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TRADE UNIONISM IN INDIA

By

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BOMBAY

NEW BOOK CO., LTD

188/190, HORNBY ROAD

1948

THESIS APPROVED FOR THE MASTER'S DEGREE OF THE UNIVERSITY OF BOMBAY

First published in November 1948

Rs. 17-8.

Published for the New Book Co., Ltd., by Phiroze F. Dinshaw at 188-190, Hornby Road, and printed by J. J. Khambatta, at the Jam-e-Jamshed Printing Press, Ballard House, Mangalore Street, Fort, Bombay.

To

THE MEMORY

OF

MY FATHER

Mr. D. V. PUNEKAR

B. E.

who saw this thesis,
but not in print.

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EDITOR'S PREFACE

We are in the midst of many perils today. Of all these perils the production crisis is the greatest. For as Pandit Nehru put it, "although other perils may for the moment be at the forefront, the ultimate peril is the slow drying up of the productive capacity of the nation that affects us politically, economically and in every other way and gradually our strength goes down to resist those very perils that face us." This problem of greater production is intimately bound up with contentment among workers and their willingness to co-operate. The individual worker is no longer the willing tool ready to be exploited that he once was. He is a human being conscious of his rights and ready to fight for the same. It is possible that due to his ignorance or want of understanding his newly won self-respect may make him unduly sensitive and excitable and goad him to hasty actions of an undesirable nature. None-the-less this change in attitude is a healthy one, and can be harnessed to great effect by men of understanding and sympathy. In any case this new attitude makes the old pattern of capital labour relations unhelpful and even harmful. Any attempt to maintain it, is likely to lead to a tug-of-war between the two classes, which is staged in the form of strikes and lockouts or as more recently in the form of ever-increasing litigation in Industrial or Labour Courts. Though an industrial truce has now been called, it is doubtful if any effort has been made to understand the changed attitude properly and sympathetically and to transform it into socially useful and constructive channels. It is necessary therefore to persuade the industrialists and the Government to adopt a more friendly attitude towards workers, inspire confidence in them, and convince them that their interests are bound up with production.

This book is an attempt at providing the basis for such an understanding. It examines scientifically the various currents and cross-currents in the Indian labour movement. The work was first done under my guidance as an M.A. thesis in the school during 1940-42. Subsequent to this,

Mr. Punekar was appointed a Research Officer in the Labour Department of the Government of India and got an excellent opportunity of studying labour problems at close hand. This book has been thoroughly revised and brought upto date. It gives an account of the Labour Problems in Undivided India upto the Partition. As the Partition has not affected the industrial workers in the country, most of whom are in the Indian Union, the conclusions of Mr. Punekar's work are applicable to our present day conditions. While the book was in the press a few events of importance have taken place; e.g. the Workmen's State Insurance Bill of 1946 has now become the Employees' State Insurance Act of 1948; the Minimum Wages Act was put on the Statute Book on 15th March 1948; and the newly formed Indian National Trade Union Congress has been declared by the Government of India as the most representative labour organisation and has been given the right to represent the Indian workers in International Labour Conferences. These developments could not be discussed in the book for obvious reasons. But the reader will appreciate that they reflect the dynamic nature of the subject, which is otherwise fully treated in this volume.

C. N. VAKIL.

School of Economics and Sociology
University of Bombay,
Bombay, *12-8-1948.*

ACKNOWLEDGMENTS

I acknowledge with sincere gratitude my indebtedness to:

Professor C. N. Vakil and Professor B. P. Adarkar for their guidance in research of labour problems;

the office-bearers of the All-India Trade Union Congress and the Indian Federation of Labour for the supply of valuable material for research; [I am particularly indebted to Mrs. Shanta Mukerjee (Bhalerao) in this respect];

my friends, Dr. D. T. Lakdawala and Mr. Pran Nath, and my brother, Anantrao, for assisting me to see this work through the Press;

the University of Bombay for the substantial financial help it has granted towards the cost of the publication of this work; and

the Ministry of Labour, Government of India, for the permission granted to publish this book. However, in view of the fact that I am now serving on the staff of the Ministry, I must make it clear that this book was completed, before I took up my appointment.

Simla, S. D. PUNEKAR.

15th October, 1948.

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TRADE UNIONISM IN INDIA

INTRODUCTION

The Royal Commission on Indian Labour recommended the University authorities in all provinces to consider the possibility of making enquiries and investigations into labour conditions an obligatory part of courses in Economics.[1] The Universities of India are mostly situated in cities of some industrial importance and studies regarding labour conditions can be conducted by students of economics, working under the direction of the University Staff and in co-operation with the Labour Offices. The studies would make a valuable contribution to our economic knowledge, supply the practical training that is indispensable to any study of labour problems and bring the Universities in closer contact with the practical side of industry and labour.

