesome food to workers during factory hours; (7) the creation of all possible facilities by municipalities for the spread of education among the working classes; and (8) the introduction of prohibition in all industrial areas.

In April 1938 a new Labour Committee was formed by the Congress Working Committee, consisting of Pandit Jawaharlal Nehru, Shris. Jairamdas Daulatram, Shankerlal Banker, Jai Prakash Narayan, M. R. Masani and Acharya J. B. Kripalani. Acharya Kripalani who was General Secretary of the Congress at the time was appointed Secretary of the Committee. At a meeting of the Committee at Bombay on May 14 and 15, which was attended by some Premiers and other Ministers of Congress Provinces by special invitation, the problems relating to labour in the country, particularly in the Congress Provinces, were discussed in detail for several hours. The conclusions of the Committee were embodied in a set of resolutions. Among other things it welcomed the appointment of Committees by the provincial governments of Bombay, U. P. and Bihar, for inquiring into the wages and other conditions of workers

employed in industry; the Committee also expressed satisfaction at the recommendations made by the Bombay Textile Inquiry Committee and carried out by the employers in the Bombay Presidency; expressed general approval of the legislation proposed to be introduced by the Government of Bombay; noted with satisfaction that the Baroda Government have notified the introduction from first of August a nine-hour day in response to the demand made by the Textile Labour Association and welcomed the declaration made by the Government of Bombay to introduce prohibition in the industrial city of Ahmedabad.

The outstanding feature of the deliberations of the Labour Committee with the Labour Ministers of Congress Provinces participating in the discussions, was the realisation of the necessity of common action by all the provinces to maintain uniformity in labour legislation. For the maintenance of this uniformity, the Joint Conference suggested periodical exchanges of view between the Congress Labour Committee and Labour Ministers of the Congress Provinces. It is true that such Conferences would not have statutory backing, nor would they be adequately representative of the different interests in the Provinces. "In spite of these minor defects," says Dr. R. K. Das<sup>1</sup> "it must be said that the Indian National Congress has adopted a very progressive policy and drawn out a bold programme for action, which, when given effect to, will be a great help in ameliorating the moral and material welfare of the working classes."

The adoption of a progressive policy and the drawing of a bold programme of action by Congress have been facilitated by the efforts of the Labour Committees appointed year after year by the Working Com-

<sup>1</sup> Dr. Rajani Kanta Das, formerly Lecturer in Economics, New York University—*Principles and Problems of Indian Labour Legislation*—p. 276.

mittee to keep in touch with labour problems in the country and which went into detailed enquiry of labour conditions, industrial disputes and organisation of labour. The Congress Provincial Governments which were installed into power in 1937 had to face a very serious labour situation in the country with an alarming number of industrial disputes and stoppages of work. There were altogether 379 stoppages in the year involving 648,000 workers and resulting in a loss of 10 million working days. Like Congress which based its policy and programme upon the enquiry and reports of its Labour Committees, it was usual for the Governments also which it had put in office in the Provinces to appoint Committees of enquiry before they intervened in labour disputes. Within less than a year of their assumption, the Congress Provincial Governments had appointed in the case of at least fifteen disputes Committees of enquiry or boards of conciliation, most of them under the Trades Disputes Act. This record is in marked contrast to the almost complete indifference of the previous administrations, which during seven years between 1929 and 1936 seldom utilized the machinery provided in the Act.

Mention may be made of some of the important Committees of Enquiry appointed by Congress Governments in 1937-1939.

(1) *Bombay Textile Labour Enquiry Committee* under the chairmanship of Shri Jairamdas Daulatram. The Committee published an Interim Report in February, 1938. This report mainly recommended an immediate increase of about 12½% in the wages of all cotton mill operatives in the Province of Bombay. The Government published the Report with a Resolution urging upon the employers and employees to accept the recommendations of the Committee. All cotton mills in the Province accordingly gave the recommended increases in wages with effect from February 1938. This increase, which benefited the textile workers to the extent of nearly a crore of rupees annually has come to be regarded

as the "Congress Inam." After the completion of the Interim Report, Shri Jairamdas fell ill, and the Government appointed Justice Divatia as Chairman, but when the Final Report was submitted, the Congress Ministry in Bombay had resigned.

(2) *Cawnpore Labour Inquiry Committee*:—When Congress took up office in the United Provinces, it was faced at the outset with serious labour trouble. In Cawnpore, the storm centre of conflict between Capital and Labour, the industrial strife had culminated in a complete stoppage of work in almost all cotton textile mills in the city and several units in many other industries were also affected. Through the efforts of the Congress Government of the Province a settlement was reached in a month's time. As required by one of the terms of the settlement, the Government appointed a Committee under the Chairmanship of Sriyut Rajendra Prasad Saheb, to examine and report on the conditions of life and work of labourers employed in factories in Cawnpore. The Committee's Report covering a wide field of subjects and including a host of recommendations was published in April 1938.

(3) *The Central Provinces Textile Labour Inquiry Committee*:—The next province to make inquiry into the wages question of the workers in the cotton textile mills was C. P. & Berar. The Committee was appointed in February 1938 under the Chairmanship of Mr. N. J. Roughton, Financial Commissioner. The terms of reference of this Committee were however restricted to an examination of the Interim Report of the Bombay Committee with a view to assessing the extent to which the recommendations contained in that Report could be applied to mills in the Province. The Committee published its report after three months recommending the restoration by the employers of 60% of the wage cuts effected in the period 1933 to 1937. This was given effect to by the employers and accepted by the workers.

(4) *The Bihar Labour Inquiry Committee*:—An enquiry



into the conditions of industrial labour in Bihar was made by a Committee appointed by the Congress Government in the Province. The Chairman was Dr. Rajendra Prasad and Deputy Chairman, Shri R. R. Bakhale. Late Prof. Abdul Bari and Dr. R. K. Mukerjee were some of the members of the Committee. The Committee's Report which was published in August 1940, runs into nearly 300 pages and contains over 150 recommendations.

The Reports of the Committees, with the exception of the Central Provinces and Bihar, were submitted to government after the resignation of the Congress Governments by whom they were appointed. The social legislation recommended by these Committees could be put through only by popular Governments which were compelled to resign and could not be made the subject matter of Governor's Acts in the Advisory Regime which followed the popular rule of Congress. But these Reports helped the Advisory Regime in that it utilised such of those recommendations as on the basis of which administrative action could be taken either by the issue of departmental orders or by circulation to the interests concerned. Yet another use was that many of the recommendations made by these Committees were later on found valuable to the Central Government which wanted to pass uniform central legislation applicable to all Provinces.

The criticism that the service of Congress Governments of 1937-1939 to labour was limited to enquiry into its conditions is not true. During the twenty seven months of service, several of the Congress Governments did try to implement most of the recommendations of the Interim Reports of the Committees of Enquiry they had appointed—if these were available at the time—as in the case of Bombay Textile Labour Enquiry. Simultaneous attempts were however made in other fields of service to labour. In Bombay for instance, an important measure for the peaceful settle-

ment of industrial disputes had been passed, viz., the Bombay Industrial Disputes Act, 1938. Many lakhs of rupees were provided in the same province for labour welfare work in various industrial centres. Moreover the many social reform schemes initiated by Congress Government in Bombay and other provinces had direct bearing on labour welfare as well. For example, prohibition, literacy campaigns, etc. started by these Governments at enormous cost in industrial cities like Bombay and Ahmedabad were in effect as much a labour law as a moral and educational reform. It was said that Congress being village-biased diverted most of its attention to rural development. This is not untrue. While labour in towns and cities insisted upon its pound of flesh, the elementary needs of the dumb millions in the countryside, so long unattended to, could not be ignored by popular governments. The Congress Government in Madras, for instance, was anxious to implement a scheme of ensuring the supply of pure drinking water to every village, to which it had already contributed Rs 15 lakhs. The U.P. Budget for 1938-1939 provided for Rs .81 lakhs for rural development. Provision was made in the C. P. & Berar budget for the amelioration of the conditions of rural labour like chamars, and handloom-weavers. The Government of Assam was anxious to introduce prohibition of opium, and notwithstanding a loss of Rs. 4½ lakhs by way of revenue from its sale and an additional expenditure of Re. 1 lakh for anti-opium campaign it pushed through the scheme with the determination to eradicate an evil. Bihar Government incurred considerable expenditure in launching a colossal literacy movement, by which in the first four months of the campaign they made no less than 300000 literates from the illiterate masses. The Government of the smallest province, Orissa, made a similar campaign on a smaller scale spending about a lakh of rupees over the scheme to remove illiteracy from the villages.

All these, and more, were the achievements of the

Congress Government in every province in its twenty-seven months of service—months during which so much was attempted and so much done, for so many. There was a new spirit among the peasants and workers and as Pandit Jawaharlal Nehru had said there was “a feeling of exhilaration, a sense of lightness among the masses.” Any other Government could not possibly have done anything more. Whatever the shortcomings of Congress Governments, the criticism should however be tempered by the fact that these governments worked under a Constitution—the 1935 Constitution—which protected “all those who needed no protection, confirming their privileged position as exploiters, binding us hand and foot not to touch them in any way, and leaving the masses of India to sink deeper in the quicksands of poverty. We cannot give adequate relief to the masses within the scope of this Constitution; that is a demonstrable impossibility. We cannot build any new social structure so long as special privileges and vested interests surround us and suffocate us” (Jawaharlal Nehru, All-India Convention, March 19, 1937). Yet it was widely felt that whatever Congress did and could do—legislative as well as administrative—were all weighted heavily in favour of the peasants and workers in the country. It was said that ground was being prepared to smoke out the capitalist interests. The employers’ organizations had already expressed their apprehensions that the pace of labour legislation initiated in Congress-governed provinces might prove too much for industry to bear, and held out the warning that unless this policy was altered, industry might gradually shift into Indian States where labour conditions were far more favourable to the employers. In fact, and to give one instance, four new factories for which machinery had already arrived in, or was on its way to, Cawnpore, were attracted to the State of Bhopal.

• When the Congress Governments resigned, the atmosphere in the seven provinces was again changed

for the worse. In the Advisory Régime which replaced popular rule in these provinces, the schemes contemplated by Congress Ministries were kept in cold storage, while most of the items in the programme of action initiated by them were modified, and some of the schemes actually in operation were totally abandoned. Prohibition is one instance of the last category of victims under the Governors' rule. There were to be no more literacy campaigns, no 'undue' importance to rural development either. Labour in industrial areas was once again at the mercy of Governments which were in alliance with capitalist vested interests.

After a lapse of six years, during which there were two major movements in the country for political independence and Congressmen jailed, lathi-charged or fired at, and Congress organisations and meetings banned, Congress was called once again to take up the administration of eight provinces after the Provincial Assembly Elections in 1946, in which, of all the parties which contested the Elections Congress secured the greatest number of votes polled in its favour and won the greatest number of seats in the eleven provincial legislatures. The polling in favour of Congress in labour constituencies, as shown already in an earlier chapter, was also considerably heavy. The pledges made to industrial labour at the time of the Elections were: "The State shall safeguard the interests of industrial workers and shall secure for them a minimum wage and a decent standard of living, proper housing, hours of work and conditions of labour in conformity, as far as economic conditions in the country permit, with international standards, suitable machinery for the settlement of disputes between employers and workmen, and protection against the economic consequences of old age, sickness and unemployment. Workers shall have the right to form unions to protect their interests." (Congress Election Manifesto, 1945). These pledges are in the nature of a programme for action, the various items of which, in

clear terms, are as given below:—

1. Minimum wage and a decent standard of living.
2. Proper housing.
3. Hours of work and conditions of labour.
4. Suitable machinery for the settlement of disputes between employers and workmen.
5. Protection against the economic consequences of old age, sickness and unemployment.
6. The right of workers to form unions and protect their interests.

In the sections that follow, the attempts made by the Congress Provincial Governments in implementing the above programme are outlined in brief, province by province.

#### I. MADRAS

1. *Minimum wage and a decent standard of living:—* The Government of Madras got plans ready to establish wage fixing machinery. For this purpose, two Minimum Wages Bills were prepared, one for industrial labour and the other for agricultural workers. These bills were not, however, proceeded with, as the Government of India preferred Central Legislation on the subject. When the Central Bill is passed into law, this Government will proceed to set up wage Boards and to notify minimum wages. In the meanwhile, Courts of Enquiry and Industrial Tribunals have been appointed to report on the basic minimum wages and allowances and other conditions of labour in Beedi Factories, Motor Transport Services, Handloom Industry, rice and oil mills, saw mills etc. The Industrial Tribunal constituted to adjudicate on the disputes between the workers and managements of textile mills in the Province, has recommended a minimum wage of one rupee a day with suitable dearness allowance related to the local cost of living. These recommendations have been accepted by the Government.

2. *Housing:—*The question of housing of labour

is engaging the attention of Government. They have been encouraging employers to provide suitable housing accommodation for workers. Where lands are required by employers for the construction of workers' quarters, Government have been assisting them to acquire them under the Land Acquisition Act. They have also offered to give financial assistance to housing schemes which are of an urgent nature. The question of insisting on provision being made for housing workers in all proposals for new factories is receiving attention. There is also a proposal to improve the housing accommodation provided for plantation labour in the Province.

A Provincial Housing Committee has been constituted to consider the numerous problems confronting the provision of housing to relieve the shortage both in urban and rural areas.

Housing Schemes cannot, however, make much headway at the moment owing to the shortage of building materials and the high cost of construction.

3. *Hours of work and conditions of labour*:—The conditions of work in the factories of the Province are regulated by the Factories Act, 1934, as amended. A large number of workers are however employed in non-power factories to which the Factories Act does not apply. As the conditions of work in these non-power factories are far from satisfactory, Government decided to control them statutorily and have for this purpose introduced in the Legislative Assembly in April, 1947 a 'Non-Power Factories Bill.' This will serve to regulate the conditions of work in places or premises carrying on certain Scheduled Industries where ten or more workers are employed and to which the Factories Act does not apply. Provision has been made in the bill to enable Government to vary the schedule, apply the act to premises having less than ten workers and to licence non-power factories. Comprehensive provisions also exist for safeguarding the health and ensuring the safety of workers, for regulating hours

of employment, for grant of holidays, prohibiting employment of children etc.

The Weekly Holidays Act (Central Act XVIII/42) which was brought into force in all the Municipal areas of the Province in January 1946 was later extended to over 380 major panchayats in August, 1946. This enactment however provides only for the grant of holidays to employees in shops, restaurants and theatres. Other vital matters affecting them like hours of work, payment of wages, health and safety remain unregulated by law. A Shops and Establishment Bill has therefore been introduced in the Legislative Assembly in April, 1947. This Act will apply to persons employed in shops, commercial firms, restaurants, theatres etc., and will come into force in the Madras City and the other municipal areas of the Province in the first instance. Its provision can be extended to other areas by notification. Certain establishments like, Central and Provincial Governments, Local authorities, persons employed in confidential or managerial capacity are exempted. Among the chief provisions of the Bill are those for regulating the opening and closing hours of shops and establishments, fixing the daily and weekly hours of work, spread over of periods of work and rest, grant of compulsory weekly and annual holidays and prohibition of employment of children who have not completed 14 years, etc.

