
GOVERNMENT OF BOMBAY *

R E P O R T *

OF THE *

COURT OF INQUIRY *

1 9 2 9. *



Government of Bombay

Report
of the
Court of Inquiry
1929

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P R E F A C E

A mass of evidence was led before us, and we have thought it fit to discuss it at considerable length. The points which we were required to adjudicate upon are given in paragraph 1, and our conclusions thereon appear at paragraphs 71, 72, 73 as regards the first two points of Reference, and at paragraphs 88 and 89 with regard to the third and fourth points of Reference.

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CHAPTER I.

INTRODUCTORY.

1. This Court of Inquiry was appointed by the notification of the Government of Bombay in the General Department, dated the 3rd July 1929, which is reproduced below :—

Appointment of the Court of Inquiry.

Whereas a trade dispute has arisen between

The Apollo Mills, Limited, and its workmen

The Assur Veerjee Mills, Limited, and its workmen

The Bombay Dyeing and Manufacturing Company, Limited, and its workmen

The Bradbury Mills, Limited, and its workmen

The Century Spinning and Manufacturing Company, Limited, and its workmen

The Coorla Spinning and Weaving Company, Limited, and its workmen

The Crescent Mills Company, Limited, and its workmen

The Crown Spinning and Manufacturing Company, Limited, and its workmen

The Currimbhoy Mills Company, Limited, and its workmen

The David Mills Company, Limited, and its workmen

The Dawn Mills Company, Limited, and its workmen

The Ebrahimbhoy Pabaney Mills Company, Limited, and its workmen

The Edward Sassoon Mills, Limited, and its workmen

The E. D. Sassoon United Mills Company, Limited, and its workmen

The Elphinstone Spinning and Weaving Mills Company, Limited, and its workmen

The Fazulbhoy Mills, Limited, and its workmen

The Finlay Mills, Limited, and its workmen

The Framjee Petit Spinning and Manufacturing Company, Limited, and its workmen

The Gold Mohur Mills, Limited, and its workmen

The Hindoostan Spinning and Weaving Mills Company, Limited, and its workmen

The Indian Bleaching, Dyeing and Printing Works, Limited, and its workmen

The Indian Manufacturing Company, Limited, and its workmen

- The Jamshed Manufacturing Company, Limited, and its workmen
 The Jubilee Mills, Limited, and its workmen
 The Kastoorchand Mills Company, Limited, and its workmen
 The Khatau Makanji Spinning and Weaving Company, Limited,
 and its workmen.
 The Kohinoor Mills Company, Limited, and its workmen.
 The Madhowji Dharamsi Manufacturing Company, Limited, and its
 workmen
 The Madhorao Scindia Mills, Limited, and its workmen
 The Manockjee Petit Manufacturing Company, Limited, (4), and
 its workmen
 The Mathradas Mills, Limited, and its workmen
 The Meyer Sassoon Mill, Limited, and its workmen
 The Moon Mills, Limited, and its workmen
 The Morarjee Goculdas Spinning and Weaving Mills Company,
 Limited, and its workmen
 The Mysore Spinning and Manufacturing Company, Limited,
 and its workmen
 The New China Mills, Limited, and its workmen
 The New City of Bombay Manufacturing Company, Limited, and
 its workmen
 The New Great Eastern Spinning and Weaving Company, Limited,
 and its workmen
 The New Kaiser-i-Hind Spinning and Weaving Company, Limited,
 and its workmen
 The Pearl Mills, Limited, and its workmen
 The Phoenix Mills, Limited, and its workmen
 The Prabhat Mills, Limited, and its workmen
 The Pralhad Mills, Limited, and its workmen
 The Premier Mills, Limited, and its workmen
 The Raja Bahadur Motilal Bombay Mills, Limited, and its workmen
 The Sassoon and Alliance Silk Mill Company, Limited, and its
 workmen
 The Sassoon Spinning and Weaving Company, Limited, and its
 workmen
 The Satya Mill, Limited, and its workmen
 The Simplex Mills, Limited, and its workmen
 The Sir Shapurji Broacha Mills, Limited, and its workmen
 The Shree Luxmi Mills, and its workmen
 The Standard Mills Company, Limited, and its workmen
 The Swadeshi Mills Company, Limited, and its workmen

The Swan Mills, Limited, and its workmen
 The Tata Mills, Limited, and its workmen
 The Union Mills, Limited, and its workmen
 The Victoria Mills, Limited, and its workmen
 The Western India Spinning and Manufacturing Company, Limited,
 and its workmen
 The Presidency Mills Company, Limited, and its workmen
 The Jam Manufacturing Company, Limited, and its workmen
 The Toyo Padar Cotton Mills, Limited, and its workmen
 The Ruby Mills, Limited, and its workmen
 The Bombay Cotton Manufacturing Company, Limited, and its
 workmen

The Bombay Industrial Mills Company, Limited, and its workmen
 and whereas it is expedient that the said dispute should be referred to
 a Court of Inquiry, the Governor in Council is pleased under section 4
 of the Trade Disputes Act, 1929, to appoint a Court of Inquiry for
 investigating the said dispute.

The terms of reference to the said Court shall be as follows :—

1. To inquire into and ascertain the exact nature of the dispute or
 disputes between the employers and workmen of the above-
 named mills which led to the strike in those mills in March
 and April 1929.
2. If there was any such dispute, to what extent the employers
 or workmen or both are responsible in matters connected
 therewith ?
3. What are the causes of the prolongation of the strike ? Whether
 the employers or workmen or both are responsible for such
 prolongation, and if so, to what extent ?
4. What are the difficulties in the way of a settlement of the
 dispute or disputes between the employers and the work-
 men ?

The Governor in Council is further pleased to appoint the Honourable
 Mr. Justice H. G. Pearson, Bar.-at-Law, to be the Chairman and
 Mr. F. S. Taleyarkhan, Bar.-at-Law, and Mr. Rupchand Bilaram, B.A.,
 LL.B., to be the members of the said Court.

The said Court shall meet at the Secretariat on Saturday the
 6th instant.

2. The sittings of the Court commenced on the 6th July 1929, and
 continued till Wednesday the 21st August 1929.

Proceedings of the Court. In all there were 29 sittings of the Court in the
 course of which 35 witnesses were examined. The
 examination of the parties and their witnesses did not commence till the
 23rd July although in the interval there were six sittings of the Court on
 the 6th, 11th, 13th, 15th, 17th and 20th July, respectively. This delay

was due to the time required by some of the parties to prepare their written statements and to the absence of the representatives of the labour union principally concerned in the Inquiry, viz., the Girni Kamgar Union, at all the above sittings, except that of the 11th July. The absence of two of the representatives of the Girni Kamgar Union was due to their presence being required in the Police Court in connection with a Police prosecution against them as a result of which they were convicted and sentenced to six weeks' rigorous imprisonment and fine, which sentence was reduced in Revision by the High Court to four weeks' rigorous imprisonment and fine.

3. The parties who appeared before the Court were (1) the Mill-owners' Association, representing all the Mills mentioned in the General Department Notification cited above, except the last six mills (excluding the Jam Mills) therein, (2) the Girni Kamgar Union, (3) the Bombay Textile Labour Union, (4) the Girni Kamgar Mahamandal, (5) the Bombay Mill-workers' Union, and (6) the Jam Manufacturing Company, Limited. The names of the representatives who appeared before the Court on behalf of the above-named parties, are set out in Appendix A. It may be noted that none of the operatives in any of the mills specified in the Notification appeared before us as a party.

4. The following were examined as representatives of their respective parties, viz., (1) Mr. H. P. Mody, Chairman of the Bombay Millowners' Association, representing the Association, (2) Mr. S. V. Deshpande, representing the Girni Kamgar Union, and (3) Mr. R. R. Bakhale, representing the Bombay Textile Labour Union.

Of the witnesses examined before the Court, 17 were examined on behalf of the Girni Kamgar Union, 6 on behalf of the Girni Kamgar Mahamandal and 10 on behalf of the Millowners' Association, while 2 were called and examined by the Court, viz., (1) Mr. P. A. Kelly, C.I.E., Commissioner of Police, Bombay, and (2) Mr. R. S. Karnik, Inspector of Police, C. I. D.

5. In the course of the Inquiry it was suggested to us that Mr. Dange and possibly some others who were standing their trial at Meerut should be called to give evidence before us on the ground that they being the officials of the Girni Kamgar Union prior to their arrest on the 20th March, were the proper persons to depose to matters relating to the affairs of that union prior to that date. Ordinarily speaking that was a suggestion to which effect might reasonably have been given. But after a full consideration of the matter we decided not to do so for the following reasons :—

These men are at present standing their trial at Meerut on a charge of conspiring to wage war against the King. That being so, it would not be right for us sitting as a Court holding a judicial inquiry to touch, in these proceedings, upon any matters connected with the issues which

arise in the trial at Meerut or to express any opinion or to come to any finding which might operate to the prejudice of the persons accused in the case.

Had they been examined before us as witnesses they would undoubtedly have been subjected to cross-examination or oath, as to matters relating to the issues in the criminal case and such cross-examination would either have had to be disallowed, or if allowed, no effect could have been given to it by way of a finding so long as the criminal case was pending against these men.

For the same reasons, we have, in the course of this Inquiry, disallowed certain questions concerning these men at Meerut, which were objected to by the representatives of the Girni Kamgar Union.

6. On behalf of the Millowners' Association it was contended that some of the officials of the Girni Kamgar Union were communists and were utilising the Union as a cover for their communist activities. They placed reliance *inter alia* upon certain leaflets of the Union, articles published in the *Kranti* and speeches made from time to time by Union officials. Upon objection taken, we were of opinion that such an investigation could not be taken in this Inquiry, as it might trespass upon the field of Inquiry in the Meerut case. Accordingly evidence directed expressly towards that point was excluded, and we have not taken the matter into our consideration.

CHAPTER II.

PRELIMINARY.

7. We consider it necessary to begin this Report with a brief explanation as to the nature and scope of the Inquiry held by us. The Court of Inquiry having been appointed to inquire into matters connected with the general strike of April 1929 called by the Girni Kamgar Union and the individual strikes preceding it in the month of March, we have confined ourselves strictly to those strikes, and have not included in the scope of our Inquiry, any general investigation into the disputes between Labour and Capital in the Textile Industry in Bombay, which have been going on during the past many years and more markedly since 1922. These have been under inquiry during the last three years, partly before the Tariff Board in 1926-27, and more fully before the Fawcett Committee in 1928-29, and before long the relations between Capital and Labour will form the subject-matter of investigation presumably on a larger scale, by the Royal Commission on Labour which is expected to begin its work in October next. Therefore having before us the Report of the Fawcett Committee made as recently as in March last and with the knowledge that a Royal Commission will be dealing exhaustively with all labour questions within a few weeks' time we have not deemed it proper to give to the expression "the exact nature of the dispute or disputes. . . . which led to the strike" in the first term of Reference any extended interpretation which would necessitate our going over the ground already covered by the Fawcett Committee.

8. In order, however, to properly appreciate the causes of the present strike and in order to bring the facts of the dispute which led to the strike into relation with the general labour situation, it is necessary to provide a background by explaining the character of the relation between the millowners and the workers (a) before the appointment of the Fawcett Committee, (b) during its sittings, and (c) after the publication of its report. We propose to do so in the following paragraphs as briefly as possible, relying on the Report of the Tariff Board, the report of the Fawcett Committee published on the 26th March 1929 and on the facts and figures published in the *Labour Gazette* from time to time, for the facts preceding the Fawcett Committee's appointment and those which happened during its sittings.

Further, it must be noted that we have, in this Report, refrained from making any suggestions either to the Millowners or to the Labour Unions in respect of any matter in dispute between them, as such a course was not within the Terms referred to us and would therefore be outside the scope of this Inquiry.

9. We think it convenient to begin with the year 1925. In that year there was a general strike in the industry the facts of which are to be found in the October part of the *Labour Gazette* of 1925 (page 133).

The General Strike of 1925 and its causes.

It appears that from 1923 onwards there was a depression in the Bombay Textile Industry. In 1925, the depression was more severe and some mills were closed. (Cf. answer of the Millowners' Association at page 25 of the *Labour Gazette* of September 1925).

The Millowners moved Government for help by the abolition of the excise duty. As they received no satisfactory reply they decided on a cut in the wages of their workmen by reducing the "dearness allowance" paid to them by 20 per cent. or the total gross wages paid to them by 11½ per cent.

The cut made by the millowners in 1925, however, resulted in the general strike of that year.

10. The General Strike commenced in September 1925 and lasted for a period of 2½ months. It ended when the Government suspended the Excise Duty and in consequence thereof the Millowners restored the cut.

Suspension of Excise duty.

11. On the 10th June 1926, the Government of India appointed a second and special Tariff Board to investigate into the conditions of the Cotton Textile Industry with special reference to Bombay and Ahmedabad.

Appointment on the 10th June 1926 by the Government of India of the Indian Tariff Board.

The Board published its report in 1927, making certain valuable suggestions for improvement of Labour and for the introduction of methods for obtaining increased output per operative. These suggestions are contained in Chapter IX, pages 124 to 149, and paragraphs 36 to 71 of the Summary at pages 208 to 211 of the Report.

Suggestions of the Board.

12. After the Tariff Board Report was published some of the Mills made efforts to give effect to the suggestions made in the Report for increasing the output per operative.

Attempt by Millowners to give effect to some of the suggestions of the Board.

In August 1927, Messrs. E. D. Sassoon and Company introduced the three-loom system, instead of the two-loom system generally prevalent in the Bombay Mills in their Manchester and Apollo Mills. In January 1928, they introduced the double-frame working in the Spinning Department in all the mills under their agency. On each occasion, there were strikes which lasted for about a month and resulted in favour of the employers.

Attempts were made in several other mills to reduce the cost of production in different ways leading to sporadic strikes which likewise resulted in favour of the employers except in one case which resulted in a compromise (*vide* pages 4 to 5 of the Fawcett Committee's Report). Although these strikes failed, the alleged grievances of the workmen remained and later on resulted in a general strike in the industry.

13. The *Labour Gazette* of October 1928, page 147, contains a résumé of the facts connected with the General Strike of that year. It appears that an attempt was made in February 1928 to bring about a general strike in the industry but it failed as Mr. N. M. Joshi, M.L.A., President of the Bombay Textile Labour Union, and Mr. D. R. Mayekar, Secretary of the Girni Kamgar Mahamandal, were opposed to it. In the month of March 1928, Mr. S. H. Jhabvala, the Vice-President of the Bombay Textile Labour Union, started a new Union called "the Bombay Millworkers' Union".