Books on Indian Trade Unionism:

This recommendation of the Royal Commission has shared the same fate as that of many others. Indian Labour, as a branch of Indian Economics, has failed to attract the attention it deserves and is so far a neglected subject. The negligence is most marked in the study of the Indian Labour Movement. Except for a booklet written by Mr. N. M. Joshi, not a single book has been wholly devoted to the important problem of Indian trade unionism. Books on Indian Labour either ignore the subject altogether or treat it as a minor part of their work. Besides, most of these works like those by Dr. R. K. Das, Mr. N. M. Joshi, Dr. Broughton, Mr. Burnett-Hurst and Miss Kelman have become out of date, as since their publication, the Indian labour world has experienced great many changes. The struggle between reformism and radicalism, the growth of class-consciousness and class-solidarity, the extension of the franchise, the inevitable split and unity in the movement and the everchanging Indian political conditions have made Indian trade unionism quite

[1] *Report*, p. 449.

different from what it was a few years ago. Some recent studies on Indian Labour by the International Labour Office, by Mr. B. Shiva Rao, Dr. V. Shiva Ram, Dr. Mukhtar, Dr. Panandikar, Dr. Lokanathan, Dr. Pillai, Dr. Mukerjee and Dr. Seth throw some light on labour problems. However, hardly any justice is done by them to the problem of Indian trade unionism.

Some Problems of Indian Trade Unionism:

The student of Indian trade unionism, as well as an acute trade unionist to-day, faces a number of controversial problems that demand an immediate solution. Do our ancient Indian Gilds, whose remnants we still witness, form a nucleus to modern trade unionism? Is the organisation of workers in India, that we find to-day, a product of spontaneous growth or of some motives political, economic or social? Why our trade unions generally take up to the method of collective bargaining (and that too in a crude form) in preference to the other two, viz., the method of mutual insurance and that of legal enactment? Should our trade unions be merely friendly societies insuring their members against loss of livelihood through sickness, old age and depression of trade? Or should they be militant organisations for enabling the manual worker to obtain better conditions from the employers? Should our unions follow in structure and in principle the example laid down by the Ahmedabad Textile Labour Association — an organisation unique of its kind? What role the unions, the employers and the State should take in welfare work and in social insurance schemes? Is it not high time for Indian Labour to come together to form a political party of its own to capture the Legislatures and to form a Labour Government? Are our unions doing all that they are best fitted to do for the political and economic advancement of our country? What changes in the union structure are necessary to make our unions more flexible, more militant, more adaptable to the circumstances that face the Indian worker? Has Indian Labour to fight for the last fifty years on two fronts—with the employers and with the State? These are some of the

controversial problems that a study of Indian trade unionism involves. No single book on Indian trade unionism deals adequately with all these problems.

Inadequacy and Inaccuracy of Labour Statistics:

Though there may be some ground to complain about the inadequacy and inaccuracy of Labour Statistics, we cannot have it as an excuse for our failure at least to arrange in a synthetic form all the available data regarding Indian trade unionism. Statistics in India are collected mostly as an *aide* to administrative activities rather than for the purpose of economic and social studies. The periodical statistics relating to factories, mines, plantations, trade unions, trade disputes, accidents and compensation seldom go outside the limits laid down by the Indian labour legislation. The exact number and membership of all trade unions, for example, is difficult to ascertain at any time.

There has been a wrong impression in some quarters that the collection of statistics is a luxury in which only rich countries or provinces should indulge.[2] The collection of facts to evolve some policy makes statistics a necessity. The absence of accurate statistics regarding the life of Indian workers constitutes a serious handicap to intelligent efforts to improve their conditions. The difficulty would be minimised by the establishment of Labour Bureaux in various provinces, on the lines of the Bombay Labour Office,[3] or of the Labour Bureau recently set up by the Government of India.

A Statistics Act:

Even the Bombay Labour Office has to carry on its work with the co-operation of the mill-owners, the workers and labour unions. The enquiries so far held on wages, hours of work, health and family budgets have been carried through by voluntary methods, without any legal authority as such. The result is that often the information collected

[2] *Report*—Royal Commission on Indian Labour, p. 445.