The reports of the Labour Investigation Committee of the Government of India are also being examined and implemented.

In pursuance of a post war development scheme, the Government have under consideration proposals for the setting up of a Bureau of Industrial Hygiene under the charge of an Assistant Director of Public Health and two regional units in the first instance (one at Guntur and the other at Madura) for the study of occupational hazards and their prevention.

For the effective enforcement of statutory regula-

tions the factory inspectorate of the province has been strengthened by more than 100 per cent this year by the appointment of 11 additional Gazetted Inspectors of Factories and 2 Inspectresses. The present strength of the Factory Inspectorate is 1 Deputy Chief Inspector, 23 inspectors and 3 inspectresses, who are all of gazetted rank. The conciliation staff has also been similarly strengthened by the appointment of 4 new conciliation officers. When the Shops and Establishment Bill and Non-Power Factories Bill are passed into law, special staff will be appointed to enforce the provisions.

As regards hours and conditions of labour in mines, this being a federal subject, is under the direct control of the Government of India. Regarding labour conditions in plantations, the programme of action chalked out at the last plantation labour conference held in New Delhi is being implemented by this Government. The question extending the Elementary Education Act to plantation areas and improving the medical facilities, there have been taken up for active consideration. As the enactment of a Central Plantation labour code has been suggested, the Provincial Government have not considered it necessary to have a provincial legislation for the plantation labour. The benefits of the existing legislation have however been extended to the plantations workers wherever possible e.g., provisions of factories act have been applied to plantation factories working for more than 180 days a year, provisions of the payment of Wages Act have been extended to all classes of persons employed in plantations.

It has also been decided to appoint two special Labour Officers for the plantation areas.

4. *Suitable machinery for the settlement of disputes between employers and workmen.*—The present Congress Ministry took office at a time of serious labour unrest in the Province. The year 1946 witnessed 271 industrial disputes involving 2,23,488 workers and resulting in a loss of 13,20,352 man-days. It should be regretted



however that in many of these disputes which failed the political aim of the strike-leaders rather than the economic demands of the workers was the main motive.

The Province has evolved its own machinery for the settlement of disputes. Four Industrial Tribunals with head-quarters at Madras, Coimbatore, Madura and Bezwada have been recently set up under the Industrial Disputes Act, 1947, for adjudicating on any disputes which may be referred to them. In addition to these tribunals it is proposed to set up permanent Industrial Courts throughout the province by means of a separate piece of legislation for expeditiously dealing with any dispute that may arise in industrial establishments. These courts will be free from the elaborate procedure prescribed by the Industrial Disputes Act and the consequent redtape and delay. The decisions of the courts will be final and any employer before he passes any order affecting the services of any of his employees will have to give notice to the employee concerned. If the employee is aggrieved he may appeal to the Industrial Court which will immediately enquire and give its findings.

As the agrarian troubles in the province are interfering with cultivation and adversely affecting the critical food situation, Government propose to promulgate an ordinance for referring for adjudication any agricultural dispute which may lead to delay in agricultural or horticultural operations. The conciliation and adjudication machinery provided for in the Industrial Disputes Act are proposed to be made use of in this case. Penal provisions are also proposed on the lines of the Industrial Disputes Act.

5. *Protection against economic consequences of old age, sickness and unemployment:*—The Government have agreed to work the Government of India's scheme of Health Insurance for Industrial workers as outlined in the Health Insurance Bill. Under the Bill the Provincial Government should provide for insured workers in the

Province reasonable medical, surgical and obstetric treatment at dispensaries and hospitals etc. The Government are examining what arrangements should be made for the medical care and treatment of workers when the bill becomes law.

The question of adapting the present employment exchanges for ex-service-men to cater to all categories of workers is also under consideration.

6. *The right of workers to form unions and protect their interests:*—The Government have accepted the Trade Union Amendment Bill 1946 which makes it obligatory on the part of employers to recognise representative trade unions. The fundamental right of freedom of association for workers was recognised in a recent award of the adjudicator, to whom a dispute between the workers and management of the Madura Mills, Madura and Vikramasingapuram, over the question of the workers' activities on behalf of unrecognised trade unions was referred by this Government. He held that the standing orders of the factory which go against this fundamental right of workers for free association should not be allowed to remain.

Employers are being encouraged to improve the amenities for their labourers. In a number of cases Government have helped them to acquire land for welfare schemes by instituting proceedings under the L. A. Act. The question of starting a model welfare centre in the industrial town of Coimbatore is under consideration. The Government are also considering the question of providing cheap transport facilities to industrial workers and as a first step in this direction, the Commissioner of Labour is being asked to send up proposals for the provision of these facilities to the workers in the Madras City and Coimbatore Town.

## 2. BIHAR

1. *Minimum wage and a decent standard of living:*— Since the Congress Ministry assumed office it has been

their policy to raise the minimum wage and standard of life of industrial workers. The minimum wage varies from factory to factory and from place to place also, but almost everywhere the minimum has been pushed considerably up during the last few months. With mutual agreement between employers and employees or as a result of the award of adjudicators, and in pursuance of the recommendations of the Boards of Conciliation and Arbitration, in some cases wages have been increased by as much as 50 to 70 per cent over the prevailing rates when the Ministry came into office. It can safely be said that roughly speaking the total emoluments of unskilled labourer in the majority of factories now range from Rs. 26 to Rs. 36 per month. Other steps have been taken, or are being taken, to provide other amenities of life to workers in order to raise their standard of life. Due to preoccupations of the Ministry owing to many regrettable happenings much attention could not be paid to this aspect of the labour problem.

2. *Housing*:—Apart from seasonal labour in sugar factories where housing problem is not so acute, in every other factory where concentrated labour has been employed the housing conditions are anything but satisfactory. During recent months the Government of India have focused the attention of the Provincial Governments as well as of the industries to take up this question in right earnest. Governments, both Central and Provincial, have promised subsidies to industries in their programme of house building. In the province of Bihar a Special Officer has been appointed to visit the factories, study housing problem and present a report to Government on the subject. An interim report has already been submitted and a few thousand houses have been proposed to be constructed in the near future. Steps will be taken to provide funds in the next supplementary budget.

3. *Hours of work and conditions of labour*:—Hours

of work and conditions of labour in the factories are governed by the provisions of the Factories Act. Hours of work have recently been reduced from 54 to 48 hours a week in non-seasonal factories and from 60 to 50 hours in seasonal factories by an amendment of the Factories Act, and a recent amendment has been made providing for holidays with pay for factory labour. The factory inspection department has been expanded and reorganised to ensure proper administration of the labour laws. With a view to improve the conditions of labour employed in mica and shellac factories which do not use power, Government are extending the provisions of the Factories Act and the Payment of Wages Act to such factories in Bihar in which 20 or more workers are employed. There is practically no plantation in Bihar. Coal, mica and other mines fall under the jurisdiction of the Central Government.

4. *Suitable machinery for settlement of disputes:*— Bihar is one of the provinces which have been seriously affected by the strike wave in the country. In the year 1946 there were 74 disputes, involving 72314 workers and resulting in a loss of 941609 man-days. The Government of Bihar have evolved its own machinery for the settlement of disputes. The conciliation machinery of the Government consists of one Labour Commissioner, two Assistant Labour Commissioners and two Labour Officers. The Congress Ministry have strengthened this machinery by appointing a temporary Deputy Labour Commissioner for a period of two years in March 1947. The headquarters of the Labour Commissioner are at Patna. The Labour Commissioner and the Deputy Labour Commissioner attend to labour matters throughout the whole of the province of Bihar. The Labour Commissioner ordinarily remains at Ranchi and the Deputy Labour Commissioner at Patna. Government are contemplating to shift the headquarters of the office of the Labour Commissioner from Patna to Ranchi in order to enable him to deal

more promptly with the labour problems of the Chotanagpur Division where the most important and heavy industries of the province are located. One Assistant Labour Commissioner attached to the head office of the Labour Commissioner at Patna, is concerned with labour matters in the rest of the province. One Labour Officer posted at Muzaffarpur, looks after the labour matters of the Tirhut Division and a portion of the Bhagalpur Division lying north of the Ganges and the other Labour Officer with headquarters at Patna is entrusted with matters in the Patna Division and a portion of the Bhagalpur Division lying south of the Ganges.

Government are maintaining a panel of six retired Judges of the rank of the District and Additional District Judge for the purpose of appointment as adjudicators for trade disputes whenever necessary. Conciliation work is ordinarily undertaken by Labour Commissioner, Deputy Labour Commissioner, Assistant Labour Commissioners and Labour Officers; but occasionally in important disputes the Minister-in-charge himself brings about a settlement by personal intervention. The provision for adjudication in the D. I. Rule was freely utilised for settlement of trade disputes where conciliation proved unsuccessful and about 21 disputes have so far been referred for adjudication. Board of Conciliation and voluntary arbitration have also been utilised for settlement of disputes.

5. *Protection against economic consequences of old age, sickness and unemployment:*—The Ministry is trying to implement most of the recommendations made in the report of the Bihar Labour Enquiry Committee of which Dr. Rajendra Prasad was the Chairman and which has the popular support. Some of the important recommendations of the Committee have already been put into effect by legislative measures carried out by the Government of India on an all-India basis—some others are likely to be covered by legislation proposed by the

Government of India; while those which are only of local application, will be dealt with through the Provincial machinery and the Provincial legislative sanction. For the present, attempts are being made to provide against old age by persuading employers to institute provident fund scheme which many employers have already introduced. Sickness is being tackled by persuading employers to grant sick leave with pay and provide facilities for the treatment of workers during illness at the cost of the employees; unemployment is being tackled mainly through Employment Exchange of which there are four in this province, and the Employment Bureau which is attached to the office of the Commissioner of Labour.

6. *The Right of workers to form unions and protect their interests:*—Formation of trade unions is governed by the provisions of the Trade Union Act which is being suitably amended by the Government of India to ensure formation of trade unions on sound and healthy lines. About 80 trade unions sponsored by different political parties have been registered under the Trade Unions Act since the advent of the Ministry and registration of about 40 unions are under consideration. There are a number of unions which have not applied to the Registrar for registration. To expedite the registration of trade unions model trade union rules have been framed by Government and given publicity. Attempts on the part of employers to break trade unions by victimising the principal workers are being discouraged by prompt intervention by the Labour Commissioner and his staff when such cases are brought to their notice. Recognition of trade unions by employers is also being encouraged by the Labour Department. Provincial Government have not taken legislative measures in these matters as Central legislation has been promised.

Recently a tripartite conference was held at Patna at the instance of the Provincial Government in which labour, employer, and the provincial Government were

fully represented. As a result of the discussions it was resolved that a Labour Advisory Board for the province might be constituted with the object of advising the Government on labour matters including the policy to be pursued. The chief object of this Board will be to suggest steps by which harmony and good relationship between the employers and employees may be established. It is proposed to hold meetings of the Advisory Board at different important centres of labour and thereby bring it into touch with the prevailing opinions in the labour circle at important places like Jamshedpur, Jharia etc.

The Provincial Government have published draft rules to carry out the purposes of the Industrial Employment (Standing Orders) Act, 1946 which requires employers in industrial establishments employing 100 or more workers to define with sufficient precision the conditions of employment under them and to make these conditions known to their employees.

The Provincial Government have also published the draft rules framed under the Industrial Disputes Act, 1946. As soon as the rules are finalised some pending labour disputes will be adjudicated under the provisions of the new Act.

Although the Provincial Government have not yet opened any labour welfare centres or appointed their own labour Welfare Officers, attempts have however been made to persuade employers to create Welfare Trust Funds and appoint labour officers or Labour Welfare Officers to look after the welfare of labour in individual establishments.

Employers of labour in big industrial centres have got to maintain hospitals for treatment of labourers and their families. The number of such hospitals are increasing. Separate schools have also been established for the children of labourers. To work among the female labourers it has been proposed to train lady welfare workers. Although it is not very easy to find such

ladies to take up this difficult task it is hoped that in future such public-spirited ladies will be coming forward to seek training and employment to work among the female labourers.

### 3. C. P. & BERAR

1. *Minimum Wages*.—In this matter the Government of C. P. and Berar have not taken any action so far in view of the fact that the question of fixation of minimum wages for industrial workers has already been taken up for consideration by the Government of India.

2. *Housing*.—The necessity for proper housing of industrial workers has long been realised, although the problem is not so acute in this province as elsewhere. Provision has, however, been made of Rs. 1½ lakhs for this item in the Development Budget for the year 1947-48. Government have decided to construct quarters for low paid Ministerial Government servants and municipal sweepers.

3. *Hours of work and conditions of labour*.—The hours of work and conditions of labour in factories and mines are matters generally regulated by the Central Acts covering entire British India. This Province has no plantation. The C. P. and Berar Bidi Labour Re-adjustment Committee is, however, examining the working of the C. P. Unregulated Factories Act which is a Provincial Act. Another Provincial Act, namely, the Central Provinces and Berar Shops and Establishment Act regulates the hours of work and conditions of service of persons employed in shops and commercial establishments. A Committee, called the Central Provinces and Berar Textile Enquiry Committee, was appointed in August, 1946, to look into the question of increase in wages, dearness allowance etc. and other conditions of service of textile workers in the Province. The committee has been dissolved recently and since then a Court of Enquiry and a Tribunal have been appointed to enquire into and adjudicate on the same matters. Another



Committee has been set up to examine as to how far the recommendations of the Central Pay Commission can be made applicable to the Provincial Government employees. As regards coal mines in this province, a committee has been appointed by the Central Government to examine the extent to which the recommendations of the Board of Conciliation for Bengal and Bihar can be applied to colliery labour in this Province also. The provisions of the Payment of Wages Act were recently extended to the coal mines in the Province. Rules are being framed by the Government under the Factories (Amendment) Act, 1947 regarding establishment of industrial canteens in factories.

4. *Suitable machinery for the settlement of disputes:—* This province witnessed some 137 disputes in the year 1946 which involved on the whole 1,68,586 workers and resulted in a loss of 8,42,415 man-days. The Province has its own Act for settlement of industrial disputes, namely, the Central Provinces and Berar Industrial Disputes Settlement Act, 1947, which provides for the constitution of works committees, Provincial and District Industrial Committees, Board of Arbitration and Conciliation machinery. It also contains provisions for registration of recognised unions and grant of necessary facilities to such unions for representation of workers' grievances to the employers and their amicable settlement. Rules are being framed under this Act and also under Shops and Establishment Act, 1947. The Government is also framing rules under Industrial Employment Standing Order Act, 1946, and Industrial Disputes Act, 1947. A proposal for setting up a Provincial Labour Advisory Board on tripartite lines is also under the active consideration of the Provincial Government.