14. About this time the officials of the Workers' and Peasants' Party alleged to be a communist organization who had not been previously prominent in the textile labour movement in Bombay took an interest in their affairs. The joint efforts of some of the leaders of the Labour Unions and the leaders of the Workers' and Peasants' Party resulted in bringing about a general strike which became a *fait accompli* on or about the 26th April.

15. On the 27th April His Excellency the Governor of Bombay granted interviews to both parties. The Millowners' Association gave an assurance to His Excellency that they would be prepared to receive representatives of the Registered Trade Unions thus publicly recognising the special status of such Unions.

The Bombay Textile Labour Union which was started in January 1926 had already been registered under the Trade Unions Act of 1926 on 23rd December 1927 with a roll of 7,667 members.

The Girni Kamgar Mahamandal which was started in 1923 was registered on 21st May 1928 with a roll of 1,200 members.

The Bombay Millworkers' Union which was started by Mr. Jhabvala in March 1928 was registered on the 1st June 1928 with a roll of 709 members.

The Bombay Girni Kamgar Union which was started with the help of some leaders of the Peasants' and Workers' Party in May 1928 was registered on the 23rd May 1928 with a roll of 174 members. At the time of registration of the Girni Kamgar Union its chief office-bearers were the following :—

President	..	Mr. A. A. Alwe.
Vice-Presidents	.. (1)	„ S. H. Jhabvala.
	(2)	„ B. F. Bradley.
	(3)	„ R. S. Nimbkar.
	(4)	„ P. T. Tambhanekar.
General-Secretary	..	„ S. A. Dange.
Secretaries	.. (1)	„ G. S. Satam.
	(2)	„ V. K. Tawde.
	(3)	„ K. N. Joglekar.
Treasurers	.. (1)	„ B. T. Alwe.
	(2)	„ S. V. Ghate.

Of these office-bearers Messrs. P. T. Tambhanekar, G. S. Satam, V. K. Tawde and B. T. Alwe were workers. The remaining office-bearers were honorary members of the Union and some of them are said to be also the leaders of the Workers' and Peasants' party.

16. The General Strike continued for a period of nearly six months. As the result of a conference convened by the Honourable Sir Ghulam Hussain Hidayatulla, the General Member, on the 4th October an Agreement was arrived at for calling off the strike which *inter alia* provided as follows :—

(1) A Committee of 3 members to be appointed by Government.

(2)

(3) (a) Work to be resumed on the basis that for the period between the calling off of the strike and the publication of the report of the Committee, the rates and wages of March 1927 should be paid provided that in those mills in the Sassoon group, the Finlay Group and the Kohinoor Mill which now work on a revised system, the rates and wages of March 1928 shall be paid in the Spinning Department only, and in the following Mills the rates of March 1928 in the Weaving Department :—

- (i) The Manchester Mill ;
- (ii) The Apollo Mill ; and
- (iii) The Meyer Sassoon Mill.

(b) The question of musters shall not arise.

(4)

(5) Any dispute arising out of the interpretation of this agreement shall be referred for decision to the Committee to be appointed.

17. In pursuance of this Agreement, Government appointed a Committee presided over by the Honourable Sir Charles Fawcett, Kt., I.C.S., to go into the points of reference agreed upon between the parties. What transpired after the meeting of the 4th October is summed up in the *Labour Gazette* of October 1928 at page 165 as follows :—

“ The Joint Strike Committee held a big mass meeting of the workers on the morning of the 5th which was attended by about 15,000 to 20,000 workers. Almost all the leaders with the exception of Mr. N. M. Joshi delivered speeches on the settlement that had been arrived at. Several speakers stated that the settlement was only in the nature of a truce because they did not expect any very favourable report from the Committee of Enquiry to be appointed by Government. Particular stress was laid on the necessity of creating a comprehensive organization with sufficiently large funds during the next six months in order to compel the Millowners by another prolonged strike if necessary to improve the conditions of work and wages of Textile workers in Bombay City. The report of the settlement was, however, received by the strikers with considerable jubilation, and there were no dissentient voices against resumption of work.”

The *Labour Gazette* does not mention the names of those speakers who were not hopeful of expecting a favourable report from the Committee of Enquiry. But it is most probable that those speakers

Girni Kamgar Union's
leaflet, dated 12th
October 1928.

belonged to the Girni Kamgar Union, for we have it that on the 12th October the Girni Kamgar Union issued the following leaflet :—

“ This strike of the Textile workers has been suspended. The strike has not closed. If we sit quiet and do not prepare for the future, the Government Committee of the owners will deliver an attack on us. Hence all Textile workers should prepare for the future.

“ A hundred thousand members should be enlisted for the Girni Kamgar Union.

* * * * *

“ For fighting the battle of the workmen, men and money have to be got ready even by now. In order to pursue the new fight for the demands of all mills to a successful close, a preparation for *six months* is necessary. Five thousand Red soldiers, one hundred lecturers and 2 lacs of funds have got to be ready now.”

On the 13th October the *Kranti*, edited by Mr. Dange, the Secretary of the Girni Kamgar Union, appeared with the following article :—

Extract from *Kranti*, dated 13th October 1928.

“ Workmen will deliver a fresh attack. Government have appointed an Inquiry Committee

* * * * *

“ Remember that the strike is not ended, but it is only suspended. Although we go to the Mills, we do so boiling with rage. There will be no peace until capitalism is overthrown. For, capitalism is hatching dangerous plots to cut down wages, reduce the number of men and increase the hours of work. The news of all these plots can be obtained every week through the *Kranti*

18. It should be mentioned that objection was taken to the admissibility in evidence of the above and other extracts from the *Kranti* to which reference has been made in this report on the ground that it was not a paper published by the Girni Kamgar Union nor containing the views of the Girni Kamgar Union as such. It is admitted, however, that it has all along been published by persons who are officials of the Union : after the 20th of March by Mr. Deshpande. It is circulated among the mill-workers, and purports to be “ for workers only ”. Its articles are clearly relevant to the present inquiry as showing the policy of those who published it, and what the views are which they desire to impress upon those for whom it is intended.

19. The report of the Fawcett Committee was published on the 26th March 1929. During the intervening period the extremist leaders of the Girni Kamgar Union made strenuous efforts to increase the number

of their members, to collect subscriptions and to prepare their members for the contemplated strike which they had intended to bring about at the end of 6 months.

20. From the information supplied by the Union to the Labour Office, it appears that the number of members on the roll of the Girni Kamgar Union during the quarter ending with 30th September 1928 was only 324 and that during the quarter ending with 31st December 1928, it increased to 54,000. The same number continued to be on their roll during the quarter ending with the 31st March 1929.

21. The monthly subscription for members is four annas. It will, therefore, appear that assuming the membership figures to be correct, the Union officials were able to collect fairly large sums of money by way of subscriptions. They also issued Strike Fund Tickets which read as follows :—

	“ If owners cut our wages and if Government Committee cut wages,
	the Girni Kamgar Union should collect rupees two
Strike Fund Ticket.	lakhs within 4 months and then fight to get 15
	per cent. increase in wages.”

On the 24th February, the *Kranti* published the following announcement :—

“ * * * In order to have a forcible onslaught on the enemies of the work-people, in order to give proper education to the work-people and to give proper lead to them and in order to bring down capitalism and its friends, and in order to demand 15 per cent. increase, the *Kranti* will soon appear with 8 pages.”

22. On the 20th March, several officers of the Girni Kamgar Union were arrested and taken to Meerut to stand their trial for conspiracy to wage war against the King. Other officers were appointed in their places, three of them being—

President	.. Mr. G. L. Kandalkar.
Secretary	.. Mr. S. V. Deshpande.
Treasurer	.. Mr. V. H. Joshi.

Of these, Mr. Kandalkar alone was a worker.

23. On the 21st March, the Girni Kamgar Union issued a leaflet [Exhibit 2-4(1)] complaining that all their leaders were arrested for treason and enjoined workers of all mills, except the Textile, Century and Spring Mills who were on strike, to attend to their work, so as not to give a chance to their enemies to break the discipline of the agitation conducted by the Union. The leaflet further stated that the union could not neglect the task of finally putting an end to the high-handedness of owners if it comes to going through a big strike.

24. The reasons why the Girni Kamgar Union were able to gain such strength shortly after the Agreement of 4th October is not far to seek. There can be no doubt that at this time there was a certain

amount of discontent amongst the workers, due to several causes. The conditions which existed at the time of the General Strike of 1928 continued. In this connection it will be sufficient to refer to the grievances of the workers as summarised by the Fawcett Committee in their Report in paragraphs 10 and 11.

25. In paragraph 10 the main grievances of the workers prior to the General Strike are summarised as follows :—

- (1) Direct cut in wages.
- (2) Reduction in monthly earnings owing to the following indirect causes :—
 - (a) Introduction of new varieties of cloth at rates which did not bring the level of wages to those earned on the production of the old sorts ;
 - (b) Reduction of piece rates to meet unanticipated high production by individual operatives ;
 - (c) Adjustments in rates made to bring them in line with the rates prevailing in other mills ;
 - (d) No adjustments made to increase rates in cases where mills went on finer counts ;
 - (e) Introduction of artificial silk and inferior raw material ;
 - (f) Gradual withdrawal of bonuses such as good attendance and efficiency bonus, free railway passes to workers, etc. ;
 - (g) Introduction of a method of paying wages on the weight of the cloth after it had undergone a subsequent process, instead of on the actual weight produced on the looms.
- (3) The introduction of new methods of work involving a reduction in the number of operatives employed, notably in the Sassoon group (i.e., three-loom and double-frame working) and the fear of the spread of this system to other mills in the city.
- (4) The increase in the hours of work of mechanics in some mills from $8\frac{1}{2}$ hours to 10 hours per day, and the declaration of a general intention to level up the hours of work for all mill operatives in all mills to 10 hours per day.

In paragraph 11 of their Report, they state as under :—

“ In addition to the above, there were several minor grievances in connection with the infliction of fines, dismissals, the practice of handing over spoilt cloth to the weavers in lieu of wages, etc. It would, we think, serve no useful purpose to go at length into the exact causes of the General Strike, or to attempt to apportion blame for it on either side. There were no doubt various contributory causes, but in our opinion, it can be safely said that the chief reason for its commencement and continuation for a period of nearly six months was the fear of unemployment created by the new methods of work introduced by Messrs. E. D. Sassoon and Company in their mills.”

26. According to the *Labour Gazette* there were no less than 71 strikes during the period commencing from the 4th October 1928 up to the declaration of the general strike in April 1929. 36 of these strikes are shown in the *Labour Gazette* to have been decided against the strikers, 32 in their favour and 3 resulting in compromise as will appear from the statement in Appendix B. It is contended on behalf of the Millowners that the strikes shown in the *Labour Gazette* as having been decided in favour of the strikers were concessions made by the Millowners to purchase peace. We have not considered ourselves called upon to enter into the merits or demerits of all these strikes. In view of the Terms of Reference we have confined ourselves to the discussion of such of them as occurred during the months of March and April and to such of the earlier strikes as have a direct bearing on them.

27. There is ample evidence to show that in the middle of November the Girni Kamgar Union had collected sufficient strength and that the effect of its policy was being keenly felt by the Millowners. One of the chief grievances of the Millowners which is said to have caused most of the strikes that took place from the middle of November was the working and methods of the Mill Committees formed by the Girni Kamgar Union for each Mill and the doings of the members of such mill committees.

28. The constitution of the Girni Kamgar Union (a copy of the rules is Appendix C) appears to have been copied with slight modifications from the constitution of the Bombay Textile Labour Union. The functions of the Mill Committees are stated to be purely advisory. The following are the rules relating to Mill Committees :—

“ 15. Mill Committees :—There shall be constituted at each Centre Mill Committees consisting of the President, the General Secretary, the Secretary of the Centre and the representatives of each mill attached to that centre in such proportion as may be fixed from time to time by the Managing Committee.

“ 16. Each Mill Committee shall elect its own Superintendent.

“ 17. The Mill Committees shall meet on such days as may be fixed by the Secretary of the Centre in consultation with the Superintendent of the Mill Committees.

“ 18. The functions of the Mill Committees shall be purely advisory. They shall consider questions affecting the conditions of life and service of the workers of the mills concerned, the collection of subscription, etc., and may make recommendations to the Centre Committee and, through it, to the Managing Committee.”

29. It, however, appears that prompted by the official of the Union the Mill Committees arrogated to themselves some of the functions of the Managing Committee. Not only that but each member of
How the Mill Committees were actually functioning.

the Committee considered himself justified in performing those functions upon his individual authority, including the power to call a strike, a power which, upon the construction of the rules embodied in the constitution, we hold was vested in the Managing Committee of the Union. This caused considerable friction between the workers who are members of the Mill Committees and the Mill officials resulting in several lightning strikes.

30. One of the strikes which took place in the month of November 1928 in the Spring Mills (to which reference will be made in greater detail presently) was brought to the notice of the Fawcett Committee while it was holding its sittings as will appear from pages 520 to 535 of the proceedings of the Bombay Strike Inquiry Committee, published by the Millowners Association. The strike was alleged to have been caused in consequence of certain improper activities of the Union resulting in indiscipline. In the course of that Inquiry, the Chairman observed: "It is an improper method of trying to settle differences. There was a truce arranged on the 4th of October. The employers have agreed to pay certain wages and if the workers have any complaint as to a breach of the agreement, we will listen to them. We have already done that, and decided in the workers' favour. Mr. Dange should try to influence the workmen not to have lightning strikes like the one they have apparently had." To these observations, Mr. Dange replied "I assure you that personally I have tried everything possible to stop these lightning strikes. I have tried to get Mill Committees formed in order to control the workers. Apparently Sir Ness Wadia seems to have the idea that I have appointed two or three men in order to create mischief * * * He seems to think that the appointment of two or three persons by me in my individual capacity is to report everything to me. In fact, that is not the case. The men are not appointed to report everything to me, but to get their grievances to me and to the officers for discussion and settlement before going on a strike."

31. Notwithstanding the express declaration made by Mr. Dange at that time that the functions of the Mill Committees were to put their grievances before him and the officers of his Union for discussion and settlement before going on strike, the procedure adopted by them was quite the reverse. Mr. Deshpande has stated before us that each Mill Committee exercised and was intended to exercise powers of taking the complaints directly to the management and of declaring strikes and that each officer of the Mill Committee could do the same.

The following passages in Mr. Deshpande's evidence are very material :—

"Q.—I do not quite understand why you as a Trade Union exercising proper control and proper discipline do not introduce a system by which you decide whether a strike should be called or not ?

A.—We do not want any Committee to control a strike in any mill and we do that as a matter of policy. We want each mill to take care of itself and thus cultivate initiative.

Q.—Where will it all lead to ?

A.—It will all lead to workers being trained in self-government. We do not want to be controlled by any Central Committee. The workers have to take the initiative when their own affairs are concerned.

* * * * *

Q.—Now you say that it is part of your policy to leave each mill to carry out its own strike ?

A.—We leave each mill to carry on its work, that is our policy.

Q.—What is the benefit you achieve by these organisations (Mill Committees) ?

A.—We increase the efficiency of the workers.

Q.—In what direction ?

A.—They become more disciplined.

* * * * *

Q.—Then what is the practice about exercise of powers when calling a strike ?

A.—That varies. Sometimes the strike is called by the officers of the Union ; sometimes it is called by the Managing Committee ; and sometimes by the Mill Committees.

* * * * *

Q.—At least by practice who else is authorised to declare a strike ?

A.—The practice of the Union is that sometimes the President, or the General Secretary or the Vice-President may call a strike because all the officials of the Union are taking keen interest in every mill-hand.

Q.—He may do it without reference or consultation with any other Officer ?

A.—He is not debarred from doing so.

Q.—That is to say the Secretary may do it himself ?

A.—Yes.

Q.—Or the President ?

A.—Yes.

Q.—Or the Treasurers ?

A.—I think even the Treasurers can do it."

32. The interference by the members of the Mill Committees with the Management was subversive of discipline and the lightning strikes which were brought about by these members were not such as could be tolerated by the Millowners. This naturally led to certain disputes. We propose to refer to a few of them which are of considerable importance in understanding the state of affairs which prevailed in the months of March and April 1929.

Result of Mill Committee's interference.

33. We have already referred to the complaint made by Sir Ness Wadia to the Chairman of the Fawcett Committee. We propose to go more in detail into the circumstances which led to that complaint and how it was settled. It appears from the *Labour Gazette*

Agreement in November 1928 with the Wadia group of Mills not to go on lightning strikes.

that on or about the 15th November, 1,500 spinners in the Spring Mill downed tools because the Management refused to pay wages to some of them for one day. The reason of this refusal evidently was that the spinners had stopped work without sufficient cause at 1-45 p.m. In consequence of the strike of the spinners the whole mill remained closed from the 15th to the 26th November. In a letter [Exhibit 1/41 (3)], dated 19th November, Sir Ness Wadia, the Senior Partner of the Managing Agents of this Mill, wrote to Mr. Dange complaining about the conduct of the workers and the manner in which strikes were being brought about. He complained of lightning strikes being called without any cause or complaint by two or three persons appointed in each department who ring a bell and bring out men without formulating any complaint. He also complained that at the meeting which was held on the previous day threats were held out by the strikers that they would belabour Mr. Harrison, an officer of the Mill, and assault him badly if the Mill was started again and also referred to instances of some of his men one of whom was said to have been severely handled and his head opened out by being hit by a laprod.

34. In the letters written by Sir Ness Wadia to Mr. Dange on the 22nd and 23rd November, he pointed out in the clearest terms possible that if he reopened his Mills, the men must come back on the distinct understanding of strictly observing all disciplinary rules, they must not loiter near the compound or latrines or leave their work before the Engine stops, and must obey all disciplinary orders of the Master or the Jobber, clean the machinery, pick up waste and put it in the basket as they did before (Exhibit 36/1) and lastly they should not do any Union work during mill hours or inside the Mill premises, but that if they wished to collect moneys for the Union they could do so at a place to be reserved for them in the compound near the main gate (Exhibit 36/2). With regard to redressing *bona fide* grievances it was pointed out that the aggrieved workers had a "perfectly clear channel", they could report their grievances to their Manager or to Sir Ness Wadia either orally or in writing or through the Secretary of the Unions, but an undertaking should be given that until the matter was brought before him and his decision given no strike of any nature should occur. In consequence of this correspondence an Agreement (Exhibit 1/1), dated the 23rd November 1928, was signed by the Union officials, Messrs. Alwe, Kasse and Dange, which reads as follows:—

"With reference to our interview this morning, on your consenting to reopen the mills, on behalf of the men we give you an assurance that they will work peacefully in future, that they will not indulge in any lightning strike without first putting through the regular channel any grievance they may have, and that they will obey all disciplinary measures of the Mill as were in force before the general strike, and that they will clean their machines as they used to do before."

On the same day Mr. Dange wrote another letter informing Sir Ness Wadia that the Agreement (Exhibit 1/1) was an assurance given by the Union on behalf of themselves as well as the workers and the Jobbers,

35. There was similar trouble in other Mills, and it appears that
 Similar Agreement in December with Messrs. E. D. Sassoon & Co., Ltd.

Messrs. E. D. Sassoon and Company obtained a somewhat similar agreement (Exhibit 1/25), dated the 5th December 1928, from the Union officials before they would start work after the strike in their mill. That Agreement expressly provided that no strike was to be declared without bringing the complaint to the notice of Sir Victor Sassoon or the Managing Director of the firm of Messrs. E. D. Sassoon Company, Limited, acting in his absence. On the 28th November, a protest was lodged on behalf of the Currimbhoy Group of Mills with the Girni Kamgar Union objecting to the activities of their members and intimating to the Union that none of the mill-hands who were members of the Union would be allowed to leave

Protest of the Management of the Currimbhoy Group of Mills against the Girni Kamgar Union.

their respective departments and that the spinning hands should not dictate their terms of working to the Spinning Master, but no notice appears to have been taken of this protest. The troubles in the Mill continued up to 22nd December 1928, when there was a lightning strike on account of the refusal by the management to re-employ one Papa Miya who had voluntarily resigned his job two days earlier. The Mill remained closed until the 26th December when work was started after Papa Miya had submitted a letter of regret for his conduct and given an undertaking in writing that he would do all he could to prevent lightning strikes in future. Fifteen other members of the Mill Committee also gave an undertaking to the like effect. On the morning of 29th December Papa Miya asked the Weaving Master that the operatives whom he had

displaced should be employed and was told to mind his own work. Within two or three hours'

Murder of Mill Official. time thereafter Mr. Davar, an Assistant in the Mill, was brutally done to death. The trial resulted in Papa Miya being sentenced to capital punishment and several other operatives being sentenced to long periods of imprisonment. The Mill Committee in this particular department consisted of 5 workers, 4 of whom were involved in the murder above mentioned; 1 of them turned approver and the remaining 3 were convicted.

36. Our attention has been invited to the *Kranti* of the 20th March 1929, which contains some astounding comments on the trial and conviction of the accused in the above case. The following are the pertinent passages :—

Comments in the *Kranti* on the Davar murder case.

* * * * *

The Court of the British Government has given a decision which will satisfy the friends of capitalism. Since the big strike capitalism has tried all means to harass the workmen. In the mills which are well-versed in the tricks of harassing the workmen, the Pearl Mill is one of them. The wages of workmen were ruined by this Mill by starting whatever qualities at whatever rates. * * *
 On account of this there were strikes many times in this Mill; many

compromises were made, but this Mill, well-versed in the tricks of tyranny of capitalists, never cared for them. * * *

Then is it the fault of a workman if he were to murder Davar, when that workman is out of temper through the continued harassment of hundreds of years but having self-respect and also through intoxication of hopelessness due to grief of continued strikes * *

If a man excited by the fire of *joolum* were to do any unlawful act, then he is not responsible for it, but capitalism which does this *joolum* and brings mountains of unhappiness should be hanged. * *

But how can capitalism be hanged by the Courts of the Capitalists ? The law throughout the world is the law of capitalism. * *

The workmen cannot be happy unless and until capitalism is killed and the ownership of factories and agriculture is in the hands of Labour."

These passages speak for themselves and the evil effects of such extremist preaching on the minds of the workers the majority of whom are illiterate can well be imagined.

37. Before leaving this point we wish to make a few general observations on the working of the Mill Committees. We think that the disputes in most cases were of a trivial nature and were within the scope of clause 5 of the Agreement of the 4th October. Several of these disputes should have formed the subject of negotiations between the parties and failing a private settlement the subject of a reference to the Fawcett Committee. We are not prepared to attach considerable blame to the Girni Kamgar Union officials in respect of such strikes as took place in the month of October and first part of November as we do not think that their Mill Committee had till then commenced to function. But we do think that if the Girni Kamgar Union officials had confined themselves to a proper administration of the Union affairs according to the constitution and had exercised their good offices in that behalf, several of the strikes and the consequent misery resulting therefrom would have been avoided.

38. There is hardly anything to quarrel with in the rules of their Union as framed. These rules make out the Union to have a sane constitution. Rule 2 (A) (e) lays down in express terms that one of the objects of the Union is to "endeavour to settle disputes between employers and employees amicably so that a cessation of work may be avoided". As observed by a writer on Trade Unionism "Trade Unionism cannot exist apart from trading and collective bargaining. The originating and dominating principle of Trade Unions is common arrangement in respect of wages, hours and conditions and this is impossible apart from the existence of collective authority. The unofficial strike is, therefore, the first stepping-stone towards industrial chaos." A *carte blanche* given to the Mill Committees and to each member thereof to declare a strike

as pointed out above rendered this rule a dead letter. The medium for settling the disputes between the workers and the Millowners, according to the constitution was the Managing Committee and not the Mill Committees whose function as pointed out above was "purely advisory". In practice the power was treated as conferred not merely on the Mill Committee acting collectively, but on each officer of the Mill Committee—an act on the part of the Girni Kamgar Union which clearly disclosed a revolutionary tendency. The strike was considered to be the first weapon to be used at each and every turn by any member of the Mill Committee instead of its being the weapon to be used in the last resort after due deliberation by the executive of the Union after consulting the wishes of the workers. An attempt was made in the evidence to prove that some of the strikes were the result of corporate action taken by the Mill Committees after negotiations with the management and that as such they were as much official strikes as any declared by the Managing Committee of a Union or by the general body of its members. But the fact remains that there is no evidence that with reference to these strikes any attempt was ever made to secure the prior assent or subsequent confirmation of the Managing Committee. Apart from the fact that no minutes of the Mill Committees appear to have been kept in most of the mills to serve as a record of what transpired there, it is not disputed that the President and certain office-bearers of the Managing Committee and the Centre Committee, who by Rule 15 were ex-officio members of each Mill Committee were neither present at such meetings nor even notified to attend. The troubles caused by the exercise of such wide powers by the members of the Mill Committees may well be imagined. Evidence has been led before us to prove the chaos which had been caused during this period by young, inexperienced and illiterate operatives asserting their authority in various ways. It will be sufficient to mention two typical instances. Mr. Clifford, Spinning Master of the Fazulbhoy Mill, gave orders on one occasion to tighten the belt of a machine and on another occasion to change a pulley, and on both these occasions a strike was threatened in consequence thereof, and the orders had to be countermanded for the time being. The other instance is that of Babu Bhiku, a mere lad 15 years old, who admitted that whenever he saw any spinner working on two sides of a frame, he objected to it and asked the jobber to stop it, and similarly if a belt was tight or a belt was running fast, he asked the jobber to set it right and that on some occasions when the jobbers would not listen to him he placed them before the Union officials for being reprimanded. According to him he was not even elected as a member of the Mill Committee, but had been entrusted with the collection of Union subscriptions and therefore exercised the functions of a member of the Mill Committee.

It will thus be seen that the Mill Committees were functioning unconstitutionally and their members individually were indulging in unwarranted interference with the working of the Mills.

CHAPTER III.

THE FIRST AND SECOND TERMS OF REFERENCE.

39. The appended table prepared from the *Labour Gazette* gives in a summary form the main facts with regard to each of the Textile disputes which were in progress during the months of March and April 1929 prior to the General Strike which took place on the 26th April.
- Textile Disputes in
March and April prior
to General Strike.

No.	Name of the Mill.	Date when dispute		Causes.	What department affected.	Result		
		Began.	Ended.			In favour of employees.	Against employees.	In favour of neither side.
1	Currimbhoy Group. (a) The Pearl Mills .. (b) The Pabney Mills. (c) The Fazulbhoy Mills. (d) The Crescent Mills. (Messrs. Currimbhoy Ebrahim & Sons, Managing Agents).	25-2-1929.	18-3-1929 ..	Claim for increased wages by operatives in the Sizing Department. They claimed that they should get the same wages as were paid in the Bradbury and Mathuradas Mills which were under the same management.	Sizing Department.	Employers agreed to increase the wages by 2 annas.	....	....
2	Century Mills (Managing Agents C. N. Wadia & Co.)	1-3-1929..	4-3-1929 ..	Demand for reinstatement of an operative of the Ring Department dismissed for disobedience of orders for cleaning machinery.	Ring Department 650 operatives.	....	Resumed work unconditionally.	...
3	The Spring Mills (Managing Agents Nowroji Wadia & Sons).	1-3-1929 .	Merged in the general strike.	Demand for reinstatement of one Dhondubhai, a Spinner, who had absented himself without leave.	600 spinners struck work and induced others to come out. Whole mill affected.	....	....	....

No.	Name of the Mill.	Date when dispute		Causes.	What department affected.	Result		
		Began.	Ended.			In favour of employees.	Against employees.	In favour of neither side.
4	The Textile Mills (Managing Agents Nowroji Wadia & Sons).	2-3-1929..	Merged in the general strike.	Demand for reinstatement of operatives Govind Amrutia and Vasu Ladoo who had absented themselves without leave.	Strike in the morning in the Roving Department. In the afternoon the whole mill affected.	....	....	....
5	Currimbhoy Group. (Managing Agents Messrs. Currimbhoy Ebrahim & Sons).	3-3-1929..	13-3-1929 ..	Owing to the strike in the Sizing Department, weavers asked to work on one loom and accept wages for one loom. This they refused to do and struck work.	The whole mill .	....	....	Resumed work on the strike in the Sizing Department coming to an end.
6	Century Mills (Managing Agents Messrs. C. N. Wadia & Co.).	12-3-1929.	Merged in the general strike.	Refusal to reinstate a Jobber and 11 operatives dismissed for inefficiency due to spending most of their time in doing propaganda work for their Union inside the Mill.	Owing to the strike of the weavers whole mill closed.	....	....	....