During the year 1946-47, 20 disputes were settled by direct negotiations—7 in textiles, 3 in mines, and 10 miscellaneous. Ten disputes were referred for adjudication under the Defence of India Rules. The Adjudicators' Awards in the coal compensation disputes in the

Textiles Mills in the Province and in the disputes between the Central India Electric Supply Company, Limited, Lahore, and their employees employed at the Company's work at Katni, were enforced by Government in March, 1947.

5. *Insurance Schemes*.—The Government contemplates to implement as far as practicable in the Province the insurance schemes provided for in the Workmen's State Insurance Bill which is under the consideration of the Central Government. Besides this, institution of Provident Fund for all textile workers in Central Provinces and Berar is one of the questions referred to the Committee of Inquiry recently appointed by the Government and referred to in 3 above.

6. *The right of workers to form unions and protect their interests*.—The right of workers to form unions and protect their interests has been guaranteed by the Indian Trade Union Act, 1926, which is in force in this province too. A memorandum on the recognition of Trade Unions<sup>1</sup> was submitted by the Congress Government of 1937-39 to the first Conference of Labour Ministers held in January, 1940. The Central Provinces and Berar Industrial Disputes Settlement Act, 1947, mentioned above, also ensures compulsory recognition of unions on certain terms.

The Government of C. P. and Berar has at present under consideration a scheme for labour welfare submitted by the Labour Commissioner, Central Provinces and Berar. The main features of the scheme are establishment of welfare centres at several places in the province, facilities for indoor and outdoor games for labourers to be provided through them and provision of child and maternity welfare centres, circulating libraries, reading rooms, cinema vans and radio programmes.

<sup>1</sup> This memorandum is set out in Bulletin No. 70 on Indian Industries and Labour, of the Government of India—giving proceedings of the Labour Ministers' Conference, 1940.

## 4. BOMBAY

The statement of labour policy of the Government of Bombay issued after the present Congress Ministry took office, opens thus: "Through its election manifesto the Indian National Congress has made certain promises to the working classes. The present Ministers of the Government of Bombay are determined to implement these undertakings, in the Provincial sphere, to the utmost limit of the available resources. As an earnest of this resolve a special Ministry of Labour has been created in Bombay this time. In its earlier period of office, in the year 1937, the Congress Ministry issued a declaration of policy which paved the way for a variety of measures for the benefit of the workers. That declaration still remains an appropriate basis for action but to serve the needs of the moment, it has to be enlarged and extended in several directions. A programme of Government activity for the betterment of the working class is being worked out. In the meanwhile, it is possible to indicate the lines of advance visualised for the near future." These lines of advance which are only an amplification of the labour programme as contained in the Congress Election Manifesto, together with the important attempts made by the Government of Bombay on these lines are briefly sketched below.

Regarding the fixation of minimum wages, the first attempt of the present Ministry after it took office was in the direction of standardization of wages. The Textile Labour Inquiry Committee appointed by the Congress Ministry of 1937-39 had done important work in connection with the standardization of wage rates in the textile industry in the city of Bombay. The recommendations on this subject were submitted by the present Ministry soon after it assumed office to the Industrial Court for arbitration. Similar disputes in the cotton textile industry at Ahmedabad, Sholapur, Jalgaon, Chalisgaon, Broach and Surat are pending before

the Industrial Court.

The award of the Industrial Court in the dispute between the Cotton textile workers of Bombay city and the mill managements in the matter of standardization of wages etc., was made in May, 1947. It included, among other things, a basic wage of Rs. 30 for unskilled workers in addition to bonus equivalent to one-fifth of the average earnings for 1946. The award will affect 2,20,000 textile workers and will take effect retrospectively from January 1. It has been calculated that the average wage under the standardization scheme will come to about Rs. 41 as against the present wage of Rs. 34-8-0. It has been estimated by the Court that the cost of standardization scheme to the industry will amount to about Rs. 2 crores annually, which it is expected the industry would be able to bear. It has been suggested that the Government should take immediate steps to form a standardization Committee or a wage board or both, as recommended by the Textile Labour Inquiry Committee, to make appropriate changes in the standardization scheme and to remedy the grievances felt by employers and employees in the light of experience hereafter.

It may be mentioned that standardization of scales of wages has been in operation for some time in the industry at Ahmedabad and Indore. The Government of India in the Labour Department have addressed a letter to Provincial Governments and States referring them to the above award of the Bombay Industrial Court and requesting them to initiate measures for standardizing wages in the cotton textile industry in their areas. "As nearly half the number of workers in the industry are working on standardized systems," says the letter, "it would be difficult to resist the claim of workers in other centres for the introduction of similar measure of standardization." It is said that the subject will be taken up by the Cotton Textile Industrial Committee of the Government of India which is likely to meet in November, next.

Regarding the provision of healthy houses for the workers the Government of Bombay considers it as transcending in importance all other plans for improving the worker's standard of life. This problem is under the serious consideration of the Central Government. The Government of Bombay would do everything in its power to improve housing conditions in cooperation with all those who have an interest in or responsibility for this matter. This question including the Central Government's schemes in this behalf will be taken up for immediate consideration. It may be mentioned that in the current budget (1947-48) of Bombay Government provision for the relief of housing shortage in industrial towns amounts to Rs. one crore.

Perhaps in no other province has there been so great a need for a proper machinery for the settlement of disputes as in Bombay which has witnessed the greatest number of disputes during the year 1946. There were 542 disputes involving 7,78,113 workers and resulting in a loss of 33,02,801 man-days. Various causes have been attributed to the serious labour unrest in the Province. Government have been approached by the employers with numerous complaints referring to the increasingly aggressive frame of industrial workers, frequent assaults on the supervisory staff and excessive absenteeism particularly in the textile mills. On the other hand, representations have been received from the side of the workers in which it is alleged that the strikes are occasioned by the obstinate resistance of the employers to the most reasonable demands from labour, their inflexible and unsympathetic attitude in dealing with even minor grievances, victimization of all those who come forward on behalf of their fellow workers and the constant hostility of the management towards the organization of labour. The workers further allege that increased absenteeism is a consequence of the deterioration in their health owing to insufficient nutrition and unhealthy living conditions particularly in the

matter of housing accommodation. In the opinion of Government, the situation called for a thorough enquiry into all the aspects which emerged from these complaints, not only in the interests of the industries concerned and the employers and workers attached to them, but in the larger interest of the general public whom they were expected to serve. The Government of Bombay therefore appointed a Committee in November, 1946, called the Industrial Conditions Enquiry Committee under the chairmanship of Mr. T. E. Waterfield to investigate the labour conditions obtaining in important industrial establishments in Bombay city, the Bombay suburban District and the East and West Khandesh Districts. The terms of reference to Committee are to examine (i) whether production in industries generally and in the cotton textile industry in particular has suffered recently as compared with the peak war-year and with the pre-war period? If so, to what extent? (ii) what are the factors responsible for the fall in production? (iii) whether absenteeism, indiscipline and violent behaviour on the part of the employees have increased and now prevail to an unusual extent? and (iv) to what extent are economic privations, lack of facilities and unfair treatment responsible for the recent manifestations of labour unrest? What other factors, if any, contribute to this unrest? The Committee is to report its findings and make recommendations in respect of the matters mentioned above. The Committee has been requested to submit its report to Government as soon as possible and submit an interim report if, in the opinion of the Committee, the existing conditions call for immediate action in any direction.

The Bombay Industrial Relations Bill, 1946, enacted by the Government of Bombay seeks to provide a suitable machinery for the settlement of disputes. Briefly, it aims to set up Labour Committees for the quick disposal of all disputes arising from the interpretation of standing orders; changes made by the

employers and references regarding illegal strikes and lock-outs. The Labour Committees are an innovation so far as this country is concerned. Another provision is made for setting up Joint Committees of representatives of employers and employees in various occupations and undertakings in industry. This is a device of establishing direct and continuous touch between representatives of employers and workers and securing speedy consideration and disposal of difficulties which arise from day to day relations between employers and employees. According to the provisions of the Bill, the maximum duration of conciliation proceedings has been very much curtailed. The Bill provides for compulsory arbitration of industrial disputes and empowers the Provincial Government to make the award of an arbitrator binding on both the parties. It seeks to remove ambiguity regarding penalties arising out of illegal strikes.

It has been the keen desire of the Government of Bombay to promote healthy trade unionism in the Province. It is not content with just removing hindrances in the way of labour's effort to organise itself. It proposes to supply a very real impetus for the growth of sound organisations of industrial and other workers. Regular trade unions having been accepted as an integral part of the apparatus of civilised administration, the Government of Bombay seek to do its utmost to strengthen such organisations so that they may perform effectively their function of service to the working class and the community. The Bombay Industrial Relations Bill, 1946, facilitates the organisation of labour by creating a list of approved unions and introducing a category of primary unions. The condition relating to the recognition of a union by the employer for the purpose of registration has been removed. The membership for a representative union has been brought down from 25 to 15 per cent and the qualifying period for registration has been reduced from six to three months.

The Royal Commission on labour in India had reported against the existing practice of taking trade union leaders and social workers from outside the world of labour, as such persons rarely have a complete knowledge of the technical details of the Industry and do not feel complete sympathy which a man from the ranks has for his class. In view of this and in pursuance of the Government's policy of assisting the growth among workers of a sense of responsibility towards industry and the community, the Government of Bombay decided to conduct classes for training selected workers in trade unionism and citizenship in Bombay, Ahmedabad and Sholapur. In pursuance of this decision the Government have accorded administrative approval to the proposal of the Director of Labour Welfare, Bombay, to start, as a Post-War Reconstruction measure, a school for the training of Labour Welfare workers in Bombay. The object of the school will be to provide the students good theoretical and practical training in labour welfare work. The school will be open to those who have passed the Intermediate Examination of a recognised university or an equivalent examination, but in exceptional cases this qualification may be waived. There will be two kinds of training, one short and the other long. The short course will be for about two and half months during the summer vacation and the long course for about nine months. The subjects taught will be the same for both the courses with the difference that in the short course the subjects will be dealt with in general whereas in the long course they will be dealt with in greater detail. Practical training will also be imparted by arranging for visits to various factories, labour organisations and social institutions of interest to labour welfare workers in the Province of Bombay.

All-round social security has been accepted as an immediate post-war goal by practically every civilised country. The Bombay Congress Ministry was the first Government in our country to take the initiative in



this direction with its programme of introducing a scheme of leave with pay for periods of sickness, as a first step towards a comprehensive arrangement for social insurance. This shared the fate of many other projects of the Congress Ministry which were dropped, as soon as popular Government resigned. The Government of India has now introduced in the Central Legislature a Bill called the Workmen's State Insurance Bill which aims at providing certain benefits to workmen employed in or in connection with work of factories in case of sickness maternity and accident. On its part the Government of Bombay will do all that is possible under the circumstances to implement such schemes of social insurance as are practicable in the Province.

Regarding employment procedures in industry, the Provincial Government propose to examine and overhaul them, to eliminate injustice and corruption and to ensure the continuity of an adequate and efficient supply of labour. The badli control system adopted by the Textile Mills in the city of Bombay has yielded good results to an extent. It is expected that employers in other centres and industry would welcome the introduction of a similar arrangement and it would be available as a basis for building up central labour bureaus. The unemployment problem should be tackled by the Government by enlarging the existing provision for training of workers for the pursuit of alternative occupations, providing maintenance through work during periods of forced idleness etc. The Government of Bombay is convinced that the system of unemployment relief by doles will not avail us in the circumstances of this country.

Government of Bombay is also entertaining the hope that at no distant date, there will not remain a single illiterate person in normal employment in industry in the Province. It is being considered how far it would be practicable to make entry and promotion in industry conditional on the passing of a literacy

test. Government will strive to make adequate provision of educational facilities in all grades for the children of workers, and vigorous promotion of adult education will be a part of its welfare programme. Government programme of prohibition which was interrupted owing to unfortunate circumstances is vital to the well-being of the community and has a special bearing on the condition of the working class which may legitimately look forward to an early resumption of Government action for enforcing a satisfactory scheme of prohibition.

In the matter of labour welfare, Bombay was ahead of other provinces even in 1937. Pioneering work in this direction was done by Shri Gulzarilal Nanda, the present Labour Minister of the Province and the Secretary of Hindusthan Mazdoor Sevak Sangh, who had done considerable spade work in the sphere for Ahmedabad Mill labour. His experience in the field proved that employers as a whole were unwilling to do any thing for the welfare of labour and that no amount of persuasion would yield tangible results. He also came to realise that legislation to enforce welfare measures would not create that personal enthusiasm which was so vital for the success of any welfare scheme that might be launched. He got the Congress Ministry of the Province sanction a sum of Rs. 1,20,000 for 'industrial welfare' for the year 1938-39. He also tried to increase the amount available for labour welfare by approaching benevolent moneyed persons like Shri Ramnath Poddar, Managing Director of the Toyo Podar Mill, who contributed a sum of Rs. 15,000 for the building of a recreation centre at De Lisle Road in Bombay city. The lead given by Bombay in the last Ministry were successively taken by other Congress Provinces like U. P., C. P. and Berar and Bihar. A brief account of the labour welfare schemes of Bombay as evolved by the last Ministry and continued with modifications by the present Ministry, is given below.

Government welfare centres in the Province of Bombay are divided into four types, viz. 'A', 'B', 'C' and 'D'. The 'A' type centres undertake a wide field of activity, covering all outdoor and indoor recreational activities like periodic cinema and dramatic performances and *bhajan* parties, running of libraries and reading rooms, organization of debates and educational classes, provision of nursery schools, medical aid and advice on maternity and health, radios etc. These centres are open from 8.30 to 11 in the mornings and from 5 to 9.30 in the evenings for men and boys, and from 1 to 5 in the afternoon for women and girls. The nursery school section under the charge of a full-time lady teacher is open at each 'A' centre from 9-30 in the morning to 5 in the evening. The 'C' type centres work from 7.30 to 10.30 A. M. and from 6 to 9 P. M. for men and boys. Literacy and sewing classes, and indoor games for women are conducted from 1 to 4 P. M. Boys under 16 years of age are debarred from attending at any of the centres after 7 P. M. The activities in the 'C' type centres are mainly indoor recreation and reading rooms. The 'D' type centres cover only outdoor recreation.

The Industrial Welfare Schemes of the Government of Bombay also cover an Industrial Training Workshop at Ahmedabad which was established to impart instruction in elementary engineering work to apprentices. The primary aim of workshop is to afford help in solving the problems of industrial unemployment. The scheme also provides for circulating libraries. Books are circulated to reach all mohallas consisting of ten or more chawls. Each mohalla has a committee of about six members and the Anti-Drink Propaganda Inspector of the locality, if there is any, acts as the Secretary of the Committee. Labour unions and other social welfare institutions are also entrusted with the task of circulating the books.

• The whole of the Labour Department of the Government of Bombay was under Shri Gulzarilal

Nanda until about the end of 1941 under the designation of Honorary Commissioner for Amenities to Industrial Labour. Thereafter he resigned his post. When he became the Minister for Labour in the present Ministry, his attention was specially directed to the development in various directions of the content of the welfare work planned and initiated by him in the former Congress Ministry of the Province. Almost the first act of the Labour Minister was to create a separate Directorate of Labour Welfare whose main concern would be to provide the labouring population of important industrial towns such as Bombay, Ahmedabad, Sholapur and Hubli, with facilities for healthful activities and wholesome amusement in leisure hours. The Directorate has at present under its control 27 Welfare Centres—fifteen in Bombay, five in Ahmedabad, six in Sholapur and one in Hubli. The centres provide a rendezvous for industrial workers and, by giving them opportunities for relaxation, help to keep them from the path of temptation. In addition, there are 42 circulating library posts in Bombay city.

The current year's (1947-48) budget of the Government provides for Rs. 1,08,92,900 for labour welfare schemes including housing, under the Post-War Reconstruction and Development Programme. The Welfare activities to which these funds will be applied include, setting up of additional welfare centres, provision of arrangements for the spread of literacy, post-employment training, adult education, research into industrial diseases and hazardous occupations, anti-tuberculosis sanatoria for industrial workers, construction of a swimming pool, holiday homes for workers and the relief of housing shortage in industrial towns.

#### 5. UNITED PROVINCES

In June, 1946, shortly after the present Congress Ministry took office, the Provincial Government issued a Press Note on their labour policy, appealing to the

workers and employers to maintain good relations, with a view to securing rapid industrial development of the Province to meet the growing needs of the people, and envisaging a programme of activities for the amelioration of the conditions of the working class with regard to wages, employment, hours of work, housing etc.—mostly on the lines of the pledges made by Congress in its Election Manifesto, and the labour policy of the Congress later on embodied in a resolution of the Working Committee dated Aug. 13, 1946. The Government of the United Provinces have been engaged since then in activities directed to achieve the objects set out in their above Press Note.

At the Conference of Labour Ministers held in October, 1946, it was decided that for important matters legislation should, as far as possible, be Central, the Provincial Governments being free to take advanced steps wherever circumstances so required. The United Provinces Government accepted this principle. In the present transitory period, when unnatural forces are at work and conditions are abnormal, labour legislation, as indeed legislation of all kinds, designed to be of a permanent nature, has to be slow. The Provincial Government's policy has accordingly been to proceed with the essential legislation, leaving legislation on less urgent matters to be taken up as soon as things have settled down and acquired their real shape.

Legislation for the settlement of industrial disputes, which constitutes the biggest labour problem, has naturally been exercising the mind of the Provincial Government. The Industrial Disputes Act 1947, enacted by the Central Government was found unsatisfactory to deal effectively with the spate of strikes, lock-outs and industrial disputes occurring in the Province, and it was realized that the Provincial Government must enact a more effective short term measure on the subject. As comprehensive legislation could not be enacted quickly, the Provincial Government promulgated the

United Provinces Industrial Disputes Ordinance in May, 1947, as an interim measure. The introduction of a comprehensive Bill to replace the Ordinance is under the active consideration of the Provincial Government and they hope to have it through in the near future. The labour employed in shops and commercial establishments in this province did not enjoy any protection in the matters of hours of work, payment of wages, fines, dismissals, holidays and leave etc., such as is employed by factory labour under the various factory laws. Naturally its lot received the attention of this Government. After a thorough examination of the corresponding legislation in force in other Provinces, the Provincial Government prepared and introduced a Bill known as the United Provinces Shops and Commercial Establishments Bill, 1947. This Bill has been passed by the Provincial Legislature and the Government are taking action to enforce it in the Province with the least possible delay.

Since the termination of the war there has been in United Provinces as in almost every other province a spate of strikes and lock-outs and trade disputes. The figures relating to industrial disputes in this Province for the year 1946 are 108 disputes, involving 1,52,333 workers and resulting in a loss of 11,19,580 man-days. The Government in the interest of production have had to refer practically all disputes to conciliation, and in case of failure, to adjudication. In Cawnpore City, for instance, during the first nine months of Congress Ministry in Office, April to December, 1946, there were 817 conciliation cases and 81 adjudication cases. In almost all the cases, leaving out a few, the awards of the adjudicators have been implemented satisfactorily by the parties concerned. In the cases in which employers have failed to implement the awards, Government have not hesitated to prosecute them for defiance of their orders.

Bonus, dearness allowance, increases in basic wages.

and recognition of trade unions by the employers are the most common issues raised in industrial disputes. The Provincial Government have staunchly held the view that the question of bonus can be a subject of an industrial dispute and have therefore never hesitated to refer the question to adjudication along with other matters. In a number of cases, where the profits of the concerns justified the payment of bonus, the Provincial Government have, through adjudication proceedings, compelled the employers to pay such bonus to their employees. As a result of a recent adjudication by an Adjudication Board in the trade dispute between the Martin Group of electric supply undertakings in the Province and their employees, the Provincial Government have ordered all the undertakings under that Group whose profits justified the payment of bonus, to pay such bonus to their employees. The Provincial Government also enforced by an order under rule 81-A, Defence of India Rules, the recommendations made by the Sugar Factories Labour (Wages) Inquiry Committee, United Provinces and Bihar, as regards payment of bonus by sugar factories in the United Provinces for the year 1946-47.

The questions of wages and dearness allowance have also been dealt with by the Provincial Government sympathetically, in pursuance of their policy to bring about a closer correspondence between wage increases and increases in the cost of living. Every effort is made where necessary, through conciliation and adjudication proceedings, to secure reasonable and justified increases in the wages of the workers.

With the increase in labour legislation is bound to arise the need for reorganization and strengthening of the machinery entrusted with its actual enforcement. The Provincial Government propose to recruit and appoint Inspectors under the proposed United Provinces Shops and Commercial Establishments Act throughout the Province. A plan has already been initiated for the

remodelling of the existing conciliation machinery and the posting of conciliation officers on a regional basis. This plan is expected to be fully in operation within the next few months. The setting up of a new and entirely separate adjudication machinery with industrial courts on the lines of the Industrial Courts in Bombay is under consideration. An Industrial Court is being constituted to serve as an appellate authority under the Industrial Employment (Standing Orders) Act, 1946. The constitution of permanent Conciliation Boards for the important industries of the Province, and the setting up of wage boards and of working parties are also under examination. The Provincial Government further propose to strengthen the existing factory Inspection Service and are also examining the feasibility of appointing Wage Inspectors.

The Government of U. P. faced with an ever increasing population have to solve the increasing unemployment too. Its various industrialization schemes, among their other objects, aim also at enlarging the scope for employment in the Province. The Congress Election Manifesto says that in planning while maximum wealth production should be aimed at, it should not be done at the cost of creating fresh unemployment. "Planning must lead to maximum employment, indeed to the employment of every able-bodied person." But, the industrialization of this Province has not been rapid, owing to the difficulty in obtaining plant, delay in the execution of the Provincial Government's scheme for power development, etc. There has not been much scope therefore for the enlargement of employment opportunities. The Provincial Government have, however, absorbed some demobilized war workers in road and other building projects, and are utilizing the Employment Exchange Organization, in order to provide the unemployed workers with employment. In order to find employment for the ever increasing population of the eastern



districts of the Province, as well as to provide a stable labour force for increasing the output of coal, this Government undertook to supply unskilled labour to coalfields in Bengal, Bihar and Hyderabad (Deccan). Due to the arrangements made at Gorakhpur as early as 1942 for the supply of unskilled labour outside the Province, a fully organised labour depot had grown up there which serve as a model for similar depots in other provinces. During the course of last year (1946), some 27,168 labourers were supplied for work in the coal fields.

Labour housing has become a major problem of the Province, with the enormous increase in the population of industrial areas. The Provincial Government engaged an expert house planner from America to survey the existing housing conditions and to submit a report for the remodelling of existing areas and new constructions. His report is under Government's consideration and action on it will begin soon.

A number of important Committees of Inquiry have been appointed by the Government of U. P. in 1946-47. Whenever the circumstances of trade disputes in a particular industry so require, the Provincial Government appoint a Committee of Inquiry to examine the grievances of the workers and to submit a report thereon to Government. In the beginning of the crushing season 1946-47 there was wide-spread unrest in the sugar industry in the Province, and on more than one occasion a general strike was threatened by the workers. The Provincial Government in conjunction with the Bihar Government promptly appointed a Committee, known as the Sugar Factories Labour (Wages) Inquiry Committee, United Provinces and Bihar, to inquire into the demands of the workers as regards wages, bonus etc., and to report thereon to Government. The Committee finished its work speedily and submitted two reports to Government. Most of the recommendations contained in these reports regarding ~~wage~~ increases and payment of

bonus were considered fair and equitable by the Government which in a resolution proposed to request the vacuum-pan factories in the Province to give effect in full to the recommendations of the Committee in respect of wage increases, and to pay bonus to all the workers in these factories as aggregating to not less than 25 per cent of the profits left after paying taxes. The decisions contained in the Government resolution were enforced by an Order under rule 81-A of the Defence of India Rules, read with the Emergency Provisions (Continuance) Ordinance, 1946. As a result of this prompt action, the general strikes threatened in the entire industry were averted and the industry was saved from the loss it would have had to bear in case the strikes had materialized.

The Provincial Government have also appointed a Committee known as the Printing Presses Labour Inquiry Committee to inquire and report on the conditions of work and employment in the printing presses in the big towns of the Province. Besides these Committees, the Provincial Government have also appointed a Committee known as the United Provinces Labour Inquiry Committee to go into the conditions of employment and all other matters relating to the labour employed in the various industries in the Province and to submit a report thereon. Government have asked the Committee to submit an interim report as soon as practicable. The Committee has appointed ten Sub-Committees, one each for the following industrial groups: (1) Textiles, (2) Sugar, (3) Leather, (4) Electricity and Engineering, (5) Printing Presses, (6) Oils, (7) Iron and Steel, (8) Shellac, (9) Glass, (10) Non-factory and commercial establishments. These Sub-Committees are collecting data on the questions of wages, dearness allowance and bonus, with the help of investigators and compilation assistants, in order to enable the main Committee to submit an interim report on these questions to Government. It is expected that the Committee's interim

report will be with Government shortly.

In addition to these ad hoc Committees, there is the United Provinces Standing Labour Committee which consists of representatives of employers and workers and of Government and is a standing advisory body for labour matters. This Committee is to meet periodically to consider the day-to-day questions relating to labour and to make recommendations thereon to Government.

The increase in industrial population and the growth of unionism among the working classes have been considerable in the Province. The latest figures available are those relating to the year 1945 in which there were 969 seasonal and perennial factories in the Province, registered under the Factories Act, 1934, working with a total number of 276,468 hands on an average per day. In 1945-46, there were 64 registered trade unions in the Province, 52 of them with a total membership of 60,031. It has been the Provincial Government's policy to encourage the growth and development of trade unions on healthy lines. The Central Government have introduced a Bill to amend the Indian Trade Unions Act, 1926, so as to provide for the compulsory recognition by the employers of the unions of their employees for certain purposes. The Provincial Government have already in anticipation of this legislation commenced compelling employers through adjudication proceedings to recognize the unions of their employees. As part of their Post-war Reconstruction Scheme, the Government of U. P. have sent their labour officers and a Trade Union Inspector for training in the United Kingdom. The experience of all these officers will be utilized in ameliorating the conditions of labour and the development of trade unionism in the Province on modern lines. The newly appointed Trade Union Inspector specially will be required to deal with the present problems of trade unionism and to give practical help and guidance to trade unions to develop and work on sound lines.

The Provincial Government have a well established

labour organization under the control and direct supervision of the Provincial Labour Commissioner. This organization is entrusted with all the labour welfare activities of Government including the management and running of the Government labour welfare centres in the Province. A beginning was made in 1937 with four labour welfare centres. Now there are 30 such centres—5 'A' class centres, 14 'B' class centres and 11 'C' class centres. The nature of activities of each class of centres is given below:

'A' Class centres have allopathic dispensaries, reading rooms, libraries, play-fields, radios, sewing classes, arrangements for free distribution of milk, child welfare and maternity benefit and provision for outdoor and indoor games and sports.

'B' Class centres have homœopathic dispensaries, reading rooms, libraries, sewing classes, play-fields, radios, arrangements for free distribution of milk, child welfare and maternity benefit, and provision for outdoor and indoor games and sports.

'C' Class centres have only reading rooms, libraries and arrangements for out-door and indoor games and sports.

Some of the above centres have been created recently under the Provincial Government's schemes for Post-war Reconstruction, and it is proposed to set up new centres every year so that there may be an adequate number of them all over the Province. The scheme includes the expansion of the activities of the existing centres and the gradual conversion of the lower class centres into those of the higher classes.

The Provincial Government are preparing a Five-Year Plan for labour legislation and administrative action. The plan has not yet been finalized but major items in the plan are understood to be the following:—

1. *Legislative items:—*

- (i) Amendment of the Trade Union Regulations.

(ii) Industrial Disputes Bill.  
 (iii) Licensing of factories, with a view to prohibition of new factories in already over-crowded areas and permitting of new factories only after the employer has given an undertaking to provide reasonable housing accommodation to his employees on terms determined by Government.

(iv) Creation of a Welfare Trust Fund.  
 (v) Enactment of a Welfare Act.  
 (vi) Creation of Wage Boards.  
 (vii) Unregulated Industrial Establishments Act.  
 (viii) Abolition or control over contract labour.  
 (ix) Labour housing.  
 (x) Amendment of the United Provinces Maternity Benefit Act.

(xi) Legislation regulating conditions of employment in motor transport, tramways and other similar services.

(xii) Regulation of hours of night shift work.  
 (xiii) Amendment of the Payment of Wages Rules.  
 (xiv) Legislative measure for Joint Production Committees.

(2) *Administrative items:*—

(i) Standardization of terms of service.  
 (ii) Stricter and better enforcement of existing labour laws.

(iii) Enforcement of the proposed United Provinces Shops and Commercial Establishments Act.

(iv) Reorganization of the Conciliation and Adjudication Machinery.

(v) Housing programme.

(vi) Collection of Statistics on wages and contract labour.

(vii) Provident Fund Schemes.

(viii) Study of wages and standardization of occupational terms and wages.

(ix) Expansion of Factory Inspection Service.

- (x) Expansion of Labour Welfare Organization.
- (xi) Institution and expansion of a scheme for imparting training to workers.
- (xii) Study of administrative and financial aspects of unemployment insurance.
- (xiii) Expansion of employment exchange services.
- (xiv) Establishment of an Institute of Industrial Fatigue and Industrial Psychology and training in management of personnel.