7	Madhowji Dharamsi Mill. (Messrs. Gokuldas Madhowji Sons & Co.).	19-3-1929.	20-3-1929 ..	Refusal to employ a member of the Girmi Kamgar Union who had been thrown out of employment in the middle of February owing to right shift working having been stopped.	2,200 operatives struck work.	....	Resumed work unconditionally.	....
8	Prabhat Mill .. (R. D. Tata & Co. Managing Agents)	11-4-1929.	20-4-1929 ..	Demand by spinners for increased wages.	The whole mill..	Management agreed to grant an increase of 8 annas in the wages and to change the hours of work of female winders to 7-30 a.m. to 5-30 p.m. instead of 7 a.m. to 6 p.m. as before.	....	....
9	The New Kaiser-i-Hind Mill. (Vasanji Manji & Co.).	16-4-1929.	25-4-1929 ..	Demand for increase in wages by female winders.	Only a few female winders.	....	The Mill employed new hands and some of the strikers resumed work unconditionally.	....
10	Morarji Gokuldas Mill (Messrs. Morarji Gokuldas & Co., Managing Agents)	18-4-1929.	Merged in the general strike.	Refusal to cancel notice put by the mill that certain superfluous female operatives in the Colour Winding Department would be paid off and discharged.	After 20th April whole mill.	....	....	....

40. The parties have led evidence only with regard to the strikes in the Spring, Textile and Morarji Goculdas Mills. The strikes in the two former mills have formed the pivot of the discussion before us and we therefore propose to deal with them at some length.

41. It is common ground that one Dhondu Bhau who was a member of the Mill Committee in the Spring Mills came to the Mill on the 1st March and asked to be put in charge of his machine. The Spinning Master refused his request and within a very short time thereafter on the same day there was a strike. The case of Dhondu Bhau is that he had gone on 14 days' leave and that on his return he was wrongly refused permission to go to his work merely and solely because he was a prominent member of the Mill Committee and therefore he had been marked for the purpose of victimisation. The evidence of Dhondu Bhau that he went on leave stands by itself. On the other hand, we have the evidence of Mr. Hardwick, the Spinning Master of the Mill, supported by the complaint book (Exhibit 30/1) kept by him which we see no reason to disbelieve. From the complaint book it appears that Dhondu Bhau had created trouble in the mills on several occasions. On the 5th December, he told the jobbers that they were not to change any wheels without informing him. On the 27th December, he told the jobbers and doffer boys in the Weft Department that they must not work as followers to side boys, but must ask for extra side boys. On the 11th, 12th and 13th February he absented himself from work. On the 14th February he returned to work but refused to resume work on his frame as it was working 10 S weft, and left the mill as he was not willing to work on that frame, with the result that on the 19th February, his place was filled up by engaging another operative. On the 27th February his frame was changed from 10 S to 26 S weft. Thereafter he returned to work on the 1st March and wanted to work on his frame which he was not permitted to do. The genuineness of this book (Exhibit 30/1) was challenged by Mr. Deshpande. We have carefully examined it and we have no hesitation in holding that it is a genuine document. It finds ample support from the report (Exhibit 36/10) made by Mr. Hardwick to Sir Ness Wadia on the 1st March and from the endorsement made on it by Sir Ness Wadia in his own hand on that very day confirming the action of the Spinning Master. On these facts it would appear that the conduct of Dhondu Bhau was such that it rendered him liable to be dismissed even before the 14th February. No mill could be worked if workers play the role of the management and issue orders of the nature given by Dhondu Bhau. But, Dhondu Bhau, having left the mill on the 14th February, under circumstances stated above, no question could possibly arise of his having gone on leave and of his claiming to be reinstated on the 1st March.

42. But whether the refusal by the Manager to reinstate Dhondu Bhau was justified or not, there can be no doubt that the strike which followed was a clear breach of the agreement of the 23rd November (Exhibit 1/1) by the Union leaders.

43. Jilloo Bhiva, President of the Mill Committee, has been examined in support of Dhondu Bhau's case, and his version of what transpired on that day is as follows :—

On the 1st March in the morning, Dhondu Bhau complained that he had been dismissed by the Spinning Master. Thereupon the Mill Committee met and decided to strike work unless Dhondu Bhau was reinstated. The witness then went to the Manager to request him to reinstate Dhondu Bhau. 20 or 30 members of the Mill Committee stood outside the room. The Spinning Master was there and when questioned denied that Dhondu Bhau had gone on leave. The Manager said that in view of that statement he had no *adhikar* (authority) to reinstate Dhondu Bhau. On this reply being communicated to the mill-hands they went on strike.

Assuming that the version given by Jilloo Bhiva is absolutely true, it is clear that the strike was called before the alleged grievance had been put through the "regular channel" and as such was contrary to the express terms of the Agreement by the Girni Kamgar Union officials already referred to. Whatever meaning may be attached to the expression, Jilloo Bhiva and his Committee were certainly not the "regular channel".

44. It has been urged by Mr. Mody and not without considerable force that in view of the correspondence which preceded the agreement (Exhibit 1/1) it was necessary that the complaint of Dhondu Bhau should have been brought to the notice of the Managing Agents of the Mill especially as the Manager had said according to Dhondu Bhau, that he himself had no *adhikar* (authority) to reinstate Dhondu Bhau in view of the order passed by the Spinning Master. In our opinion it was incumbent on the aggrieved party to approach Sir Ness Wadia either directly or through the Union officials, before the strike was called.

45. We have no hesitation in holding that this strike was absolutely unjustified and that it was the clear duty of the Girni Kamgar Union to prevent the trouble.

46. Though it was stated before us that the strike in the Textile Mills was due to the refusal of the management to reinstate two operatives Govind Amrutia and Vasoo Ladoo, there can be no doubt on the evidence that at the time when the strike was declared it was only in respect of the alleged refusal to reinstate the latter. Neither of these operatives was a member of any Mill Committee and nothing has been alleged to convince us that the refusal to reinstate either of them was actuated by any improper motives against their Union.

47. With regard to the case of Vasoo Ladoo the allegation is that although he was absent without leave, it was owing to his ill health and that though he offered to produce a medical certificate the Carding Master refused to re-employ him with the result that the workers went on strike. Assuming that these facts are true two things are clear : there

was no question of punishing Vasoo Ladoo for any activities of the Union and secondly such refusal by the Carding Master did not justify the workers going on strike without putting up their grievance through the regular channel.

48. The cause stated in the *Labour Gazette* is said to be refusal by the Mill to cancel a notice put up by the Mill that certain superfluous female operatives in the Colour Winding Department would be paid off and discharged. But from the evidence given before us it would appear that this was evidently not the cause of the strike. Ramchandra Yeshwant, a member of the Mill Committee, has been examined on behalf of the Union. He stated that the dispute was with regard to the quality of the yarn given to the colour winding department. He represented the matter to the management. But in spite of his protests, the same quality of yarn was given to the operatives of the colour winding department on the 15th April, with the result that they stopped their machines on that date. The protests of two of the labour leaders on the 16th, 17th, 18th and 19th had no effect and on the 20th April he himself was dismissed, and then all the operatives went on strike. According to him the refusal of the management to improve the quality of the yarn in the winding department coupled with his dismissal formed the cause of the strike. On the other hand it is clear from his cross-examination, the evidence of Mr. Joshi, the treasurer of the Girni Kamgar Union, and of Mr. Joshi, the Weaving Master of the Mill, that the Mill authorities denied that the yarn was of inferior quality and offered to have a test held in the presence of representatives of the Girni Kamgar Union which was turned down.

With regard to the dismissal of Ramchandra Yeshwant, Mr. Joshi has deposed to various acts of insubordination and interference by Ramchandra ; to his going from department to department claiming the privilege to do so on the ground of his being a member of the Mill Committee ; to his having stopped a Jobber in the Winding Department from working his machine, and having asked the motor-man to stop the motor ; to his insistence upon giving certain beams to his friends in preference to others to show favour to his friends ; to his having conveyed threats to Bakriddin Saheb, a Head Jobber ; to his wasting a lot of his time in collecting Union subscriptions, strike fund and Meerut Defence Fund and to his constantly absenting himself from work. On the whole, we are not prepared to hold that any inferior yarn was given to the winders nor are we prepared to hold that Ramchandra was not rightly dismissed on account of his unwarranted interference with the work of the Mill, his neglect of his duties and fomenting troubles.

49. The other strikes during these months may be summarily dealt with. The operatives in the Sizing Department of some of the mills in the Currimbhoy Group asked for wages on the ground that the operatives in the Sizing Department in the Bradbury and Mathuradas Mills, which were under the same management, were receiving higher

wages. This was contrary to the agreement of the 4th October, the operatives in these mills having agreed to work at the same rates as those which prevailed in 1927. We are not now concerned with the question whether their wages were low and should or should not have been increased but with the question whether the strike was justifiable or not. The strike in the same group of mills (Item No. 5) was the result of the first strike and requires no further comment.

50. With regard to the strikes in April 1929 in the Prabhat Mill and New Kaiser-i-Hind Mill, Item Nos. 8 and 9, the same argument applies as in the case of Item No. 1.

51. The other strikes require no special comment and no allegation has been made to justify them.

52. In a preceding part of our Report we have shown that the strikes which preceded the general strike of April 1929 were not justified. We shall now deal with the immediate events leading up to the declaration of the general strike on the 26th April.

Events preceding the general strike.

53. The Fawcett Committee Report of March 1929, which was partly in favour of the workmen and partly in favour of the millowners does not appear to have brought peace in the Textile industry. But after its publication there appears to have been no difficulty in both the parties sitting together in a Conference convened by the Chairman of the Millowners' Association with a view to arrive at a settlement on the issue arising out of the Report. There were four meetings of the Joint Conference on the 8th, 16th, 22nd and 24th April 1929.

Summary of the events from 6th April to 26th April.

54. The result of the Conference arrived at after full and friendly discussion should have settled many points of dispute between the parties and brought about an atmosphere of peace and goodwill in the industry.

Girni Kamgar Union's four demands.

But this was defeated by the action of the leaders of the Girni Kamgar Union in suddenly bringing forward at the Conference certain alleged grievances in addition to the demand for the reinstatement of 6,000 men of the Wadia group of mills and insisting on those alleged grievances being investigated and remedied before proceeding further with the consideration of the Fawcett Committee Report. These grievances were as follows :—

- (1) Victimisation of the Girni Kamgar Union men.
- (2) Obstacles to the Union activities by the management.
- (3) Objection of the Millowners to collection of subscription inside the Mills.

These were placed before the Joint Conference of the 16th April, and at Mr. Mody's request, a specific statement giving details was furnished to the Association by the Girni Kamgar Union's letter of the 18th April, received by the Association on the 19th and communicated by them to the individual mills concerned on the 20th April.

55. In the meantime on the 17th April, the *Kranti* came out with an article headed "Will there be a big strike".
 Articles in the *Kranti* of the 17th and 21st April. There was another article in the *Kranti* on the 21st April with the heading "Why and how to declare a strike".

56. At the meeting of the Joint Conference held on the 24th April, on a difference arising between the Girni Kamgar Union and the Millowners on the question of the method of investigating the cases of alleged victimisation, the Girni Kamgar Union's representatives declined to proceed further with the Conference and within 48 hours thereafter, i.e. by noon on the 26th April, called out a general strike of the entire textile labour of the City.

57. It may be mentioned in this connection that the Bombay Textile Labour Union, a well established body of workers and founded long before the Girni Kamgar Union, was also a party to the Joint Conference and while it was anxious that the alleged grievances put forward by the Girni Kamgar Union should be investigated thoroughly and speedily, it declined the Girni Kamgar Union's invitation to join in the general strike and on the contrary condemned it as unjustifiable and against the interest of the workers.

58. It is unnecessary to enter into a detailed discussion of the evidence of the three important witnesses, viz., Mr. Mody, Mr. Deshpande and Mr. Bakhale, as regards what took place at the meeting on the 24th April. It will suffice to state that the difference which arose was due to the suggestion of Mr. Deshpande that the Girni Kamgar Union should be at liberty to lead evidence on each and every case of victimisation that it may bring forward, which suggestion was not accepted by Mr. Mody on the ground that it was impracticable. Mr. Mody suggested that two or three cases might be picked out to be treated as test cases to be gone into fully. This was not accepted by

Mr. Deshpande and it was thereafter suggested by Mr. Bakhale that a special Sub-Committee should be appointed for investigation of such cases. Mr. Mody appears to have been ready and willing to consider the suggestion if it were brought forward by the Unions jointly or was agreed to by the Girni Kamgar Union. The latter, however, did not accept the suggestion and left the Conference remarking that thereafter the Girni Kamgar Union was free to adopt such course as it thought necessary.

59. The following are circumstances relating to this period, which it is important to bear in mind. The charge of victimisation by the Millowners or some of them beginning from the 1st March was never brought to the notice of Mr. Bakhale until the 13th April, or of the Millowners until the 16th. If it was so palpable and so glaring as is now made out one would have thought that it would make its appearance earlier. Mr. Deshpande is unable to point to any particular act or fact between the 6th April, when the first meeting of the Joint Strike Committee was held, and the 13th April when the grievance was first put up before Mr. Bakhale, which led to the formulation of

this as a grievance only on the latter date. All he can say by way of explanation is that he was looking at things then from a fresh perspective of the situation. Again the issue of the *Kranti* on the 17th with its headline "Will there be a big strike" is a remarkable incident considering the situation at that time. Matters at that moment had progressed only so far, that grievances had been formulated on the 16th to the Millowners and they had promised investigation and redress. It is remarkable too that Mr. Deshpande who was responsible for that paper and that heading was an official of the Union and a representative of the interests of the workers in the negotiations and, therefore, was directly in touch with the exact situation. It is no wonder, as Mr. Bakhale puts it, that such a premature declaration should create suspicion about the intention of the Union in the minds of the other parties to the negotiations, and strike a blow at the calm and peaceful atmosphere on which the Girni Kamgar Union had laid so much emphasis in dealing with the Fawcett Committee's Report. This is certainly another consideration which reflects upon the *bona fides* of the representatives of the Girni Kamgar Union and adds to the strength of the suggestion that the leaders were determined to precipitate the strike in any event. The further article in the *Kranti* of the 21st is open to the same comment having regard to the situation then existing. Another fact pointing the same way is that although according to Mr. Bakhale a statement had been made by Mr. Lalji Pendse on the 16th April that his Union was not thinking of a general strike, the Union's letter of the 18th April twice contains mention of a general strike, and moreover this suggestion was made over the head of Mr. Bakhale and his Union, who were not consulted prior to that letter, and were not even sent a copy of it.