## 6. ASSAM

In Assam the Oil and Coal Mine Labour is under the charge of the Central Government. Tea Garden Labour consisting of a million souls which is something like one-tenth of the provincial population is the main concern of the Labour Department of the Assam Government. As the labourers are almost entirely imported, or have so been imported in the past, from other parts of India, they present a very special problem. This engaged the attention of the former Congress Coalition Ministry in 1938-39, but they were unable to make very material progress before their resignation in 1939.

The problem was one of the first to engage the attention of the Congress Ministry which took office in 1946. The Government have set up an Advisory Committee (Plantation) with the representatives of the employers, employees and labour welfare workers. The Committee will advise on the measures to be taken up by the Government for the improvement of the conditions of the plantation labour.

Due to the initiative taken by the Ministry in convening a Tripartite Conference of the employers and employees of Tea Industry in India and the representatives of the Provincial Governments and the Central Government, a Conference was held in January, 1947 and the following measures adopted:—As regards wages, a report will be submitted and the rates will be agreed upon in the next Session of the Tripartite Con-

ference. Pending settlement of rates, an *ad hoc* dearness allowance of two annas per day will be given in Assam Valley on the increased wage of 1946 which would bring the total earnings of a male labourer to annas fourteen. Corresponding increases would be given for women and children workers in both the valleys. Maternity benefit, sickness benefit, housing, medical aid, education, welfare activities etc. fall under the purview of the enquiry.

The Provincial Government are also considering ways of ameliorating labour conditions in Cement and Saw Mill Factories. In effecting the desired reform on the legislative side, the initiative has of course remained generally with the Central Government, but it is proposed to fill a gap by enactment of a measure to relieve the classes employed in shops and other industrial or commercial establishments other than factories.

According to the Rege Committee Report, plantation labour is the worst organised in the country, and hence their power of collective bargaining weak. There are four seats in the Assam Legislative Assembly representing Tea Garden Labour and three of these are represented by Congress while the remaining one is represented by Independent. Communists could not make any headway among plantation labour in Assam. In all the labour constituencies they contested they could secure only 549 votes whereas Congress secured 14,525 votes. The recently formed Provincial Branch of Indian National Trade Union Congress is making much progress among labourers in Assam. Organisation of labour in the Province is progressing considerably, and this is shown by the unparalleled increase in the number of registered trade unions in Assam, viz., from 9 to 68, during the period. As regards labour unrest in the Province, there have been 26 industrial disputes in the year 1946 involving 9,137 workers and resulting in a loss of 35,673 man-days. The principal need is to create an organisation capable on the official side to cope with the great upsurge of

emancipation in labour. The Government propose to establish a qualified Labour Department. With this object they sent two officers of the Provincial Services for training in England and appointed them as Labour Officers. Besides, the Government have also undertaken to borrow an experienced officer of the Central Department as Assistant Labour Commissioner, and propose to appoint shortly five Inspectors, three Investigators and a clerical and statistical staff to subserve this much expanded department.

#### 7. ORISSA

The Province of Orissa is industrially undeveloped and the labour problems in this Province have not assumed any great importance. There are only a few organised labour associations in the Province.

The Provincial Government are taking care to see that the labourers are properly represented in official and quasi-official bodies in suitable cases. In the Provincial Planning and Reconstruction Board and its Advisory Committee seats have been given to labour representatives. The average number of workers employed in factories in 1946 was 7443, and in mines 1321. There are 42 registered trade unions in this Province. Most of these unions are said to be running on a sound financial basis. It was decided that the Indian Trade Unions Act 1926 should be extended to certain partially excluded areas of the Province of Orissa and a draft regulation to give effect to it is under preparation.

Labour disputes were not very common in Orissa in the past, and the few cases of labour strikes which took place from time to time were successfully tackled through adjudication or conciliation by officers of Government. There have recently been some labour troubles in the larger factories, e.g., the Orient Paper Mills in the Sambalpur District and the Sree Durga Glass Works in Cuttack District. In all there were 14 disputes in the Province in the year 1946 involving



some 3126 workers and resulting in a loss of 86291 man-days. The Provincial Government considered that there was no objection to granting temporary exemption to the workers of the Government Printing Press from the provisions of Section 34 of the Factories Act, 1934. Similarly at the request of the Indian Sugar Mills Association the sugar factories lying in this Province have been granted exemption from the operation of the said section, but the Government declined to accede to the request of the Association to exempt these factories from the operation of Section 47 of the Act.

There is no standing Court of Enquiry or Board of Conciliation to deal with labour disputes under the Trades Disputes Act, 1929. The Weekly Holidays Act, 1942, with rules framed thereunder has recently been brought into force within the municipal areas of the towns of Cuttack, Puri and Berhampur. The Workmen's Compensation (Amendment) Act, 1946; Indian Mines (Amendment) Act, 1946; the Factories (Amendment) Act, 1945 and the Factories (Amendment) Act, 1946 have been extended to all the partially excluded areas of this Province and the Mica Mines Labour Welfare Fund Act, 1946 to the District of Koraput. The Chief Inspector of Factories, Orissa, has been appointed to be the ex-officio Certifying Officer under the Industrial Employment (Standing Orders) Act, 1946. Rules under this Act have been framed. With a view to provide maternity benefit for female workers employed in factories the Provincial Government were contemplating the introduction of a Bill on the lines of the Madras Maternity Benefit Act, which now applies only to some parts of the Province. But in view of Clause 40 of the Workmen's State Insurance Bill of the Central Government which embodies provisions regarding the grant of maternity benefit, the Provincial Bill has been postponed.

There is a post-war scheme of 'Welfare measures for factory and industrial labour' under the consideration

of the Provincial Government. This scheme contemplates measures regarding "Education, Recreation, Health, Housing, Cooperative Associations etc." for industrial labourers and Government are now settling the details for its operation.

#### 8. NORTH WEST FRONTIER

This Province is industrially backward and the Congress Government in the Province have had no serious labour problems to face in the past. According to 'Large Industrial Establishments in India—1942' published by the Government of India in 1945, there are only 16 perennial factories employing 834 workers, and 7 seasonal factories employing 507 workers in the province. The number of workers in the factories is thus too small to justify the initiation of measures to protect against the economic consequences of old age, sickness and unemployment. The workers are free to form unions and protect their interests. Hours of work and conditions of labour in factories are regulated under the Factories Act.

No minimum wages have been fixed under the Minimum Wages Act, 1946. As the number of industrial workers is very small and as there have been no serious labour problems in the Province, there has been no machinery in existence for the settlement of disputes between employers and work-men. The Post-War Development Plan for this Province provides for the appointment of a Labour officer this year to deal with the enforcement and administration of legislation regarding industrial disputes and welfare of workers.

## CHAPTER V

### SOME ORGANISATIONS SPONSORED BY CONGRESS

#### I. AHMEDABAD TEXTILE LABOUR ASSOCIATION

The growth and development of Ahmedabad Textile Labour Association would be unique in India's Trade Union History. It was brought into being by Mahatma Gandhi about 25 years ago after the historic battle fought under his leadership by the Ahmedabad workers in 1918.

The dispute in 1918 was about certain increment in wages which the Millowners refused to sanction. Gandhiji who acted as one of the arbitrators put 35% as a legitimate increase which the workers could claim. The Millowners refused to go farther than 20% and declared a lock-out. Gandhiji who assumed leadership of the struggle administered to the workers a pledge that they would not return to the mills unless their demands were met. He maintained the morale of the workers through leaflets drafted by him educating them of the moral and spiritual aspects of the struggle, in addition to its economic character. Anasuya Ben and Shri Banker went from house to house in the workers' colony wishing to keep up the spirit of the workers. Meetings were held daily and public speeches made. But when at the end of the second week workers began to show signs of exhaustion and express doubts about Gandhiji's guidance, the struggle took a new turn with the sensational news of Gandhiji's decision to fast. On the fourth day of the fast, the millowners came down and a settlement was reached, by which the whole matter

was referred afresh to arbitration. The Arbitrator's Award was 35% increment in wages as originally demanded.

The significance of this struggle was that throughout the period a non-violent atmosphere was maintained and the resolve of the workers sealed by a pledge taken under a tree—which is still held sacred—was based on justice and truth and served as the driving spirit in the struggle. The Association which was formed in 1920 course of the entire accepted the principle of truth and non-violence in all its activities, and it is perhaps the only labour organisation in the world whose constitution has laid down that the “means to be adopted for the furtherance of the objects . . . shall be always based on truth and non-violence.”

A trade union exists primarily for ameliorating the working and living conditions of the labouring community within its fold. The Association has arranged for the study and progressive record of these conditions. Complaints from individuals or groups of workers are recorded, investigated and attended to. The Association receives about 7000 such complaints every year. Negotiations with the authorities concerned are conducted by personal interviews for the most part. When private settlement is not reached, full use is made of the conciliation machinery provided under the Bombay Industrial Disputes Act. The Association always insists on a recourse to arbitration in cases of disagreement to avoid direct action. Each strike becomes an occasion for setting up an elaborate campaign. The preparations for it as well as its actual conduct make very large demands on the moral and material resources of the Association. The aim is to keep up a non-violent atmosphere, preserve the morale of the workers, combat strike-breaking activities and to bring to bear social and moral pressure on the employers so that they may agree to refer the dispute to arbitration or adjudication.

The Association assists the workers in obtaining their due under the various legislative enactments, especially the Workmen's Compensation Act and the Maternity Benefit Act. Under the former Act, the Association has for the year ending March 1947, handled 147 cases and got distributed to its members Rs. 48,768/- as compensation amount. Under the latter Act, the claims of 774 women workers for maternity benefit were given notice of by the Association during the year, of which 379 were notices with medical certificate for pre-payment and the rest notices for payment after delivery. In majority of the cases, the employers created no difficulty of payment. The Association is in this respect doing real bit of service to the women workers who are either ignorant of the Act or avoid pressing for claims of maternity relief out of fear that it might lead to their dismissal. The Association provides relief to all those who are victimised by the employers for trade union activity. It provides legal aid for its members and renders such help during strikes as circumstances would permit.

The membership of the Association as recorded in 1945 is 64,274 of which 3000 are women workers forming nearly a third of their number in the textile industry of Ahmedabad. The members of the Association are distributed among seven Departmental Unions. The Boards of Representatives of various unions are reconstituted every two years, after completing an elaborate procedure of elections to ensure the proper exercise of the workers' democratic choice in the composition of their governing body. About 838 representatives sit on these Boards. They elect the executive and other committees.

The association maintains about twenty<sup>o</sup> social centres which cater to the intellectual and social needs of the working class in the neighbourhood of each centre. In the period 1942-44, the Association conducted 30 reading rooms and 20 libraries. Average daily atten-

dance at these places was 1000. It also supplies newspapers in 76 areas. There are also 10 physical culture centres functioning under the Association. It also runs six day schools, one night school, two residential boarding schools for boys and another for girls. The total number of pupils attending in all the above labour schools is 566. The schools started by the Association are mostly in areas where the residents are backward and the education of their children require personal attention. But when once the schools get going, the municipality is requested to take them over. The total expenses for the educational activities of the Association amounted to Rs. 30,906-10-0 in the year 1942-'43 and Rs. 37,569-0-0 in the year 1943-'44.

The Association runs three dispensaries—Allopathic, Homœopathic and Ayurvedic—with an average annual attendance of 75,747. People requiring hospital attendance are given assistance to get admission to the hospitals in the city. Since last one year, the Association has opened a small maternity home with ten beds. This Maternity Home is maintained from the Kasturba Gandhi Memorial Fund to which the workers had contributed Rs. 1½ lakhs and which with the permission of Gandhiji has been set apart to be spent for the women and children of the working class of Ahmedabad. The Kasturba Maternity Home, during last year, attended to 293 indoor patients, total attendance being 2526.

The Association owns a Press and issues about 30 thousand copies of its fortnightly organ the "Majur Sandesh." Small pamphlets touching the needs and problems of the workers are brought out from time to time. The Association also runs a Khadi Bhandar of which the annual sale amounts to about Rs. 2,10,000.

The office of the Association which has a staff of about 236 persons is a beehive of industry. The work of the staff falls under three categories: clerical, field work and executive work. Clerical work includes office routine of the nature of correspondence, typing, book-

keeping etc. Field work covers propaganda, inquiries and negotiations. Members of the staff doing field work have to create a general awakening among the workers and persuade them to adopt the course of action decided upon by their representatives sitting on different Boards of Association. Investigation of facts regarding individual grievances and approaching the parties concerned for obtaining their redress are other functions of this section. Conducting propaganda meetings and handling crowds in strikes and otherwise are special duties in this connection.

The executive work relates to the supervision and administration of the work of the various departments and comprises several grades. Collective bargaining at higher levels is attended to by this section. It gives expert advice to the workers and their representatives. It is responsible for preparing the statistical and other material in support of the workers' claims to be submitted in conciliation and arbitration proceedings or before governmental bodies. It plans and directs struggles for the redress of wrongs as well as campaigns for union development and social betterment.

All the expenses in conducting the various activities of the Association are met from subscription income of the Association regularly paid by every member on each pay-day. The subscription income amounts to about Rs. 2½ lakhs a year. The Association however receives educational grants amounting to Rs. 30,000/- per annum. Every year a budget is made out by a Committee of the workmen elected by the Board of representatives, and they allocate the amount to be spent on each item.

Ahmedabad Textile Labour Association is to-day the biggest of its kind in India and one of the soundest labour organisations in the world. Gandhiji, who still continues to be a member of its Advisory Committee has said:—"Ahmedabad Labour Union is a model for all India to copy. Its basis is non-violence, pure and simple. It has never had a set-back in its career. It has gone on

from strength to strength without fuss and without show." Shrimathi Anasuya Sarabhai who was actively associated with the Association right from its inception is its President, while Shri Gulzarilal Nanda and Khandubhai Desai act as its Secretaries.

Members of the Association belong to various communities and political parties, but quite a large number of them has enrolled as members of Congress. Almost 40 to 50% of the Congress members from Ahmedabad City belong to the working class population. Although the institution is not directly under Congress control, it is influenced in a large measure by the activities of the Congress, and it contributes to the constructive and other programme of Congress on a considerable scale. In the year 1930, members of the Association undertook to picket liquor shops in the city and about 200 were arrested while doing this work. Batches of workers also went to Dharasana in response to the Salt Satyagraha. In the fight for freedom in 1942, mill workers of Ahmedabad spontaneously left work hearing the news of the arrest of Mahatma Gandhi, their beloved leader, who for more than 25 years acted as their advisor, guide and arbitrator. The strike lasted for 105 days. This is probably the longest strike by factory workers in India in the cause of freedom movement.

The life and growth of the Textile Labour Association have influenced the workers in other centres of India as well. In Gujerat organisations on similar lines have been established during the course of the last fifteen years at centres like Viramgam, Broach, Surat, Baroda, Bhavnagar, Rajkot etc. In Central India and Bombay trade unions have been started following the policy of the Textile Labour Association. They were assisted in the initial stage financially by the Ahmedabad workers. The Rashtriya Mill Mazdoor Sangh in Bombay has succeeded in drawing to its fold 40,000 textile workers, in spite of the fact that Bombay has



been the stronghold of the Communists for a number of years in the past.