60. After the break up of the meeting of 24th April, it is said that a meeting of the Managing Committee was held and also meetings of the workers which Mr. Joshi the Treasurer of the Union calculates were attended by very large numbers, though of course there is no means of checking them and though the numbers are given as 10,000 in their own statement issued to the Press at that time. At these meetings, it is said, the general strike was resolved upon. As regards the Managing Committee, certain minute books of the meeting were produced before us, but as in the case of the account books and other matters, we are prevented from utilising any information derived therefrom (*see* section 13 of the Trade Dispute Act, 1929) for the purposes of our report. No documentary evidence is available as to how the meeting of the Managing Committee was convened, or how the members were summoned. All we have is a statement of Mr. Deshpande that notices must have been issued, but he does not know when: he says they were delivered by hand. These were followed by a letter from the Girni Kamgar Union of 25th April and the declaration of the General Strike on the 26th. Upon the whole case, we are of opinion that nothing that took place at the joint meeting on the 24th April was sufficient to justify the conclusion that the Millowners were not prepared to give reasonable consideration to the points which had been raised for discussion.

61. We shall now deal specifically with the merits of the demands put forward by the Girni Kamgar Union representatives at the Conference.

Merits of the Girni Kamgar Union's demands.

62. With regard to the first demand, all that was alleged by the Union was that the Manager of the Dawn Mill had refused to receive a letter sent by the Union. So far as this question is concerned, the President of the Millowners' Association could do nothing more than give an explanation of the alleged misapprehension under which the letter was not accepted and to give an assurance to the Girni Kamgar Union that this would not happen in future. This issue, therefore, must be considered to have been settled and could not form the basis of any grievance.

63. With regard to the question of victimisation, it is regrettable that the suggestion made by Mr. Bakhale that a Sub-Committee should be appointed for the purpose, was not accepted. We think the Millowners' Association might have exercised a wiser discretion by accepting that proposal without the qualification that they would be inclined to accept it if it came from the Girni Kamgar Union officials. But we are not prepared to hold that if they had accepted the suggestion it would have prevented the general strike.

64. It must be recognised that the Girni Kamgar Union case for victimisation is greatly weakened by the policy of the Girni Kamgar Union resulting in indiscipline in Mills and interference with the routine of management. The persons responsible for carrying out the policy are in the main the officials of the Mill Committees or others like Babu Bhiku, who take upon themselves to practise wanton interference. Consequently these are the persons who are most likely to clash with the Management and who will raise the cry of victimisation if action is taken against them. Further, it is not surprising to find the idea developed that membership of the Mill Committee confers a privileged position in the matter of treatment by the Management as compared with the ordinary worker—*vide* extract from the evidence of Jilloo Bhiwa, himself President of a Mill Committee and a friend of Dhondu Bhau, Appendix D.

65. We have recorded the evidence adduced by both parties with regard to the alleged cases of victimisation. It is no doubt true that certain members of the Mill Committees lost their jobs on account of their activities and we think in one sense it is open to the Girni Kamgar Union to assert that these men were victimised. But the real question is how far they merited such dismissal. If the activities of these members were mischievous and detrimental to the interests of the mills concerned resulting in their dismissal, it is not open to the Girni Kamgar Union to contend that these members were victimised or to represent their dismissal as a case of grievance to be redressed.

66. We have already dealt with the case of Dhondu Bhau of the Spring Mill, as also of Govind Amrutia, Vasu Ladu, Narayan Krishna and Babu Bhiku of the Textile Mill, and Ramchandra Yeshwant of the

Further cases of alleged victimisation.

Morarji Goculdas Mill. In our opinion the refusal by the mills to reinstate these operatives was in no way unjustified. We have briefly dealt with the remaining cases in Appendix E.

67. In the report of the Industrial Disputes Committee of 1921 it is stated that "there is undoubtedly a widespread belief that victimisation is practised and that Trade Union leaders are marked out for dismissal on the first opportunity". We agree with these observations and think that this widespread belief which prevailed then continues up to the present day and is in our opinion responsible for a great deal of distrust of the management by the workers leading to frequent disputes. Even Mr. Bakhale, a sober and experienced officer of the Bombay Textile Labour Union, has said that the Trade Union officials are marked men in the eye of the Management. The mischievous and militant activities of some of the workers resulted in their dismissal, and the Girni Kamgar Union took full advantage of the distrust prevailing among the workers in bringing about the general strike.

68. It is not easy to understand the position taken up by the Girni Kamgar Union. It is one of the fundamental principles of Trade Unionism that Trade Unions should take steps to see that an agreement entered into by them in their corporate capacity is honoured. No Trade Union can claim the sympathy of the public if its members refuse to honour an undertaking given by its representatives. The strikes in the Wadia Group of Mills were a direct violation of the express agreement given by the Girni Kamgar Union leaders not only on behalf of themselves but also on behalf of all the members of the Union. Whether the strikes had been called by the members of the Mill Committees in the exercise of their supposed authority or not, it was incumbent on the Union to call off those strikes and to make the member strictly conform to the terms of the agreement. We are unable to accept the meaning which Mr. Deshpande has given to the words "regular channel" as meaning that as soon as the attention of the Management was invited to the grievances by any member of the Mill Committee, it must be taken that the Management had been approached through the regular channel. In our opinion no attempt had been made by the Managing Committee of the Union to redress the alleged grievances of Dhondubhai, Govind Amrutia and Vasu Ladu through the regular channel. Sir Ness Wadia was prepared to take back the strikers and to investigate into the alleged grievances but his offer was rejected and the investigation of the alleged grievances was made a condition precedent to the calling off of the strike. The same attitude was adopted by the officials of the Girni Kamgar Union on the 30th March when Sir Ness Wadia repeated his offer to take back as many men as he required. It is suggested by Mr. Deshpande that the expression used was "such men as he wanted" and the intended object was to victimise the officials of the Union. But no exception was taken to this clause as such in the reply of the

Union and no suggestion made that this condition had been proposed with the object of victimising the officials of the Union and that therefore it was not acceptable. The terms proposed were turned down *en bloc* and compliance with the terms previously laid down by the Union officials was insisted upon, viz., inquiry into the cases of alleged victimisation should be gone into as a preliminary to the calling off of the strike. This was the second opportunity afforded to the Girni Kamgar Union to carry out their agreement which was refused. If after that, Sir Ness Wadia declared his intention to reopen his mills and to exclude such of the strikers as did not return to work, the blame for the consequences lies on the shoulders of the Union. At the conference of the 24th April, another opportunity was afforded to the Union officials of permitting the strikers to return to work and an offer was again made that such of them as could not be reinstated in their old jobs would be absorbed in other mills. It was also stated that there would be no difficulty in absorbing them. But that offer was also rejected. In the evidence of some of the witnesses, an attempt was made to prove that these strikes were not called by any member of the Mill Committee. Assuming that it was so, the obligation was all the greater upon the Union officials to see that these strikes were brought to an amicable settlement.

69. Mr. Deshpande has boldly asserted that no Trade Union can call off a strike until all the strikers are taken back in their old jobs although it might mean the displacing of others who were enlisted in consequence of the recalcitrant conduct of the workers to resume work, but he has been unable to draw our attention to any authority which lays down such an unqualified proposition as that. We cannot accede to the view that the strikers were not in the wrong. They had gone on strike in breach of an express agreement made by their Union. The Union was, therefore, not entitled to insist upon all the strikers being taken back in their old jobs as a condition precedent to calling off the strike, and to refuse the offer of the strikers being absorbed in other mills.

70. The question of the recognition of Mill Committees and collections in the Mills had not been in any way formulated as grievances by Mr. Deshpande before the 16th April though it had, on the contrary, formed the subject of earlier complaint by the Millowners. It has been argued that the Millowners ought not to interfere with the collections of subscriptions made within the Mills during working hours. The evidence is that there have been in the past very occasional collections within the Mills: one instance is cited of a subscription for a present for one of the officers: another is an annual collection for the celebration of the Satyanarayan Puja and it is said that the Management have not complained. A letter was put before us almost at the end of the inquiry as showing that in certain Railway Unions collections were allowed in the shops, but no sworn testimony was produced to that effect. Mr. Bignell of the Textile Mill stated that Mill Committees did not exist to his knowledge in England and that Union subscriptions there were not collected inside the Mills. From one point of view it may no doubt

tend to disorganise work in some degree, in that substitutes are provided for members of the Mill Committee who do the collections in each department. It may also tend to create trouble and affect discipline and efficiency particularly where it is a case of rival Unions canvassing for subscriptions. Evidence has been led before us by the witnesses called by the Girni Kamgar Mahamandal which goes to show that in the matter of collecting subscriptions, coercion has been practised by collectors upon members of another Union. On the other hand collections of some kind on a small scale seem to have gone on within the Mills on occasions, and it seems likely that the Management would not need to object if only production, efficiency and discipline were not affected. It was as early as the end of November 1928, when the Girni Kamgar Union began to increase its numbers materially, that the Millowners found it necessary to take exception to these collections within the Mills, at or about the same time that objections were being made to men moving about to other departments to the neglect of their own work. This question of collection of Union subscriptions is one that ought to be capable of adjustment between the parties themselves, either on the footing of the collection being made by the Mills themselves on behalf of the Union (as we are informed is the case in the Ahmedabad Mills) or otherwise. At any rate this question is one that must be left open, beyond this that in our opinion nothing in the Millowners' attitude towards the question in April 1929, would form any reasonable ground for the declaration of a general strike.

Findings on the first and second points of reference.

71. To sum up we think that some of the leaders of the Girni Kamgar Union took advantage of the conditions prevailing in October 1928, viz., the discontent prevailing among the workers due mainly to the fear that there would be both a cut in their wages and unemployment resulting from the proposed introduction of the standardization and efficiency schemes.

72. They adopted an unconstitutional method of converting the Mill Committees from advisory into executive Committees and their policy was to encourage individual action among the officers of a Mill Committee even to declare a strike though such procedure was unauthorised by the rules and in breach of the agreement of 23rd November. Instead of attempting to take corporate action or to enforce corporate agreements entered into by the officials of the Managing Committee of the Union they encouraged antagonism between the workers and the Millowners and caused several lightning strikes without just cause prior to the declaration of the general strike for the purpose of fomenting unrest preparatory to the general strike which they had contemplated in October 1928, and which they brought about at the stipulated time. There was nothing in the attitude of the representatives of the Millowners at the conference of the 24th April which justified the officials of the Girni Kamgar Union in breaking off the negotiations and taking the extreme step of declaring a general strike. Their first demand

was satisfied. With regard to their second demand there was no absolute refusal to go into it and the third and fourth demands were not reached. They have failed to establish their plea of victimisation of their officials and to justify their demand for reinstatement of the strikers in the Wadia Group of Mills.

73. It is difficult to say that the dispute or disputes, if any, which resulted in the general strike, existed between the workers themselves and the Millowners. The dispute during this period was between the officials of the Girni Kamgar Union on the one hand and the Millowners on the other, resulting from the policy and activities of the officials of the Union and the Mill Committees. In the struggle between the parties, the Millowners were largely on the defensive. It is highly probable that in certain instances the Millowners and their officers did not act with the same circumspection as they might have done in a more favourable atmosphere. But we think the blame lies wholly at the door of the officials of the Union for the state of affairs which prevailed during the months of March and April resulting in the general strike.

THE THIRD AND FOURTH TERMS OF REFERENCE

74. Strictly speaking the general strike does not now exist in fact.

Prolongation of the strike. It appears from the figures of employment furnished by the millowners that the number of hands working after the 26th April was at first at a low figure, and gradually again increased at a fairly constant ratio until the return shows over 90,000 by the 26th May. In June the figures as given varied from about 65,000 to 85,000 and in July from 85,000 to 95,000 after which it remained at about that figure up to the middle of August and now it is said to be in the neighbourhood of 1,05,000.

75. It is also to be remembered that the strike was called just at or about the time of the year when in the ordinary course the workers depart to their homes in large numbers. To what extent the exodus this year departs from the normal it is impossible to say. The Union has not produced any statistics to show which of its members are absent. In 1928, we are informed, about 40,000 men were away at their homes during this season. After the 26th April 1929, the Union issued leaflets encouraging their members to go home, and no doubt a certain expenditure from Union funds was incurred in the purchase of tickets to enable some of the workers to go to their homes. It is, however, not possible to do more than form a very wide estimate of the number which might vary between 15,000 and 30,000. So far as these workers are concerned, they are not ordinarily expected to return to Bombay before the end of the monsoon season. Excluding them, there is still a large number of workers about 10,000 to 20,000 who have not been accounted for.

76. Several causes have been assigned by the parties for the prolongation of the strike such as it is, and the difficulties in the way of a settlement. We shall first deal with the causes and difficulties as put forward by the Millowners' Association.

77. There is no doubt that intimidation and acts of violence by the strikers have been an important factor in the prolongation of the strike. Mr. Kelly, the Commissioner of Police, has given evidence before us to prove that intimidation has been carried on by the strikers to a considerable extent both in the chawls and on the roads and that picketing has by no means been peaceful. The Order issued by the Chief Presidency Magistrate under section 144 of the Criminal Procedure Code has been extended by Government indefinitely in consequence of the strike situation. Mr. Kelly himself has issued an Order under the Bombay City Police Act prohibiting meetings of the Girni Kamgar Union. To a question put to him by Mr. Deshpande as to the reasons for his order, he replied "because my experience in the past has been that the doctrines which the leaders of the Girni Kamgar Union preach are the sort of doctrines which lead to riot and murder". Evidence has been led of several specific instances of intimidation and assaults on the workers, and the measures taken by the Millowners to avoid molestation of their workers by temporarily housing several of them in Mill compounds and by providing escorts. Mr. Bakhale also has deposed to the members of his Union working in the Madanpura Mills having complained to him that they were afraid of going to the Mills, because they would be assaulted.