The Textile Labour Association makes continuous endeavour to assist the workers in securing their civic rights and discharging their civic responsibilities. Nearly 500 complaints of neglect and inattention to the civic needs of working class families or localities on the part of the Municipality are dealt with every year. The Association participates in Municipal Elections and endeavours to secure adequate representation for the working class on the local body. In January 1944 when the Government decided to hold Municipal Elections the Textile Labour Association set up 17 candidates on Congress ticket out of the total 52 general seats. All the seats in the Labour areas were contested. Elections were held, as Royists, Ambedkarites and Independents had selected working class areas for competition. All the candidates supported and put up by the Association and the Congress were elected with overwhelming majorities. This group of 17 councillors including among them actual mill workers like spinners and weavers sit in the Municipal Council as part of the Congress Municipal party. Nowhere in India have the factory workers been functioning as Municipal Councillors in such large numbers.

## 2. HINDUSTHAN MAZDOOR SEVAK SANGH

It was evident that the isolated triumph of a Congress organisation in one city in capturing labour was not going to advance very much the aims that Congressmen have in view in insisting on a closer association of Congress with the labour movement. Only the total extent of the mobilisation of labour for the larger interests of the nation would count. Labour is scattered all over the country but is linked up for the pursuit of certain common ends. The success of Gandhian principles in labour at Ahmedabad inspired the Gandhi Seva Sangh in 1937 to set up a Labour Sub-Committee to

secure wider application of those principles in the larger field of labour. Hindusthan Mazdoor Sevak Sangh is the permanent off-spring of this Sub-Committee and was established at Vrindavan in 1938. The purpose for which it is established is explained in the Preamble of the Constitution of the Sangh:—"Whereas there is urgent need of making vigorous and continuous efforts to organise the workers in all industrial centres in the country on right lines for the purpose of establishing just industrial relations, eradicating exploitation in any form, securing speedy improvement of their conditions of work and life and their status in industry and society and further it being of highest importance in the interest of labour as well as of the peaceful progress of the country that the principles of Truth and Non-violence taught by Mahatma Gandhi are stressed and applied to the utmost extent in the activities of the organisation of labour, in the day-to-day work of trade unions and in the handling of trade disputes, a society to be known as the Hindusthan Mazdoor Sevak Sangh, is hereby formed."

It must at the outset be understood that the Sangh is not designed to function as a central organisation of labour in the ordinary sense with affiliated unions as its constituents. The Sangh can have no administrative connection with any individual union. It is an advisory body of specialists, intended to train labour workers and look after labour welfare work. In the course of two years following its establishment, the Sangh trained 34 workers in the appropriate means and methods of promoting the best interests of labour, and put them to work in different parts of the country. These workers succeeded in forming labour unions in the case of coal miners and pattern workers of Jharia, coal-miners of Chanda (C. P.), textile workers in Kurla and Gokak and several categories of wage earners in Bombay city, including employees in the Cotton Mills. But the activity of the Sangh came to a standstill when practically all the members of the Sangh were placed in detention

on or immediately after the 9th August, 1942.

When Gandhiji was released in May, 1944, many Congressmen approached him for advice and guidance in doing constructive work in Labour. In the course of an interview, Gandhiji approved of the following line of action:

(1) The Hindusthan Mazdoor Sevak Sangh will guide the activities of all Congressmen, who engage themselves in labour work. The Sangh will provide for the training of Congressmen desirous of taking up trade union work. The Sangh will have its Provincial and Local Branches to guide the work of Congressmen occupied in the labour movement in particular areas. The Sangh will exercise influence on the labour movement through its members, working in the various unions. It will not directly handle trade union work.

(2) Congress Organisations will form their Labour Committees to maintain touch with and to promote political consciousness among the industrial and other workers. These Committees will cooperate with the Sangh and give it all possible help in the way of funds, workers and general support. Direct participation in labour work is not desirable for these Committees.

When the constitution of the Sangh was amended in March, 1945, it enabled the Sangh to form Provincial, District and local branches. A clause was also included to make it possible for the Sangh to enlist trade unions as associate members. A membership pledge was also introduced. The Preamble which defines the objectives of the Sangh would not be subject to any alteration. The Sangh's conception of a just social order has been expanded in sub-clause III-A (2) relating to Associate Unions:—"It keeps before itself the objectives of an order of Society which places no hindrances in the way of an all-round development of its individual members, which encourages the growth of human personality in all its aspects and goes, as far as possible, in progressively eliminating social, political or economic exploitation

and inequality, the profit motive in the economic activity and organisation of the country, and the anti-social concentration of power in any form."

Membership of the Sangh is restricted to Congressmen only. Members are expected to be active Congressmen who take labour work as an item of the Constructive Programme. The Khadi wearing condition comes in as a matter of course. The work of the Sangh will extend over a wide field. The local membership is expected in the aggregate to make a large roll. The Sangh has set before itself certain ideals of service and has its own conception of the form which the contribution of Congressmen should take to be truly helpful to the cause of the working class. To ensure that the members of the Sangh scattered in different parts of the country are in a position to maintain a level of conduct in keeping with these ideals, every member is required to sign a pledge. The Central Board of the Sangh consists of the members of the Working Committee and such other persons as may be coopted. The Working Committee consists of Sardar Vallabhbhai Patel (President), Shri Jairamdas Daulatram and Gulzarilal Nanda (Secretaries), and Acharya J. B. Kripalani, Shri Shankarrao Deo, Babu Rajendra Prasad, Shri Gangadharrao Deshpande, Dr. P. C. Gosh, Shri B. G. Kher and Shri K. K. Desai. The members of the Central Board become the nuclei for the Provincial Branches of the provinces to which they belong. The District Branch is formed in a similar manner. Important industrial centres will have local branches for carrying out the work of the Sangh in that locality. These local branches will have to bear the brunt of the day-to-day field work.

As regards finance, the centre would require considerable resources for office establishment, for a Research and Training Institute, maintenance of trainees, etc. It procures the requisite funds from donations from sympathisers and public bodies and institutions. Ahmedabad Textile Labour Association once contributed

Rs. 11,000/- towards the cost of the Sangh's activities. It is expected that, in the course of time, the branches will be in a position to make contributions on a sufficient scale to meet all the expenses of the Sangh. The funds for the work of the Provincial Branches may be derived from contributions from the local branches or from donations. The funds of the District and local Branches shall be mainly derived from grants from associate unions and donations from the public.

The Constitution of the Sangh has now been democratised. The principle of election is introduced in the case of local and provincial branches, which have been functioning regularly for a period of not less than two years. Every member who has signed the pledge of the Sangh can be a voter in the primary election. The Central Board and the Working Committee will also be constituted by election.

At its meeting held on May 3, 1947 at New Delhi the Central Board of Hindusthan Mazdoor Sevak Sangh resolved to start a public fund to be known as the Labour Constructive Work Fund, and decided that the collections should be applied exclusively for the purpose of (a) promoting health, efficiency and welfare of the working class, (b) peaceful settlement of disputes by conciliation and arbitration, and (c) training and maintenance of cadres of workers for constructive activity on the lines of the Sangh. With regard to the last item, the Sangh has felt from its very inception that the best service it could render to the labour movement was to place at its disposal trained workers with correct understanding of the needs of labour and a practical knowledge of the appropriate means and methods of promoting its best interests. It had already put some trained workers in the field, and had prepared an elaborate scheme to train fresh recruits from the provinces. When Shri Gulzarilal Nanda, Secretary of the Sangh, became the Labour Minister of the Bombay Government, a Labour Welfare Department was opened, and under its adminis-

trative control will function shortly a school for training labour welfare workers on almost the same lines as those contemplated by the Sangh. An effort is being made to secure admission to the candidates recommended by the Sangh.

If the attitude of Hindusthan Mazdoor Sevak Sangh to Indian National Congress has all along been one of childlike faith in and obedience to it, Congress on its part has not been wanting to take note of and appreciate the services rendered by the Sangh. It has also recommended to all Congressmen in the labour field to take guidance from the Sangh. The resolution passed by the Congress Working Committee at Wardha on August 13, 1946 is reproduced below:—

“Whereas the Congress has to play an increasingly active rôle in helping the working class to organise itself on sound and healthy lines, to achieve its rightful place in industry and society and to make a progressive contribution towards raising the economic and social standards in this country, the Committee have come to the conclusion that a Central agency should be provided to encourage, support and co-ordinate the efforts and activities of Congressmen in the field of Labour Organisation and the service of the working class. The Committee note with satisfaction that the Hindusthan Mazdoor Sevak Sangh has been functioning in this field for a number of years, and has built up a policy, tradition and machinery well calculated to advance and fulfil the aims which the Congress has in view in relation to labour. The Committee recommend to Congressmen to make the fullest use of the facilities provided by the Sangh for the service of the working class, and to accept its guidance in dealing with labour questions.”

To give effect to the above resolution, the Congress Working Committee appointed a Committee consisting of Sardar Vallabhbhai Patel, Lala Gulzarilal Nanda and P. H. Patwardhan to confer with the Sangh and report to the Working Committee. When the Sangh's cons-

titution was democratised, the Working Committee which met at Delhi on March 31-June 5, 1947 passed the following resolution:—"As the Constitution of the Hindusthan Mazdoor Sevak Sangh has been democratised the Working Committee decides that its previous resolution of August 1946 be now given effect to."

After the Congress Working Committee passed its resolution on the Sangh in August last, the Sangh felt itself being drawn closer to Congress. The Central Board of the Sangh which met at Delhi on 17th November 1946 considered the arrangements that have to be made with a view to giving effect to the intentions of the Working Committee, and passed the following resolution:—

"The Board welcomes the resolutions of the Congress Working Committee dated 13th August, 1946 with reference to the Hindusthan Mazdoor Sevak Sangh and resolves that the Sangh should make adequate arrangements with a view to giving effect to the intentions of the Working Committee in the matter.

The Board believes further that the aforesaid resolution of the Working Committee creates the following obligations:—

(i) Any activity undertaken by Congress organisations for the benefit of the working class, in the interest of economy, efficiency and uniformity of the policy and direction be entrusted to the appropriate Branches of the Sangh and Congress organisation concerned will give its full support and co-operation to the Sangh in the conduct of these activities.

(ii) Any intervention of Congressmen in labour questions will be on the basis of the policy and decisions of the Sangh and as far as possible after consultation with the Sangh.

(iii) The Sangh will continue to offer full scope for activity within the organisation to persons belonging to all groups in the Congress who conform to the policy of the Sangh.

(iv) Members of the Sangh belonging to different groups will function as a homogeneous whole within the Sangh performing their duties in such a manner as would promote the objects and programme of the Sangh and of the Congress. There will be no thought or effort on the part of any member to create sectional loyalties or advance the sectional aims of any groups.

(v) The Sangh will make reports to the Congress from time to time.

(The word "Congress Organisations" includes Praja Mandals or other organisations affiliated to the All-India States Peoples Conference)."

The foregoing should indicate sufficiently the link between the Sangh and the Congress and wherefrom and in what manner guidance and advice will be forthcoming to Congressmen working in the labour field. It will be seen from Chapter I, that the attitude of Congress towards All-India Trade Union Congress has been one of cooperation ever since its inception. The Sangh also adopted an attitude of cooperation towards A. I. T. U. C. The Central Board of the Sangh passed a resolution on 17th of November, 1946 expressing the opinion that all unions in which the members of the Sangh are connected should be affiliated to the All-India Trade Union Congress to promote through it the policy and programme of the Sangh. Subsequent experience compelled a total reversal of this policy and by a resolution passed on 3rd May, 1947 the Board rescinded the aforesaid resolution and favoured the setting up of a new central organisation of labour. It may be mentioned that the idea of forming a separate organisation had been in the minds of many Congressmen and members of the Sangh for a long time, and therefore, it was decided before the meeting of its Central Board that the Hindusthan Mazdoor Sevak Sangh should take advantage of the occasion to convene a conference of prominent trade unionists to consider the question. The General Secretary of the All-India Congress Commit-



tee also had sent out a circular to the Provincial Congress Committees urging them to send representatives to the above conference. The conference which was held at Delhi on the 3rd and 4th May, 1947 decided by an overwhelming majority to set up a separate new organisation called the INDIAN NATIONAL TRADE UNION CONGRESS.

### 3. INDIAN NATIONAL TRADE UNION CONGRESS

The eventful history of the struggle for labour leadership in India culminated in the rallying of the nationalist forces and the setting up of a new organisation called the Indian National Trade Union Congress. The reader who traced the history of the trade union movement in Chapter I would already have felt the inevitability of the event.

The All-India Trade Union Congress which received the co-operation and support of the Indian National Congress ever since its inception adopted under Communist leadership policies which threatened the security and welfare of the community and were inimical to the best interests of the workers themselves. The Communists who became manifestly anti-Congress since 1942 and were expelled from the All-India Congress Committee in 1945, mustered strong within this labour organisation with the determined object of using the labour force against Congress and against community. But the bulk of the working class is opposed to the political philosophy of the communists. This is amply borne out by the results of the elections to the provincial legislative assemblies in the country from the various labour constituencies. The workers have had enough of the loss and sufferings which are inseparable from methods adopted by the Communists in dealing with the difficulties of the working class. The presence of Congressmen and others in the A. I. T. U. C. in subordinate association with the Communists created the wrong impression that the policies and the leadership of the A. I. T. U. C. reflected the mind of the entire working class. It was

urgently felt that some machinery should be provided for co-ordinating the scattered forces which were in fundamental opposition to the Communists in their approach to labour matters. All hopes of dependence on the democratic machinery to effect the desired reform in the All-India Trade Union Congress by joining it and exerting their strength and influence had to be abandoned by the unions concerned. It has been found that the composition and the voting strength of the various bodies in the A. I. T. U. C. are managed in such a manner that the democratic procedure of achieving a change by the influence of ideas and the relative superiority of real numerical strength has no scope at all in this case. The All-India Trade Union Congress admits paper organisations and accepts fictitious and grossly exaggerated returns of membership.

Another matter of deep concern to those who refused to enter the All-India Trade Union Congress was that certain dominant groups within it waged a violent campaign against arbitration as a method of avoiding strikes and securing justice for the workers. It may be mentioned that the A. I. T. U. C. at its last annual session held at Calcutta passed a resolution condemning the Bombay Industrial Relations Act and the Industrial Disputes Act mainly on the ground that the enactment provide for adjudication and empower Governments to refer disputes to the arbitration of a Tribunal or the Industrial Court. This resolution of the A. I. T. U. C. runs directly counter to the declared policy of the Congress in this connection as stated by the Congress Working Committee on 13th August, 1946.<sup>1</sup>

It was also felt that Congressmen could not be comfortable in the company of those who left no stone unturned to sabotage the national struggle of 1942 and who in that most difficult phase of the nation's

<sup>1</sup>Working Committee Resolution, Wardha dated 13 August, 1946—See pages 64 to 67.

fight for Independence did their worst to harass the forces engaged in a life and death conflict with the enemies of our freedom. Now, when the battle has been won and the country awaits reconstruction at the hands of the victors of the freedom struggle, those who sided with the opposite camp in the struggle seem to be still wanting to harass those who have taken up the administration of the country, by setting up unrest in the labour field. As Shri Gulzarilal Nanda, the Secretary of the Hindusthan Mazdoor Sevak Sangh says:—  
 “This is a critical period in the history of the country. To dislocate the productive organisation of the nation in these times is really to strike a direct blow at the life of the nation and its political integrity. It will not be easy to undo the economic damage or the political harm which the Communist activity is causing from day to day if the mischief is not counteracted at once.”

As there was no common ground between those inspired by the Communist philosophy and those who have faith in democracy, it was being widely felt that a new central organisation of trade unions in India should be formed apart from the A. I. T. U. C. controlled by Communists. A call was made on Hindusthan Mazdoor Sevak Sangh as the most readily available machinery to make the necessary arrangements to place the proposal before the widest possible representative body of trade unionists. The Sangh called a conference of prominent trade union workers in India at New Delhi on 3rd and 4th May, 1947. Trade Unions numbering more than 200 from nearly all the trades, occupations and services from all parts of the country, and with a total membership of about 5,75,000 were represented at the conference. Nearly all the Provincial Congress Committees had sent their representatives, mostly members of the Provincial Labour Sub-Committees in accordance with the invitations issued by the General Secretary of the All India Congress Committee. Sardar Vallabhbhai Patel,

President of the Hindusthan Mazdoor Sevak Sangh and President, the B. B. & C. I. Rly. Employees' Association, was in the chair. Acharya J. B. Kripalani, President of Indian National Congress, inaugurated the conference. Prominent trade unionists like Dr. Suresh Chandra Banerjee, Shri Gulzarilal Nanda, Shri Khandubhai K. Desai, Mr. Abid Ali Jafferbhoi, Shri Hariharnath Sastri, Shri Sibnath Banerjee, Shri R. A. Khadgikar etc. took part in the proceedings. Pandit Jawaharlal Nehru, Shri Jagjiwan Ram and several Ministers from the Provinces were present as also Shri Shankarrao Deo, General Secretary of the A. I. C. C. and Socialists like Dr. Ram Manohar Lohia, Shri Asoka Mehta and Shri-mathi Aruna Asaf Ali.

Most of those who took part in the proceedings spoke in support of the move for a new organisation of labour. Dr. Suresh Chandra Banerjee, thrice President of the All-India Trade Union Congress moved the following resolution:—"Whereas the course which the labour movement in the country is taking under the leadership of those who are opposed to peaceful change and democratic methods has proved extremely detrimental to the growth of strong and healthy trade unionism and is doing incalculable harm to the true interests of the masses of the country and whereas it has become now a sacred and imperative obligation of those who care for the well-being of the working class to take concerted action to safe-guard and promote its interests it is resolved that to give effect to this purpose an organisation called the Indian National Trade Union Congress be formed." The resolution was passed by an overwhelming majority. The Conference elected a Provisional Executive Committee consisting of Dr. Suresh Chandra Banerjee (President), Shri Khandubhai K. Deasi (Secretary) and 19 other members with powers to coopt additional members. A Committee of five was also appointed for drafting the Manifesto and Programme of the Indian National Trade Union Congress which would be placed before

its first regular session. At the second day's meeting, the Conference adopted unanimously, with minor modifications, the draft constitution of the I. N. T. U. C. prepared by the Provisional Executive Committee.

The objects of the INTUC as laid down in the Constitution are :—

I. (i) To establish an order of society which is free from hindrances in the way of an all-round development of its individual members, which encourages the growth of human personality in all its aspects and goes to the utmost limit in progressively eliminating social, political or economic exploitation and inequality, the profit motive in the economic activity and organisation of society, and the anti-social concentration of power in any form;

(ii) to place industry under national ownership and control in suitable form in order to realise the aforesaid objective in the quickest time;

(iii) to organise society in such a manner as to ensure full employment and the best utilization of its manpower and other resources;

(iv) to secure increasing association of the workers in the administration of industry and their full participation in its control;

(v) to promote generally the civic and political interests of the working class.

II. (i) To secure an effective and complete organisation of all categories of workers, including agricultural labour;

(ii) to guide and coordinate the activities of the affiliated organizations;

(iii) to assist in the formation of trade unions;

(iv) to promote the organisation of workers of each industry on a nation-wide basis;

(v) to assist in the formation of Regional or Provincial Branches of the Indian National Trade Union Congress.

III. (i) To secure speedy improvement of con-

ditions of work and life and of the status of the workers in industry and society;

(ii) to obtain for the workers various measures of social security including adequate provision in respect of accidents maternity, sickness, old age and unemployment;

(iii) to secure a living wage for every worker in normal employment and to bring about a progressive improvement in the workers' standard of life;

(iv) to regulate hours and other conditions of work in keeping with the requirements of the workers in the matter of health, recreation and cultural development;

(v) to secure suitable legislative enactments for ameliorating the conditions of the workers and to ensure the proper enforcement of legislation for the protection and uplift of labour.

IV. (i) To establish just industrial relations;

(ii) to secure redress of grievances, without stoppages of work, by means of negotiations and conciliation and failing that by arbitration or adjudication;

(iii) where adjudication is not applied and settlement of disputes by arbitration is not available for the redress of grievances, to facilitate recourse, on the part of the workers, to other legitimate methods including strikes or any suitable form of satyagraha;

(iv) to make necessary arrangements for the efficient conduct and satisfactory and speedy conclusions of authorised strikes or satyagraha.

V. (i) To foster the spirit of solidarity, service, brotherhood, cooperation and mutual help among the workers;

(ii) to develop in the workers a sense of responsibility towards industry and the community;

(iii) to raise the workers' standard of efficiency and discipline;

It is also laid down in the constitution that the means to be adopted for the furtherance of the objects shall be peaceful and consistent with truth.

When the Executive of INTUC met the following month, the General Secretary reported that 35 unions with a total membership of 1,57,000 had already been affiliated to it. There has been a charge from some quarters that the sponsors of INTUC are seeking to disrupt the unity of the working class. There is no difficulty in showing up this false view of the situation. Many of the unions, for example, Ahmedabad Textile Labour Association with a membership of 60,000, which have joined the new organisation have for years stayed away from the All-India Trade Union Congress. Others which have decided to sever their connection with the AITUC will be leaving a hot bed of disunity and not a place where there was any collaboration on the basis of mutual good-will and understanding. It is better for all concerned not to attempt to unite or reconcile the way of peace with deliberate violence, democratic method with dictatorial rule, and a creed of unscrupulousness with the desire for truth.

Another charge is the one made by Shri N. M. Joshi, General Secretary of AITUC, that Indian National Trade Union Congress is an adjunct of Indian National Congress. Nowhere in the constitution of INTUC is there any mention of its affiliation to any party, political or communal. The fact that Congressmen were among the sponsors of the move to set up a new organisation and they continue to associate with the newly formed association should not lead any one to doubt the independent character of Indian National Trade Union Congress. Congress would give its moral support to INTUC so long as its policy and programme are not opposed to the labour ideology of Congress. It gives support to Hindusthan Mazdoor Sevak Sangh on this condition. Now that the Hindusthan Mazdoor Sevak Sangh has extended its support to Indian National Trade Union Congress and the aims and policy of the latter are in consonance with those of Congress regarding labour, the Congress Working Committee have recom-

mended to all congressmen to get those unions which they are organising affiliated to it. The resolution on the subject passed by the Working Committee at Delhi on 25th September, 1947, is as follows:—

“In view of the fact that the Working Committee of the Congress passed a resolution in August 1946 recommending to Congressmen to make the fullest use of the facilities provided by the Mazdoor Sevak Sangh for the service of the working class and to accept its guidance in dealing with labour questions and the subsequent resolution of the Working Committee in July 1947 confirming its previous recommendation and further, in view of the fact that the Sangh has recently extended its support to the newly organised INTUC whose aims and policy are in consonance with those of the Congress regarding labour, the Working Committee recommend to all Congressmen to get those unions which they are organising and of which they are members, affiliated to the newly formed Indian National Trade Union Congress.”



## CHAPTER VI

### THE FUTURE

Now that Congress in the course of the last two decades and a half has given the necessary lead to labour and has set up or sponsored model labour organisations for the workers, and that independence its goal has been achieved and it has its governments functioning in the Provinces as well as at the Centre, the question has come whether Congress should continue to exist any longer, and if it exists, whether labour has anything left to gain from it. The answer to the question is that Congress which is a revolutionary organisation has yet to accomplish its revolution and that workers in fields and factories who are to gain most from it should continue to give their cooperation in the accomplishment of the revolution. Revolution is not a mere negative concept. It means not only the destruction of the old structure but also the clearing up of the debris of the broken past and the erection of a new structure. This is the most important part of the revolution—the building up of the revolution.

Only the first part of the revolution—the negative side, the destruction of the old imperial structure—has been fulfilled by the elimination of the foreign rule. The building up of the revolution—the positive side—has yet to be begun. What exactly is this positive side of the revolution? We have the first directive in this from the Karachi resolution of 1931. Then there is the Faizpur resolution on agrarian reforms (1937). The election manifestoes of 1937 and 1945, and the famous Quit India Resolution of 1942, and lastly the Meerut Resolution of 1946 were further big steps in the

evolution of the socio-economic content of the freedom we were so long fighting for. If in the 1942 Resolution, Congress says that power will mostly belong to the workers in fields and factories, the Meerut Resolution declares that "in the opinion of the Congress Swaraj cannot be real for the masses unless it makes possible the achievement of a society in which democracy extends from the political to the social and economic sphere and in which there would be no opportunity for the privileged classes to exploit the bulk of the people nor for gross inequalities such as exist at present."

In general terms this is the ideal to which the Congress is committed. Now that independence its primary objective is achieved, Congress will devote all its energies to the attainment of the above objective. The objective has to be formulated in clear, specific terms. Tentatively we may put it as the creed of the Congress that it aims at attaining and maintaining a socialist democracy in which power will vest with the farmers of the fields, the workers of factories and the innumerable artisans who are engaged in village crafts and workers elsewhere. But, socialism may take different forms and may be achieved through different means. Congress has so long been engaged in political fight with a particular technique and with particular weapons i.e., with non-violence and peaceful means including strike and satyagraha. It would not be prudent for the Congress even now to give up that technique and that weapon. In spite of doubts and misgivings and taunts about this technique and weapon, it must be admitted that we have gained unparalleled success in a very short time. The effectiveness and efficiency of the Congress methods cannot be doubted. Now that Congress has achieved political democracy it will use this achievement for furthering its achievement in the social and economic spheres. It is therefore necessary that the phrase 'by peaceful and democratic means' is retained in the creed of the Congress. The creed of the Congress

would now be: *"The establishment and maintenance by all peaceful and democratic means (including strike and satyagraha), of a socialist democracy in which power rests with farmers of fields, workers of factories and artisans and craftsmen of village crafts, and workers elsewhere."*

It would appear that Congress in placing the aforesaid ideal as its objective has made a great jump from the mere adoption of a resolution to its acceptance as the creed of the organisation. It was no sudden jump, it was the natural evolution of Congress, slow, gradual and unperceived. When Congress was fighting for the attainment of its immediate objective of independence and was concentrating all its energies to that end, it was severely criticised by many political groups like Socialists and Communists that it paid no attention to social reforms. They failed to see the gradual crystallization of the socio-economic content of the freedom Congress was fighting for. Congress has also been criticised today for not transferring power straightaway to workers in fields and factories, as its Quit India Resolution promised, while framing the present constitution of free India. These critics are only confusing political revolution with social revolution. The constitution speaks of that which already exists or that which has already been achieved, namely, transfer of political power to the people whereas it is the business of the "programme" to speak of that which does not exist or that which has yet to be achieved, namely, social and economic power to the people. The constitution depicts the past, while the "programme" depicts the future. The Congress has achieved political democracy and it will now work for social democracy. By insisting on adult franchise as the basis of political democracy, it has made possible the achievement of social democracy by peaceful and democratic methods.

If Congress today seeks to establish a society wherein power shall rest with workers in fields and factories, a section of the labour movement in the country influenced

by Congress has gone a step further in defining the nature of the society it wants to set up. The constitutions of Ahmedabad Textile Labour Association formed in 1920 and Hindusthan Mazdoor Sevak Sangh formed in 1938, both wedded to the principles of Truth and Non-violence, conform to a particular order of society. Hindusthan Mazdoor Sevak Sangh, for instance, visualises "an order of Society which places no hindrances in the way of an all-round development of its individual members, which encourages the growth of human personality in all its aspects and goes, as far as possible, in progressively eliminating social, political or economic exploitation and inequality, the profit-motive in the economic activity and organisation of the country, and the anti-social concentration of power in any form" (Clause III A (2) of the constitution). The society which Indian National Trade Union Congress seeks to establish has also been practically the same. The object of INTUC is "to establish an order of society which is free from hindrances in the way of an all-round development of its individual members, which encourages the growth of human personality in all its aspects and goes to the utmost limit in progressively eliminating social, political or economic exploitation and inequality, the profit-motive in the economic activity and organisation of society, and the anti-social concentration of power in any form." (Clause 3 I (i).)

Both these labour organisations aim at progressive elimination of the profit-motive in the economic activity and organisation of Society and the anti-social concentration of power in any form. Inequalities of wealth arise mainly because in the present society means of production are utilised by private individuals for private profit, not for social use. Indian National Trade Union Congress believes that industry should be placed under national ownership and control *in suitable form* in order to establish the order of society envisaged in the quickest time. The words 'in suitable form' has some bearing

on 'anti-social concentration of power in any form.' For, it is not merely a question of who owns the means of production; a more important question is how they are used or administered. The Society is not synonymous with the Government and therefore if the administration of means of production is left in the hands of a small group of government officials, such a concentration of power becomes anti-social because the society as a whole will be denied the enjoyment of true freedom. The mass of people in that society will be denied the opportunity of self-development and often even the bare necessities of physical existence. They will remain slaves so long as production of wealth and the power of distributing it is concentrated in the hands of an all-powerful bureaucracy. All power corrupts and absolute power corrupts absolutely. The mass of people under such conditions have to accept submissively decisions made at higher levels, in the making of which they had no share. In Russia Socialism was shipwrecked because the retention and extension of centralised large scale industries resulted in the emergence of a class of experts and technicians who dominate the economics and politics of the country. If all the wealth in the country is concentrated in the hands of a few, the temptation of these few will be to grab the whole of the surplus value produced by the workers; and the workers will be increasingly impoverished and mechanized. According to the admission of Stalin himself, they have only attained to the initial or lower phase of Communism, namely, that in which the formula is; 'From each according to his abilities, to each according to his work.' They have yet to achieve the final phase in which the principle will be: 'From each according to his abilities, to each according to his need.' Now, what is it that is preventing the Soviet Union from attaining this ideal? It is said that it is not any failure to socialize all means of production, nor any consideration of defence or security, nor too the fact that other countries of the

world are not socialist. It is feared the reason may be that though ownership of the means of production is practically vested in society by law, the distribution of wealth is still concentrated in the hands of a few officials of the Government. They do not appear to have overcome their greed for power and wealth.