78. The second cause relied upon by the Millowners' Association is the aggressive nature of the propaganda adopted by the Girni Kamgar Union. Several leaflets issued by the Girni Kamgar Union and articles appearing in the *Kranti* have been exhibited. We attach herewith extracts from some of them as Appendix F. Reliance has also been placed upon speeches made by some of the leaders and although the actual speeches have not been proved from shorthand notes it can be safely assumed that their tone and character was not less expressive than those of the leaflets and of the press articles in the *Kranti*. The Girni Kamgar Union has been described in the leaflets as the Red Flag Union or the Lal Bavta Union and its avowed object appears to be the destruction of capitalism. In one of the articles of the *Kranti*, it is stated that the fight of the Red Flag Union will continue so long as the unjust existence of capitalism continues. There has been a good deal of misrepresentation in the leaflets and in the *Kranti* about the attitude of the Millowners' Association. As against the above, the Girni Kamgar Union have alleged as one of the causes of the prolongation of the strike, the counter-propaganda and the counter activities carried on by or on behalf of the Millowners or some of them, as for instance, counter-picketing by the members of a body called the Blue Flag Union, and distribution and dissemination of posters and leaflets. It is obvious that *prima facie* such manoeuvres instead of prolonging the strike are calculated to help in bringing back the workers. We hold that both the ground set forward by the Millowners' Association have been completely established to our satisfaction.

79. With regard to the difficulties in the way of a settlement, the Millowners have urged that the demands made by the Girni Kamgar Union at the Conference of the 24th April were of an impossible nature and that their policy and methods were such as to make it equally impossible to deal with them. We have already dealt with this aspect of the case in the previous chapter. We may add that the Girni Kamgar Union officials have continued to maintain the same uncompromising attitude up to this day. They are not prepared to call off the strike unless there is a complete surrender by the Millowners and an unqualified acceptance by them of the 4 demands formulated at the Conference by the Girni Kamgar Union. Mr. Deshpande has gone so far as to say that he would submit to the arbitration of no tribunal howsoever constituted unless it was composed solely of workers. We hold that this uncompromising attitude is one of the main difficulties in the way of a settlement.

80. We are, however, of the opinion that the above are not the only causes of the prolongation of the strike and difficulties in the way of a settlement. There is undoubtedly an undercurrent of discontent amongst the workers which has been turned by some of the extremist leaders of the Girni Kamgar Union to their own account, resulting in the present unrest.

We shall refer to some of the causes of the discontent which have been brought out by the evidence.

81. With regard to the cut of $7\frac{1}{2}$ per cent. wages the Fawcett Committee has said at page 127, "although there is justification for the proposed cut, under present circumstances, it would be in the interests of both parties for it to be dropped, on the understanding about labour co-operation that we have mentioned". Of their own accord, the Millowners' Association postponed the introduction of this cut up to October 1929. It is also probable that if the present state of affairs had not been brought about, the suggestion of the Fawcett Committee to give up the cut altogether might have been accepted. The Millowners have a perfect right to say that since the conditions precedent laid down by the Fawcett Committee to the giving up of the cut have not been fulfilled, the workers have no justification for asking for the cut not to be enforced.

We are also aware of the argument that any concession shown by the Millowners is likely to be availed of by persons interested in the continuance of the present unrest to misrepresent to the workers that such concession was a success for the Girni Kamgar Union methods. On the other hand, it may be argued that the misguided workers, the majority of whom are illiterate and poor should not be further penalised owing to the situation which has arisen from the obstinate conduct of the Girni Kamgar Union officials at the Conference of the 24th April but for which the matter of the $7\frac{1}{2}$ per cent. cut would in all probability have been settled. We, however, make no recommendation one way or the other, in respect of this question, as it falls outside the scope of our Reference.

82. The Fawcett Committee while approving the Efficiency Scheme has in paragraph 291 expressed an opinion with regard to the introduction of the efficiency scheme as follows :—

“It would be more conducive to alleviation of consequent unemployment to have a gradual adoption of the scheme by the mills, and not its simultaneous adoption by all.”

It has also suggested that although the adoption of the scheme cannot be delayed until it is preceded by the establishment of an Unemployment Insurance Scheme and of Labour Exchanges such as exist in other countries, there is some obligation on the Millowners to try and take some steps towards mitigating hardship due to loss of employment. The remarks we have made above in reference to the 7½ per cent. cut apply equally to the present question.

83. In this connection we may state that we are not aware if the conclusions of the Fawcett Committee have been brought to the notice of the workers. But if that has not been done steps taken to inform the workers of the findings of that Committee would have the effect of removing certain wrong impressions that might have been created in their minds in consequences of any improper propaganda carried on during the past four or five months.

84. At the commencement of the strike the employers refused to pay to the strikers wages for the period commencing from 1st April to 25th April. Subsequently they consented to pay these wages only to such workers who resumed duty and put in at least 6 days' work during the month of May. Up to now they have not paid wages to those who did not comply with that condition. We have been asked to give a finding as to the legality or otherwise of the non-payment of the April wages. We have declined to do so as we think that it is not within the scope of this Reference. But so far as such non-payment has a bearing on the point in issue, we will only say that in our opinion it may not unreasonably form a ground for concession upon any discussion for the resumption of normal conditions in the industry and that the making of such an offer by the Millowners might operate favourably on the workers to create a better atmosphere.

85. Certain matters in the nature of difficulties as underlying the general discontent we have refrained from discussing, arising as they do out of question of general null administration rather than out of the actual or alleged causes of the strike, as for instance, the question whether more favourable relations might not be established towards the Millowners in the case of a worker employed on piece-work, if a technical expert (as in England) was to watch and safeguard his interests and to bring about a settlement whenever any question of readjustment of wage arose in consequence of the introduction of a new quality of yarn or cloth.

86. One of the most important difficulties in the way of a settlement is that at present there is no machinery for bringing the parties together and there is very little possibility of contact between workers and

Absence of machinery to bring parties together.

Millowners. In the Report of the Industrial Disputes Committee of 1921, amongst several other suggestions made therein, the desirability of the establishment of Working Committee, consisting of Mill officials and representatives of the workers had been indicated. At that time such Committees had been established in the Currimbhoy and Tata Sons Group of Mills. But for some reason or other they had a short life. If these Committees had remained in existence they might have served the useful purpose of bringing about an early settlement when differences arose.

87. The Mediation Rules of the Fawcett Committee Report agreed to by the parties are inapplicable for they are only appropriate to the position before the strike, and not after it has taken place. There is no joint tribunal of arbitration (such as we are informed is in existence in Ahmedabad) to which reference can be made and the Board of Conciliation contemplated by the Trade Disputes Act, 1929, could achieve little result unless it was supported by the goodwill of the parties concerned.

Mediation Rules of the Fawcett Committee.

Findings on the 3rd and 4th points of reference.

88. To sum up the main causes of the prolongation of the strike are :—

- (a) the aggressive and mischievous propaganda of the officials of the Girni Kamgar Union and inflammatory appeals made by them to the workers,
- (b) picketing and intimidation by the strikers and acts of violence committed by them on non-strikers.

One of the reasons why the mills are not working at full strength is that a number of strikers who left for their homes have not been able to return as the monsoon is not over.

In our opinion the blame for the prolongation of the strike rests mainly upon the officials of the Girni Kamgar Union.

89. The main difficulty in the way of settlement is the uncompromising attitude of the officials of the Girni Kamgar Union; but we think that there is an undercurrent of discontent amongst the workers due *inter alia* to (a) the proposed cut of $7\frac{1}{2}$ per cent. in the wages of the weavers; (b) the fear of unemployment in consequence of the proposed introduction of the efficiency scheme; (c) the non-payment of April wages. Full advantage has been taken of these causes by the officials of the Girni Kamgar Union in fomenting unrest and prolonging the strike. Some of the other difficulties in the way of a settlement are the absence of contact between the Millowners and the workers, and the absence of any machinery such as an arbitration board to settle disputes as they arise.

90. In conclusion we must express our appreciation of the untiring services rendered by the Secretary, Mr. H. D. Warden, who has had to undergo a heavy strain owing to the long hours and absence of holidays, including Sundays, consequent on our desire to bring this Inquiry to a conclusion as early as possible.

(Signed) H. G. PEARSON,
Chairman.

(„) F. S. TALYARKHAN,
Member.

(„) RUPCHAND BILARAM,
Member.

Bombay, 2nd September 1929.

APPENDIX A.

(Para. 3).

NAMES OF THE REPRESENTATIVES WHO APPEARED BEFORE
THE COURT OF INQUIRY ON BEHALF OF THE PARTIES.

Bombay Millowners' Association.

Mr. H. P. Mody, M.L.A., Chairman of the Association.
Sir Manmohandas Ramji, Kt.
Mr. A. Geddis, J.P.
Mr. Lalji Naranji, J.P., M.L.C.
Mr. S. D. Saklatvala.
Mr. T. Maloney, Secretary.

Girni Kamgar Union.

Mr. S. V. Deshpande, Secretary of the Union.
Mr. B. T. Ranadive.
Mr. G. L. Kandalkar, President of the Union.

Bombay Textile Labour Union.

Mr. R. R. Bakhale, General Secretary of the Union.
Mr. S. V. Parulekar, Assistant Secretary.
Mr. Mahomed Umer Rajab, Vice-President.
Mr. R. S. Asavle, M.L.C., J.P., Vice-President.
Mr. F. J. Ginwalla, M.L.C., Vice-President.

Girni Kamgar Mahamandal.

Mr. D. R. Mayekar, Secretary of the Union.
Mr. B. M. Toolankar.
Mr. K. L. Borker.

Bombay Millworkers' Union.

Dr. J. N. Choksi.
Mr. C. K. Narayanaswami.

Jam Manufacturing Company, Limited.

Mr. Devidas Kalianji.
Mr. Jamnadas Kalianji.
Mr. Narotamdas Ranchoddas.

APPENDIX B.

(Para. 26).

SUMMARY OF STRIKES DURING OCTOBER 1928 TO APRIL 1929.

The strikes in attached Statements 1 and 2 were decided in favour of the workers and the employers respectively.

The strikes in the Dinshah Petit, New China and the Moon Mills resulted in a compromise (*vide* Statement 3).

STATEMENT 1.

Serial No.	Name of the Mill.	Name of the Agents.	Month.	Cause	Result.
1	Spring	.. Newrosji Wadia & Sons ..	October	.. Demand of doffer boys for 29 additional hands.	5 extra men engaged which satisfied the workers.
2	Kastoorchand	.. Currimbhoy Ebrahim & Sons.	Do.	.. Discontinuance of blanket-weaving.	Blanket-weaving continued.
3	Standard	.. Mafatlal Gagalbhai ..	November-December.	.. Alleged reduction in wages	Work resumed on old rates.
4	Bombay Cotton	.. Hormusji Sons & Co. ..	November	.. Refusal of employment to some old hands.	Management agreed to provide employment in one or the other Mill.
5	Currimbhoy	.. Currimbhoy Ebrahim & Sons.	November-December.	.. Increased rates for certain new sorts of cloth.	Increase in rates for Dhotis granted.
6	Gold Mohur	.. James Finlay & Co. ..	Do.	.. Demand for dismissal of a Head Jobber.	The man resigned.
7	Madhorao Scindia	.. Currimbhoy Ebrahim & Sons.	November	.. Delay in putting up of the list of rates and also that rates were low.	Management agreed to consider the grievances.
8	Morarji Goculdas	.. Morarji Goculdas & Co. ..	Do.	.. Increased rates for certain new sorts of cloth.	Rates revised.
9	New Great Eastern	.. W. H. Brady & Co. ..	Do.	.. Increased rates for certain new varieties.	Demand granted.
10	Pearl	.. Currimbhoy Ebrahim & Sons.	November-December.	.. Increased rates	Rates for Dhotis increased.

Serial No.	Name of the Mill.	Name of the Agents.	Month.	Cause.	Result.
11	Prahlad ..	Pratapgir Narsingirji & Co.	November ..	Demand to employ extra hands...	Demand granted.
12	Ruby ..	Hormusji & Co. ..	Do. ..	Better wages and weekly bonus ..	Bonus of 4 annas a week and sufficient material for female workers granted.
13	Simplex ..	Allen Bros. & Co. ..	November-December.	Increased rates. ..	Demand granted.
14	Ebrahim (Pabani) ..	Currimbhoy Ebrahim & Sons.	Do. ..	Do. ..	Increase in rates of Dhotis granted.
15	Atlas ..	B. D. Petit Sons & Co. ..	December ..	Demand for higher wages ..	2 per cent. increase granted.
16	Alexandra ..	E. D. Sassoon & Co. ..	Do. ..	Reinstatement of dismissed Head Jobber.	Dismissed Jobber re-engaged.
17	Fazulbhoy Mills ..	Currimbhoy Ebrahim & Sons.	Do. ..	Higher wages ..	Increase in rates for Dhotis granted.
18	Kobinoor ..	Killick Nixon & Co. ..	Do. ..	Do. ..	Rates in respect of certain sorts of cloth were readjusted.
19	Madhawrao Scindia ..	Currimbhoy Ebrahim & Sons.	Do. ..	Do. ..	Demand granted.
20	Mathuradas ..	Do. ..	Do. ..	Do. ..	Increase in the rate of Dhotis granted.
21	Pearl ..	Do. ..	Do. ..	Reinstatement of an operative ..	Man re-engaged.

22	Tata	..	Tata Sons, Ltd.	..	December	..	Increase in wages	..	Increase of Rs. 3 to Doffer Jobbers granted.
23	Kastoorchand	..	Currimbhoy Ebrahim & Sons.	..	January	..	Higher wages	..	Certain increased rates granted.
24	New China	..	Pransukhlal Mafatlal	..	Do.	..	Demand not to engage one Zaimulla as a fancy Jobber.	..	Demand granted.
25	Crescent	..	Currimbhoy Ebrahim & Sons.	..	February	..	Demand for higher wages	..	2 annas increase in the rate granted.
26	Currimbhoy	..	Do.	..	February-March.	..	Higher wages	..	Increase of 2 annas in the rate granted.
27	Fazulbhoy	..	Do.	..	February	..	Do.	..	Increase of 2 annas in the rate granted.
28	Madharao Scindia	..	Do.	..	Do.	..	Do.	..	Do. do.
29	Pearl	..	Do.	..	February-March.	..	Do.	..	2 annas increase in the rate granted.
30	Premier	..	Do.	..	Do.	..	Increased wages	..	Increase of 2 annas in the rate granted.
31	Ebrahim (Panani)	..	Do.	..	Do.	..	Increased rates	..	Do. do.
32	Prabhat	..	R. D. Tata & Co.	..	April	..	Higher wages	..	Increase of 8 annas granted.

STATEMENT 2.

Serial No.	Name of the Mill.	Name of the Agents.	Month.	Cause	Result.
1	Ruby	Hormusji & Co.	October	Payment at Rs. 1-8-0 per day	G. K. Union advised men to resume work.
2	Spring	Nowrosji Wadia & Sons.	November	Demand for wages for 11th November when the Mill was closed on account of an accident.	G. K. Union gave assurance that men would not hereafter come out without previous notice.
3	Elphinstone	E. D. Sassoon & Co.	Do.	Higher wages	G. K. Union advised strikers to resume work.
4	Sir Shahpurji	Mathradas Goculdas & Co.	Do.	Complaint that rates for certain sorts of cloth were low.	Management agreed to grant facilities so that production of weavers would be sufficient.
5	Hindustan	Thackersey Mooljee & Co.	Do.	Higher wages	Unconditional resumption.
6	Kohinoor	Killick Nixon & Co.	Do.	Reduction in wages and other grievances.	G. K. Union advised the men to resume work.
7	Manekji Petit	D. M. Petit Sons & Co.	Do.	Alleged reduction in rates of wages	The men resumed work.
8	New China	Pransukhlal Mafatlal	Do.	Dismissal of a head Jobber	Unconditional resumption.
9	Pearl	Currimbhoy Ebrahim & Sons.	Do.	Increase in wages	Do. do.
10	Sassoon Spinning	David Sassoon & Co.	Do.	Reduction in wages	Do. do.
11	Apollo	E. D. Sassoon & Co.	December	Demand by weavers for higher wages.	G. K. Union promised that there would be no lightning strike.
12	Bradbury	Currimbhoy Ebrahim & Sons.	Do.	Demand by weavers for increased wages.	Unconditional resumption of work.

13	Century	..	C. N. Wadia & Co.	..	December	..	Demand for arrears of wages	..	G. K. Union assured that there would be no lightning strike.
14	Crescent	..	Currimbhoy Ebrahim & Sons.	..	Do.	..	Demand for increased wages	..	Unconditional resumption of work.
15	Crown	..	Purushottam Vithaldas & Co.	..	Do.	..	Demand for arrears of wages	..	Unconditional resumption of work.
16	David No. 1 and 11	..	E. D. Sassoon & Co.	..	Do.	..	Arrears of wages	..	Labour leaders apologised for the strike.
17	David No. 1 and 11	..	Do.	..	December-January.	..	Reduction in wages	..	Unconditional resumption of work.
18	Jacob Sassoon	..	Do.	..	December	..	Protest against the introduction of larger spinning frames.	..	Labour leaders promised that there would be no strikes without previous notice.
19	Manchester	..	Do.	..	Do.	..	Demand for putting up a list of rates.	..	G. K. Union promised that in future no strike would be called without notice.
20	Finlay	..	James Finlay & Co.	..	Do.	..	Reduction in wages	..	Unconditional resumption.
21	Framji Petit	..	Dinshaw Maneckji Petit Sons and Co.	..	Do.	..	Higher wages for women winders .	..	Do. do.
22	Imperial	..	Currimbhoy Ebrahim & Sons.	..	December-January.	..	Reinstatement of dismissed operatives.	..	Do. do.
23	Jam Mills No. 2	..	Walji Shamji & Co.	..	January	..	Higher wages	..	Do. do.
24	Edward	..	E. D. Sassoon & Co.	..	Do.	..	Demand for "Sankranti" Holiday	..	Four of the strikers dismissed.
25	Manchester	..	Do.	..	Do.	..	3-loom system	..	Unconditional resumption of work.
26	Finlay	..	James Finlay & Co.	..	Do.	..	Operatives asked to clean machines	..	Strikers agreed to clean machines.

Serial No.	Name of the Mill.	Name of the Agents.	Month.	Cause.	Result.
27	Dinshah Petit ..	D. M. Petit Sons & Co. ..	January ..	Reinstatement of the Manager ..	The Mill refused to reinstate the Manager.
28	Kastoorchand ..	Currimbhoy Ebrahim & Sons.	February ..	Increased rates ..	Unconditional resumption of work.
29	Century ..	C. N. Wadia & Co. ..	March ..	Dismissal of an operative ..	Do. do.
30	Crescent ..	Currimbhoy Ebrahim & Sons.	Do. ..	Insufficient material for work ..	Do. do.
31	Currimbhoy ..	Do. ..	Do. ..	Do. do. ..	Do. do.
32	Fazulbhoy ..	Do. ..	Do. ..	Do. do. ..	Do. do.
33	Madhavji Dhsramsi ..	Gokuldas Madhowji Sons & Co.	Do. ..	Reinstatement of an operative ..	Unconditional resumption.
34	Madhavrao Seindia ..	Currimbhoy Ebrahim & Sons.	Do. ..	Insufficient material ..	Do. do.
35	New Kaiser-i-Hind ..	Vassunji Munje & Co. ..	April ..	Increase in wages ..	Do. do.
36	Prabhat ..	R. D. Tata & Co. ..	Do. ..	Increase in wages ..	Do. do.

STATEMENT 3.

Serial No.	Name of the Mill.	Name of the Agents.	Month.	Cause.	Result.
1	Dinshah Petit ..	D. M. Petit Sons & Co...	December ..	Higher wages ..	Management agreed to consider their grievances.
2	New China ..	Pransukhlal Mafatlal ..	December-January.	Reinstatement of a Muhammadan Jobber.	A new Muhammadan Jobber was appointed in place of the dismissed man.
3	Moon ..	P. A. Hormusji & Co. ...	December ..	Dismissal of a Head Jobber ..	Strikers gave up this demand on the mill giving them some increase in rates.

APPENDIX C.

(Para. 28).

GIRNI KAMGAR UNION RULES.

The Bombay Girni Kamgar Union**(Founded May 1928.)***Name.*

1. The name of the Union shall be the "Bombay Girni Kamgar Union" and shall, in the following rules, be referred to as the "Union".

Objects.

2. (A) The objects of the Union shall be :—
 - (a) To organise and unite the textile workers in the City, Island and Presidency of Bombay ;
 - (b) To secure to its members fair conditions of life and service ;
 - (c) To try to redress their grievances ;
 - (d) To try to prevent any reduction of wages, and, if possible, to obtain an advance whenever circumstances allow ;
 - (e) To endeavour to settle disputes between employers and employees amicably so that a cessation of work may be avoided ;
 - (f) To endeavour to provide against sickness, unemployment, infirmity, old age and death ;
 - (g) To endeavour to secure compensation for members in cases of accidents under the Workmen's Compensation Act ;
 - (h) To provide legal assistance to members in respect of matters arising out of, or incidental to, their employment ;
 - (i) To endeavour to render aid to the members during any strike or lockout brought about by the sanction of the Union ;
 - (j) To obtain information in reference to the Textile Industry in India and outside ;
 - (k) To co-operate and federate with organisations of labour, particularly textile labour, having similar objects, in India and outside ;
 - (l) To help, in accordance with the Indian Trade Unions Act, the working classes in India and outside in the promotion of the objects mentioned in this rule ; and
 - (m) Generally, to take such other steps as may be necessary, to ameliorate the social, educational, economic, civic and political condition of the members.
- (B) For the attainment of these objects, the Union shall organise centres in the City and Island of Bombay, and branches in other parts of the Presidency.

Membership.

3. Any worker working in any of the textile mills in the City, Island and Presidency of Bombay shall be entitled to become a member of the Union on a payment of minimum monthly subscription of annas four only, provided he agrees to abide by the rules and bye-laws that may be made by the Union from time to time.

Exception.—A woman worker may be admitted a member of the Union on a payment of monthly subscription of annas two only.

Honorary Members.

4. The office-bearers of the Union and such other persons as may be selected by the Managing Committee who may not be workers, shall be honorary members of the Union and their number shall not exceed twenty. The office-bearers shall continue to be honorary members for the period of their office and others shall do so for such period as may be fixed by the Managing Committee.

5. A worker failing to pay his minimum monthly subscription for six consecutive months with the permission of the Managing Committee or three consecutive months without the permission of the said Committee, shall cease to be a member of the Union. But he shall be entitled to rejoin the Union on paying his arrears.

Register of Members.

6. The Union shall keep a register of its member containing their names, the factory in which they work and the place of their residence, etc.

Office-bearers.

7. The Union shall have a President, not more than four Vice-Presidents, a General-Secretary, Secretaries and two Treasurers. All of them except the Secretaries shall be elected at the Annual General Meeting of the Union and they shall be eligible for re-election.

Management of the Union.

8. *Managing Committee.*—The affairs of the Union, financial and otherwise, shall be conducted by a Managing Committee consisting of the office-bearers of the Union and the representatives of the workers elected by the members in proportion of one for each 200 members or less from each mill. This rule will not operate in the case of the first Managing Committee appointed.

9. The Managing Committee shall meet once a month on such days and at such place as may be fixed by the General Secretary in consultation with the President or Chairman.

10. The presence of at least one-fifth members of the Managing Committee shall be necessary to form a quorum. At the Committee meetings adjourned for want of a quorum, no quorum is necessary.

11. *Centre Committees.*—At each Centre of the Union there shall be formed a Centre Committee consisting of the President and the General Secretary of the Union and the representatives of the members from the mills which are attached to the Centre in proportion of one member for each hundred members working in each mill.

12. Each Centre Committee shall elect a Secretary for its Centre.

13. Each Centre Committee shall meet every fortnight on any such day as may be convenient.

14. The functions of the Centre Committees shall be purely advisory. They may consider all questions relating to the Centres concerned, their growth and development, arrangement for the collection of subscriptions, etc., and may make recommendations to the Managing Committee.

15. *Mill Committees.*—There shall be constituted at each Centre Mill Committees consisting of the President, the General Secretary, the Secretary of the Centre and the representatives of each mill attached to that Centre in such proportion as may be fixed from time to time by the Managing Committee.

16. Each Mill Committee shall elect its own Superintendent.

17. The Mill Committees shall meet on such days as may be fixed by the Secretary of the Centre in consultation with the Superintendent of the Mill Committees.

18. The functions of the Mill Committees shall be purely advisory. They shall consider questions affecting the conditions of life and service of the workers of the mills concerned, the collection of subscription, etc., and may make recommendations to the Centre Committee and, through it, to the Managing Committee.

19. *The Working Committee.*—There shall be formed a Working Committee consisting of the office-bearers of the Union and its purpose shall be :—

(a) To see that the working of the Union being carried on smoothly and vigorously.

(b) To take steps to carry on propaganda with a view to consolidate and develop the strength of the Union.

20. The Working Committee shall meet once a week at such time and at such place as may be fixed by the General Secretary in consultation with the President.

Duties of the Office-bearers.

21. *The President.*—The President shall preside over all meetings of the Union and its Committees, preserve order, sign all minutes, and shall be allowed to give a casting vote only. The President shall have power, if necessary, to call special meetings of any of the Committees of the Union ; and also to see that all rules are strictly adhered to.

22. *The Vice-Presidents.*—The duties of the Vice-Presidents shall be to assist the President in carrying out the rules of the Union and shall preside over meetings over which the President may not be able to preside. In the absence of the President, one of the Vice-Presidents shall preside over meetings of the Managing Committee.

23. *The General Secretary.*—The General Secretary shall take minutes of all Union and Committee meetings, conduct all correspondence, convene all meetings, keep all accounts, exercise a supervision over the affairs of the Union and shall also keep a correct account of all receipts and expenditure. He shall prepare a balance-sheet annually showing clearly every item of receipts and expenditure.

24. The General Secretary shall have power to engage, in consultation with the President and subject to the approval or confirmation of the Managing Committee, any assistance, for organising and clerical purposes, he considers necessary and all such assistants shall be under the control of the General Secretary.

25. *The Secretaries.*—The Secretaries shall supervise the work of their Centres and shall generally help the General Secretary in his work.

26. *The Treasurers.*—Treasurers shall be responsible for all sums of money which may from time to time to be paid into the Union. They shall not have the power to draw money from the Bank without first having the cheque signed by the President or the General Secretary.

Vacancies and Removals.

27. Should a vacancy occur in the office-bearers or the members of the Managing Committee it shall be filled by the Managing Committee. A vacancy in the Centre and Mill Committees shall be filled by the respective Committees.

28. Any office-bearer of the Union or a member of its Managing Committee can be removed by the General Meeting of the members by a three-fourths majority for committing any fraud or having acted against the interests of the Union, provided the office-bearer or the member to be removed is given adequate opportunity to explain his conduct.

29. A member of the Centre or Mill Committees can be removed by the Managing Committee by a three-fourths majority on the recommendation of the Committee concerned for committing any fraud or having acted against the interests of the Union, provided the member is given adequate opportunity to explain his conduct.

Benefits.

30. No member of the Union shall be entitled to any benefits that the Union may decide to give to its members, unless he has been a member for at least six months and has paid all contributions.

31. A member of the Union three months in arrears shall not be entitled to any benefits until all arrears have been paid and a period of two months must elapse before being entitled to benefit again.

32. Each member of the Union, after he has fulfilled the conditions laid down in Rules Nos. 30 and 31, shall be entitled to all the benefits as laid down in the bye-laws made by the Managing Committee and approved by the General Meeting of the Union.

Strikes.

33. Should the members of the Union strike without the sanction or approval of the Managing Committee, they shall not be entitled to any benefits whatever.

General Meetings.

34. There shall be held in the month of April an Annual General Meeting of all the members of the Union to transact the following business :—

- (a) To adopt the report of the work done by the Union and the statement of accounts ;
- (b) To elect the office-bearers of the Union for the current year ; and
- (c) To transact such other business as may be brought forward with the permission of the Chairman.

35. The President may call a General Meeting of the members of the Union whenever he thinks necessary and shall call it on a requisition signed by one-twentieth members of the total strength of the Union.

Funds of the Union.

36. The funds of the Union shall be deposited in a Bank or Banks, approved by the Managing Committee, in the names of the President, one of the Vice-Presidents, General Secretary, and one of the Treasurers, and the account may be operated upon by any three of them—one of whom shall be either the President or the General Secretary. The General Secretary or the Treasurers shall not keep more than Rs. 300 with them.

37. The funds of the Union shall be spent for all the purposes which will promote the objects of the Union set down in these rules and in accordance with the Indian Trade Unions Act.

38. The Union shall make due provision for the annual audit of the funds of the Union by competent auditors appointed by the Managing Committee in accordance with the Bombay Trade Union Regulations, 1927.

39. The books and accounts of the Union shall be open to the inspection of any member for at least one hour a week to be fixed by the Managing Committee from time to time at the head office of the Union or at any place where the same are kept.

40. The rules may be amended, altered, replaced or added to at any time by a majority of the members of the Managing Committee and subsequently approved of by the General Meeting.

Dissolution of the Union.

41. The Union shall not be dissolved except by a majority of three-fourth votes of the members present at a General Meeting and except the total number of votes cast at such a meeting is not less than one-half of the total number of the members.