Only in an economy where industry is decentralised is there freedom and scope for the individual for the development of personality. Economic activity should not be confined to a few in towns and cities but spread to the seven hundred thousand villages that comprise India. The Congress Election Manifesto clearly says that the country's economy should be so planned as to give employment to every able-bodied person, be he in the town or the village. It further says: "In the development of land and industry there has to be a proper integration and balance between rural and urban economy. In the past, rural economy has suffered, and the town and city have prospered at the cost of the village. This has to be righted and an attempt made to equalize, as far as possible, the standards of life of town dwellers and villagers. Industry should not be concentrated in particular provinces, so as to give a balanced economy to each province, and it should be decentralised, as far as this is possible, without sacrifice of efficiency."

According to the 1931 census, twenty million people are fully unemployed in India; the number of those who have only nominal strips of land and are at best semi-employed cannot be counted. Principal Agarwalla rightly says that according to western standards, two hundred million or half the population of India are unemployed. Uptill now industrialization does not seem to have had much effect. Although the number of industrial plants has quadrupled in the last three decades the proportion of industrial labourers to the total population has gone down. In 1911, 5.5% of the population were engaged in industrial labour; in 1941 the percentage came down to 4.2, in spite of the increase in the number

of factories. Again, according to 1942 figures, 430,165 workers are employed in the textile industry, both European and Indian owned. Gandhiji's All India Spinners' Association, hardly more than twenty years old, employed 269,445 spinners and weavers in 1942. According to the Fact Finding Committee's Report, in spite of the great development of the cotton textile industry it employs only a seventh of the total number of workers engaged in cotton cloth production, while the remaining six-sevenths are employed in the handweaving industry. Dr. R. V. Rao estimates that the number of village artisans and handi-craftsmen is five times the number of industrial workers. He gives detailed figures as follows.

1,482,000 in large scale industries.

228,000 in small industries.

6,142,000 in handicrafts and cottage industries.

Japan is mainly a country of small cottage industries, and yet she had a dominating position in the world market. China's example is even more astonishing and revealing. The war devastated 80% of her industries, and yet she fought on against the enemy with the help of the small co-operative industries built up by guerillas in the enemy's rear. The Induscos have become famous all over the world.

We have been emphasising the point that a society in which there will be progressive elimination of economic exploitation, inequality and the profit-motive in the economic activity, as visualised by Hindusthan Mazdoor Sevak Sangh and Indian National Trade Union Congress, is attainable only through a decentralised economy. Decentralised industries assure a just distribution of wealth. Take the Khadi industry for example. Shri Gulzarilal Nanda, Secretary of the Ahmedabad Textile Labour Association which runs a Khadi Bhandar of which the annual sale amounts to over Rs. 2 lakhs, and Secretary, Hindusthan Mazdoor Sevak Sangh, writing on the question of Khadi points out that Indian

mills produce cloth today worth about Rs. 50 crores of rupees, "Of this a sum of about ten crores of rupees constitute the wage bill of the industry. Khadi of the same value would provide 35 crores of rupees in the shape of wages. Khadi manufactured from the same quantity of cotton would be sold at 100 crores of rupees, of which the wage bill would amount to 70 crores of rupees. As against a rise of 50 crores of rupees in the price of cloth, the increase in the amount distributed as wages is 60 crores of rupees." A system of production which brings about such a re-distribution of income would naturally be desired in a society such as the one aforesaid.

Just as mass economic democracy cannot exist without economic decentralisation, so mass political democracy cannot exist without a similar decentralisation of State power. Gandhiji's blue-print of the future State structure of India pays careful attention to this elementary truth. The following passage from Louis Fischer's "One Week with Gandhi" should indicate the future State structure as Gandhiji wants it to be:

"I do not believe in the accepted Western form of democracy with its universal voting for parliamentary representatives," Gandhiji said.

"What would you have India do?" I asked.

"There are seven hundred thousand villages in India. Each would be organised according to the will of the citizens, all of them voting. Then there would be seven-hundred thousand votes and not four hundred million. Each village, in other words, would have one vote. The villages would elect their district administrations, and the district administrations would elect the provincial administrations, and these in turn would elect a president who would be the national chief executive."

"This is very much like the Soviet system," I said.

"I did not know that," Gandhiji admitted, "I don't mind."



Such a system would provide for the maximum political activity of the masses. All would take a constant and active part in the administration instead of being harassed and driven about by lordly bureaucrats, and government officials will be the real servants of the people.

We have dealt at some length on the nature of the society—a society wherein power, economic and political, are decentralised and which guarantees freedom and equality to its members—which Congress and Labour organisations influenced by Congress both seek to establish. But the establishment of such a society would take time. Congress knows that for some time to come, while engaged in efforts to establish the society it aims at it will have to devote part of its energies to mitigating the sufferings of the exploited class racked in the present social framework even while it is being scrapped, and to the proper education of the workers to make wise use of the power that shall be transferred to them in such a society. It is on the recognition of these facts that Congress has drawn its labour programme. The education of the workers has been the main plank of its constructive programme for labour as evolved by Gandhiji. "As part of Constructive Programme its primary aim is elevation of labour to its deserved status. Therefore, a labour worker's aim should be to raise the moral and intellectual height of labour and thus by sheer merit to make him or her capable not merely of bettering his or her material condition but making labour master of the means of production instead of being the slave that it is. Capital should be labour's servant, not its master. Labour should be made conscious of its duty from whose performance rights follow as a matter of course" (Gandhiji's Hints for Workers on the Constructive Programme). Simultaneous with the education of workers and the gradual transformation of society, Congress is pledged also to throw its weight on the side of workers in the present employer-employee relation-

ship. Congress believes that while and to the extent the employer-employee relation in the present economic life of India lasts, it shall be the responsibility of the State to safeguard the interests of the working class. Firstly, the worker should be elevated to their deserved status in the industry. They should be increasingly associated in the administration of industry. Secondly, the right to work should be recognised and the economic life of the country so arranged as to enable every adult worker to engage in useful activity. "Planning must lead to maximum employment, indeed to the employment of every able-bodied person" (Election Manifesto, 1945). Thirdly, the State shall institute a suitable machinery for the settlement of disputes between employers and workmen, so that the hardships caused to community by frequent stoppages of production and the sufferings inflicted on workers by loss of wages may be lessened if not totally eliminated. Fourthly, the workers should have the right to form unions and to strike for the protection of their interests. Fifthly, workers should be provided the necessary facilities to educate themselves to function as efficient producers and good citizens. Sixthly, as the Election Manifesto says, the State 'shall secure for them a minimum wage and a decent standard of living, proper housing.' No industry should have a claim to exist if it cannot pay a living wage to its workers. A civilized community cannot afford to forget that equally important with the economic ideal of increase of production, is the moral ideal of increase in quality of human life.

The Election Manifesto speaks of the provision for proper housing which as a matter of fact should be considered as part of the provision for a decent standard of living. In practically every industrial centre in India the housing of industrial workers present a shocking state of affairs. "The majority of the working classes are housed in *chawls* or tenements which consist usually of single rooms, sometimes of double

rooms or *gallas*, but never of more than two rooms. These *chawls* have for their object the housing—one is almost tempted to use the expression “warehousing”—of large numbers of the labouring classes in as cheap a manner as possible” (Hurst) ‘Good houses mean the possibility of home life, happiness and health; bad houses spell squalor, drink, diseases, immorality, crime and in the end demand hospitals, prisons and asylums in which we seek to hide away the human derelicts of society that are largely the results of society’s own neglect.’

It has been said that the main cause of the low efficiency of Indian worker is his poor physique which in its turn is due especially to two causes viz., a poor dietary, and the ravages of diseases. A decent standard of living must necessarily provide for a balanced dietary for workers, and proper housing should create good, healthy surroundings. The terrible slums where the labourers have to reside are first-rate breeders of pestilence and provide almost ideal conditions for its rapid spread.

We have enumerated above certain safeguards which the State should provide for the protection of workers’ interests. The State shall also secure for them such conditions of labour which are in conformity, as far as economic conditions in the country permit, with international standards, and shall also protect them against the economic consequences of old age, sickness and unemployment.

On the basis of these safeguards, a Labour Charter may be formulated. Following are the lines suggested for the formulation of such a Charter.

#### THE FUNDAMENTAL RIGHTS OF LABOUR

While, and to the extent the employer-employee relation in the economic life of India lasts, it shall be the collective responsibility of the Indian Union to safeguard the interests of the working class in the follow-

ing manner, in order to promote the health and happiness of the individual and preserve the common good.

### 1. *Status of the worker*

(A) The worker shall be recognised and treated as an equal partner in the processes of production (including distribution), in which he is engaged and as a co-owner of the instruments and means employed in these processes.

(B) He shall have an effective voice in the determination of the conditions affecting his work and in the regulation of economic life of the country.

(C) This status shall be implemented in the legislation and administration of the Union.

### 2. *Right to work*

The Union shall so arrange its economic life as to enable every adult worker to engage in useful activity.

### 3. *Adjudication of claims*

The Union shall institute a national system of arbitration to settle conflicting claims as between producer and consumer, the different sections of producers, and the various partners in the processes of production. This system shall be administered with the help of competent tribunals composed of persons selected for their integrity, social standing, training and outlook, in accordance with the terms and spirit of this Charter and with such standards as competent bodies may fix from time to time.

### 4. *The right to combine*

(A) There shall be no restraints on the workers' right to combine and form associations, except

(a) to the extent needed for securing conformity to the terms of this Charter and the constitution of the Union;

(b) to provide for the sound and efficient perfor-

mance of the functions of the associations.

(B) The workers' right to suspend or strike work, in the peaceful pursuit of activities for the improvement of their status and conditions, shall not be restricted, except to the extent,

(a) provision has been made for an impartial arbitration or adjudication of the claims of the workers;

(b) required for meeting a national emergency;

(c) required for safeguarding a national plan of production and distribution designed to secure all round justice, adopted by a competent body, based on democratic approval and sanction;

(d) required for the fair observance of voluntary agreements and awards by competent authority;

(e) required for enforcing a truce or postponement of the exercise of the right to strike, for facilitating a just settlement, without, in any way, prejudicing the rights and interests of the workers.

##### 5. *Right to education*

To prepare the workers for the discharge of their functions as efficient producers and good citizens, the Union shall enable every worker to acquire the requisite physical, intellectual, and vocational equipment, and for this purpose, provision shall be made for,

(a) a universal system of general education,

(b) a comprehensive system of adult education,

(c) adequate facility for higher general and technical education, in the case of those who have the requisite aptitude for the same,

(d) suitable courses of pre-employment and post-employment training suited to the needs of the various categories of workers.

##### 6. *The social minimum*

(A) The Union shall establish, enforce, and guarantee to every working class family a standard of living in keeping with the maintenance of every person in a

state of health, efficiency, and moderate comfort.

(B) The social minimum shall provide for at least the following requirements;

(a) Housing accommodation in hygienic environment, of sufficient size and satisfactory quality with adequate lighting, ventilation and sanitary arrangements.

(b) Hours of work shall not exceed 8 hours a day or such shorter period as will (i) leave an adequate margin of spare time for the healthy satisfaction of natural requirements and the need for rest, (ii) afford leisure for the purposes of recreation and the cultural pursuits which make for civilised existence, (iii) prevent undue fatigue and strain. The number of paid holidays apart from the periodic weekly rest will be determined by the same consideration.

(c) A living wage, covering the entire duration of working years including periods of total or partial disability.

(d) Adequate provision for the period of retirement.

(e) Suitable preventive and curative medical aid including nursing, accommodation and other necessary facilities during periods of sickness and convalescence.

(f) Conditions of work which are compatible with optimum health, safety and convenience.

THE GENERAL ELECTIONS (1945-'46)—LABOUR SEATS IN THE PROVINCIAL LEGISLATIVE ASSEMBLIES\*

(Table does not include votes of uncontested seats)

PROVINCE	Total No. of labour Seats	CONGRESS			COMMUNIST PARTY			RADICAL DEMOCRATIC PARTY			INDEPENDENT		
		No. of Seats contested	No. of Seats secured	No. of votes polled in Labour constituencies	No. of Seats contested	No. of Seats secured	No. of votes polled in Labour constituencies	No. of Seats contested	No. of Seats secured	No. of votes polled in Labour constituencies	No. of Seats contested	No. of Seats secured	No. of votes polled in Labour constituencies
Assam .. ..	4	4	3	14,525	3	..	549	..	..	..	1	1	1,007
Bengal .. ..	8	7	5	1,38,076	7	2	37,121	6	..	1,517	5	1	11,154
Bihar .. ..	3	3	3	34,211	1	0	7	2	..	1,396	0	0	..
Bombay .. ..	7	4	3	44,748	6	2	15,616	2	1	1,961	1	1	82
C. P. & Berar ..	2	1	1	2,454	1	0	827	0	0	..	2	1	3,112
Madras .. ..	6	6	4	35,920	5	2	36,872	3	..	2,265	2	0	304
N. W. F. .. ..	0	..	..	..	..	..	..	..	..	..	..	..	..
Orissa .. ..	1	1	0	1,690	1	1	2,234	0	0	..	0	0	..
Punjab ... ..	3	3	1	3,862	3	0	834	0	0	..	3	2	5,570
Sind .. ..	1	0	0	..	0	0	..	0	0	..	1	1	4,715
U. P. .. ..	3	3	3	46,121	3	0	18,676	3	0	1,452	1	0	388
<b>TOTAL ..</b>	<b>38</b>	<b>32</b>	<b>23</b>	<b>3,21,607</b>	<b>30</b>	<b>7</b>	<b>1,12,736</b>	<b>16</b>	<b>1</b>	<b>8,591</b>	<b>16</b>	<b>7</b>	<b>26,332</b>

(Muslim League contested only one Labour seat viz., the Barrackpore (Registered Factories) Constituency in Bengal but secured only 373 votes. The contested seat was won by Congress with 49,823 votes. Scheduled Castes' Federation contested one seat in Bombay and another in C. P. & Berar, but was defeated in both. Mazdoor Union contested 2 of the 3 Labour seats in Bihar, but all the 3 seats were captured by Congress).

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\* Table prepared from the material supplied by the Press Information Bureau, Government of India.

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