(Signed) S. A. DANGE,
General Secretary.

APPENDIX D.

(Para. 64).

EXTRACT FROM EVIDENCE OF WITNESS JILLOO BHIWA.

Chairman.—Supposing this Dhondu Bhau had not taken leave, do you say that the Management would not be justified in not taking him back ?

A.—The Management will not be justified.

Q.—Can you give me your reasons for saying so ?

A.—Because he is a member of the Mill Committee and he worked for it, he should be reinstated.

Q.—Do you say that he has any claim to special treatment by reason of his being a member of the Mill Committee ?

A.—No.

Q.—Then the fact of his being a member of the Mill Committee does not affect the question ?

A.—He is a member of the Mill Committee and he must be reinstated.

Q.—Then you say that he is entitled to special treatment ?

A.—Yes.

APPENDIX E.

(Para. 66).

FINDINGS ON FURTHER CASES OF ALLEGED VICTIMISATION.

Ramchandra Deoji is a young boy of 19 or 20 years of age. He was employed as a Robin operative in the Simplex Mill. He went on 8 days' leave and overstayed by 11 days. On his return he was not reinstated. Exhibit 5/1 is the letter dated 18th April sent by the Girni Kamgar Union to the Manager of the Mill and Exhibits 5/2 and 5/3 are the replies of the Mill Manager. The allegation of Ramchandra is that he had gone on a month's leave to his native-place on account of the death of his father and though he returned before the expiry of his leave he was not taken back. We are not prepared to attach much weight to his evidence as there is no mention whatsoever in Exhibit 5/1 that he had gone on leave in consequence of the death of his father, and furthermore we are not inclined to believe that if he had gone to his native-place for the reason stated he would return to Bombay 11 days before his leave actually expired. There is also nothing to show that he was such an active or obstructive member of the Mill Committee as to merit victimisation.

Khanderrao Atmaram, an operative in the weaving department of the Kasturchand Mill, has said that in consequence of the arrest of the leaders of the Girni Kamgar Union on the 26th March, he wanted leave of absence to attend to the Union work. He went to the Mill on the morning of the 22nd March and asked the Weaving Master for leave. The Weaving Master refused to grant him any leave and told him to apply to the Manager. As the Manager was not there, he left the Mill to attend to his Union work and returned at 9 a.m. to take leave when he was informed that he was dismissed. Assuming that this statement of fact is true, there is no question as to his having been rightly dismissed. But Exhibit 8/1 an application dated 23rd March has been produced before us signed by the witness himself, which gives a direct lie to his story as it shows that he intimated to the Mill authorities that he intended to resign his employment from the 24th March, and also contains a request on his behalf that he might be granted a certificate for good services rendered by him. In view of that application we have no hesitation in holding that he was not dismissed for the reasons alleged by him in his evidence but that he resigned his employment as he was required for Union work.

Baburao Kondiba, an operative in the Bradbury Mill, Bombay, was evidently prevented from going from one department to another department in connection with his Union activities. On the 9th April he took leave from the Weaving Master for 1 day and a substitute was engaged in his place. Instead of leaving the Mill as he ought to have done, he loitered about from department to department in connection with his Union activities, and therefore his services were terminated. This appears from Exhibit 9/2 the reply sent by the Manager to the General Secretary of the Union.

Parashram Babaji, an Oiler in the Currimbhoy Mill, has stated that on the morning of the 18th March, the Engineer told him that Kashiram, Head Jobber in the Ring Department, had insisted that Parashram's services should be dispensed with, and that he was, therefore, dismissed. In the letter of the Girni Kamgar Union Exhibit 10/1 dated 2nd April 1929, all that was stated about this witness was as under :—

“The Head Jobber in the Ring Department has nothing to do with the men in the Engine Department. But the fact is that the above Jobber has made a false complaint about Parashram Babaji and caused him to leave the service.” No allegation was made in that letter that he had been dismissed. Mr. Chinoy, Manager of the Mill, has stated that Parashram Babaji had abused the Jobber and the Doffer Boy outside the Mill. When he returned to work, he was heckled by them and in order to prevent disputes between them he was asked by the Engineer to wait near the gate until the witness came and to report the matter to him, but for reasons best known to him he disappeared from the mill without waiting to make a complaint to the witness. This story finds ample support in the letter referred to above. There is therefore no question of his having been dismissed.

Ramchandra Babaji, his brother Kashinath Babaji and their mother Parvati were examined with the object of proving that the Management of the Textile Mill were so much averse to the Girni Kamgar Union that on account of a member of the family being a member of the Girni Kamgar Union, they had been refused employment although they themselves were not members of the Union. Their cross-examination conclusively showed that there was no truth in their story and that they had been brought to give evidence just for the occasion.

The last witness called was one Babu Sakharam, a binder in the winding department of the Currimbhoy Mill, who earned Rs. 18 per month as his wages and who is now working as a labourer outside. He stated that as he was a member of the Mill Committee, he was dismissed by the Master. At the same time he stated that the Jobber told him that if he paid Rs. 5 he would be re-engaged there. We place him in the same category as that of witnesses Ramchandra Babaji, Kashinath Babaji and Parvati.

No evidence, therefore, has been led before us to show any clear case of victimisation or dismissal of an operative merely and solely because he was an active member of the Union.

APPENDIX F.

(Para. 78).

Bombay Girni Kamgar Union

(Red Flag).

Sunday, 12th May 1929.

OWNERS WILL HAVE TO GIVE THE WAGES BEFORE THE 15TH.

* * * * *

In one mill the wages were less than what were promised, and in the other mill men going to work are kidnapping the women going to work.

* * * * *

Bombay Girni Kamgar Union

(Red Flag).

19th May 1929.

FEAR OF OWNERS AS WORKMEN ARE GOING TO THEIR VILLAGES.

Frustrate the last plot to break the Strike.

It is now open that it was a fraudulent plot on the part of the owners to say that wages will be paid when workmen do the work for six days. Some of those ignorant men who have done six days' work in some mills have been paid wages for those six days only. The wages for the month of April have not been paid.

* * * * *

* * * * *

Hindu-Muslim workmen should unite and do away with capitalism.

* * * * *

"Kranti", Sunday, 19th May 1929.

(Printer, Publisher and Editor :—S. V. Deshpande).

(BLOOD OF HUNGRY WORKMEN SPILLED).

(SLAVERY, STARVATION AND FIRING).

BARBAROUS CRUELTY OF OWNERS.

The Bombay workmen unfurled the Red Flag in order to fight the owners and establish their Union, and since then the owners are thinking how to kill this Union. The owners were afraid that the Mill Committees of the Union were following the steps of "Factory Soviet" in Russia and that as in Russia this "Soviet" here will one day kick the owners and will establish the Labour Raj and therefore in order to settle it finally they declared war against the Red Flag. Different plots were formed

by the owners in this war against the Red Flag. They took in hand the black flag to utilise the Hindu-Muslim riot, but Red Flag was not defeated. At last they *decided to bring the workmen to their knees by starving them by unlawfully stopping the wages earned by the workmen by sweat of their brow.* But there also the owners were defeated.

Bombay Girni Kamgar Union
(Red Flag).

26th May 1929.

Workers in as many numbers as it is possible should leave for their homes—Grain will be distributed to those who are not in a position to do so.

	*	*	*	*	*
	*	*	*	*	*
*	*	*	*		

So far, Lal Bawta is kept flying and has survived all the difficulties and there must be determination on your part to keep it flying in future and thus let this struggle against Capitalism react on the Millowners and the Government.

Bombay Girni Kamgar Union
(Red Flag).

30th May 1929.

If the Strike is broken :—

- (1) Your Union will die.
- (2) Your unity will be shaken.
- (3) Your discipline will be undermined.
- (4) You will not be able to continue your struggle with the owners.
- (5) The owners will cut your wages.
- (6) The owners will sweat you.
- (7) The owners will trample you with their boots.
- (8) You will not be able to bring any pressure on them.

Do not, therefore, allow the strike to fizzle out. The strike at any rate must succeed.

Bombay Girni Kamgar Union
(Red Flag).

2nd June 1929.

DO NOT RESUME WORK—MAKE THE STRIKE SUCCESSFUL.

The present strike has been declared expressly to prevent any further reduction in wages. If the Union survives, the owners will not have the

courage to effect any cut in your wages. will be one party of workers strike and make it successful. Keep the Union it will be the owners of your wages to be reduced.

Bombay Girni Kamgar Union
(Red Flag).

4th June 1929.

THE OWNERS ARE STAGGERING BEFORE THE ONSLAUGHT OF
THE RED FLAG.

* * * * *

They tried to break the strike by all possible means. They engaged many mawalis on Rs. 2 a day and fed them. They squandered away thousands of rupees and now they despair that the strike is not broken.

* * * * *

PREPARE YOURSELF TO TAKE THE RED FLAG IN THE MILLS ONLY
WHEN THE STRIKE IS SETTLED ON OUR TERMS.

Bombay Girni Kamgar Union
(Red Flag).

7th June 1929.

DANGER TO THE LIVES OF MEN RETURNING TO WORK.

THEY ARE BEING ROUGHLY HANDLED BY MAWALIS. THEREFORE
DO NOT RETURN TO WORK.

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At some places, the Mill Managers, Muccadums and some of the Heads of Departments invite the labourers and they beat them instead of giving them work.

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Bombay Girni Kamgar Union
(Red Flag).

10th June 1929.

Continue the strike. Keep away from the temptation of entering the Mills. Do not be cowed down by the show of force. Completely vanquish the enemies. Bring success to the Red Flag.

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(3) If you enter the Mills being beguiled by the false promises of the owners, your lives will be endangered because mawalis are entering the Mills and intimidation is being resorted to.

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by the owners in this war against Kamgar Union
the black flag to utilise * (Red Flag).

defeated. At last the

13th June 1929.

starving them by un¹

by sweat of their Capitalism are scared at the red colour of the Red
Running Amock. The owners' newspapers have begun
that the strike cannot break. The false news supplied by
is not believed by their own underlings of the Share Bazar.
Atte, t at raising a campaign against Red Flag Union.

FIGHT WITH THE INTENTION OF HOISTING THE RED FLAG ON
THE MILLS AND IN A FEW DAYS, BRAVE SOLDIERS
OF THE RED FLAG BE VICTORIOUS.

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It is even understood that the mawalis of Millowners annoy the
women going inside. The Muccadams harass them, the Managers treat
them with contempt. Is this sort of living agreeable to fighting work-
men? So long we have fought the Managers on equal terms, shall we
now become cats at his table? .

“Krantī”, Sunday, 16th June 1929.

(Printer, Publisher and Editor :—S. V. Deshpande).

But how will the agitation be stopped by arresting the leaders?
Or how is the movement to be killed by declaring it to be illegal?
Because the fight of the Red Flag is not dependent on the leaders, but it
will continue as long as the capitalism is in existence. It will continue
as long as the owners make money by looting workmen and until the
unjust existence of capitalism is

* * * * *

But the agitation which has been started on the suffering of workmen,
which has been started by the workmen suffering under repression of
Capitalism and Imperialism, not only of India but of the whole world,
cannot be stopped by one or many Governments. In the world the Red
Flag has never submitted before any Government. It has always fought
with the army of Capitalists and the Police. On the 1st of May
workers in Germany fought resolutely with the army of the capitalists in
the fight with regard to May Day. Many workers were killed, many were
injured but they did not submit. They gave good account of them-
selves before the Police and the Army.

“Krantī”, Wednesday, 19th June 1929.

(Printer, Publisher and Editor :—S. V. Deshpande).

DISCUSSION ABOUT REPRESSION BEFORE GOVERNOR.

To-day's Discussion about Repression.

The Red Flag has to say that the dispute between the owners and
workers will be increased by repression and in the end the tyrannical

capitalism will be wiped out and there will be one party of workers maintaining themselves by their own labour and it will be the owners of the wealth produced by itself.

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“Krantī”, Sunday, 23rd June 1929.

(Printer, Publisher and Editor :—S. V. Deshpande).

HAMMER AND SICKLE.

Badge of Unity of World Workers.

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On these badges there is a picture of hammer and sickle and around it an inscription in different languages “Workers of the World unite”.

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There is no wonder that these badges are being circulated in larger number among Red Flag Textile workers. * *

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Why should Bombay workers feel sorry for Russian revolution? And even taking it for granted that the badge of Hammer and Sickle is a sign of Russian revolution, why should Bombay workers throw it away. Particularly why should they throw it away under the advice of those who respectfully bow down before the Union Jack of British Imperialism. * * * * *

Bombay Girni Kamgar Union

Dated 26th June 1929.

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New jobbers and muccadams are being employed and these jobbers have to submit themselves to their abuse and beating. The Managers kick them and compel them to work more and above all they get very little wages. This is the result for being disloyal to the Red Flag.

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Bombay Girni Kamgar Union

(Red Flag).

Dated 3rd July 1929.

THE STRIKE IS GAINING IN STRENGTH. MEETINGS OF THE WORKERS EVERYWHERE. NUMBER OF WORKERS RETURNING TO WORK IS NOW DIMINISHING. HEART-BURNING OF THE OWNERS.

The Government is appointing a new Committee to investigate about the strike. But our success *does not depend upon this Committee's*

decision. If we want success it is no use relaxing the strike. The strength of the strike must be maintained. *The work of the Committee will depend on the strength, unity and discipline.* Therefore, whether the Committee sits or not, it is necessary that the strike should be continued.

Bombay Girni Kamgar Union.

Dated 6th July 1929.

Continue the strike with greater vigour. The decision of the court of inquiry will depend on you. If the strike is broken you will derive no benefit from the Government's Court of Inquiry. If the strike is broken the Union's work will be stopped for some time and the owners will reduce your wages and oppress you in many other ways.

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Such of the workers as are returning to work by breaking the strike, they are being ill-treated by the hired *Dadas* and a beginning has been made in cutting their wages.

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Bombay Girni Kamgar Union (Red Flag).

Dated 22nd July 1929.

The owners have become nonplussed. The Viceroy is now coming to their rescue. Negotiations to issue an ordinance. Police intimidation by lathis is increasing. The more the oppression the greater strength to the strike. Since the pay-day the Mills are deserted. The owners desperate struggles. What a pitiable condition of the owners!

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Every workmen has decided, "We shall not step into the Mills unless all our demands are granted by the owners and they won't mind even if they are to lose their lives in fighting for their rights and in the cause of truth. We shall enter the Mills only with a victorious Red Flag."