[3] At present, we have got Labour Commissioners in all the Provinces, except N.W.F.P., Orissa and the Punjab.

smells of the defects of inadequacy and inaccuracy.[4] This experience led to the sponsoring of a Statistics Bill (No. XII of 1924) by the Bombay Government in 1924. The employers sternly opposed the Bill on various grounds, calling it unnecessary, superfluous, premature, inquisitorial, dangerous, expensive and without any precedent in the English Acts. The employers were apparently reluctant to concede the Labour Office extensive statutory powers and hence prevailed upon the Government in 1926 to drop the Bill. The majority of the Indian Economic Enquiry Committee (1925) advocated the passing of a comprehensive Census and Statistics Act. The Royal Commission on Labour also recommended enactment of legislation "enabling the competent authority to collect information from employers regarding the remuneration, attendance and living conditions of industrial labour, from merchants regarding prices, from money-lenders regarding loans to workers and from landlords regarding rentals." [5]

Industrial Statistics Act, 1942:

The principle of systematic collection of statistics with statutory powers has lately been accepted in India. Both the Eleventh Industries Conference (December, 1939) and the First Conference of Labour Ministers (January, 1940) recommended to the Government of India to undertake legislation for collection of statistics relating to industries and labour. The Government also felt that 'the quantity and nature of reliable information in regard to the progress of industries and of labour conditions available to them has been inadequate and that steps should be taken to provide for a fuller compilation of industrial statistics. The limit of what could be achieved in this respect by relying merely

[4] In a memorandum submitted to the First Conference of Labour Ministers (Jan. 1940), the Government of India explained how partly because of the difficulties in securing accurate statistical returns by voluntary methods they had to drop in 1921 a census of wages and completion of an all-India cost of living index number. (*Report of the Conference*, p. 31). The memorandum also gives the details of the various attempts made towards the passing of a Statistics Act in India. It seems that the Governments of C. P. and Berar and of U. P. were to pass the Collection of Statistics Act on the model of the Bombay Bill of 1924.

[5] *Report*, p. 446.

on goodwill and the voluntary supply of information had been reached.'[6] The result was the enactment in 1942 of the Industrial Statistics Act, which provides penalties for refusing to supply information, for inserting information known to be false, for refusing the Statistics Authority access to any premises to which he is entitled to have access or for wilfully refusing to answer the questions of the Statistics Authority. The Act also provides penalties for those who divulge information gained in the performance of their duties. The collection of statistics has been mainly confined to factories and to welfare and working conditions of labour.[7]

Statistical Data:

As for the statistical data that are available for the study of Indian Labour, the various Departmental Enquiries conducted by both the Central and Provincial Governments are of primary importance. These enquiries take various forms as regular periodical returns, inspectors' reports, special conferences convened by the Departments of Industries and Labour, occasional enquiries and research studies by Government Labour Bureaux. Annual notes are published both by the Central and Provincial Governments on the working of the Factories Act of 1934, Workmen's Compensation Act of 1923 and Trade Unions Act of 1926.[8] The notes on the Trade Unions Act give the figures only of those registered unions which have submitted annual returns. Unfortunately a number of unions fail to submit their annual returns. In 1944-45, for example, out of 865 registered trade unions, only 573 submitted the annual returns, required under the Act.[9] This regrettable feature is more common to major provinces as they have to deal with a far greater number of trade unions than those in minor provinces[10]

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[6] Statement of Objects and Reasons—Industrial Statistics Bill, 1942.

[7] Similar Acts are already in force in a number of other countries. In the *Labour Gazette* (Bombay) of May, 1924, there is a list of 51 countries and provinces which possess legislation providing compulsory power for the collection of labour statistics.

[8] The annual returns under the T. U. Act give the number of members at the beginning and at the end of the year, number of members joined or left during the year and statements of income and expenditure as also of assets and liabilities. The information is then classified into membership according to sex, provinces and industries.

[9] *Vide* Table No. 1 in Appendix II.

[10] *Vide* Table No. 2 in Appendix II.

The figures of trade unions, registered under the Act, cannot give even an approximate idea of the strength of Indian trade unionism. Membership is often not strictly defined and many members who have long ceased to pay any subscription are retained on the registers of the unions for years together. The figures submitted are often too smooth to arouse suspicion. Generally, the actual income from membership fees is quite disproportionate to the number of members claimed.[11] The female membership of a Punjab Union was constant (viz. 639) for six consecutive years. In some cases, income equals expenditure of the succeeding year as can be seen from the following table showing the account of the political fund of the National Union of Railwaymen of India and Burma.

TABLE No. 1

Income and Expenditure of National Union of Railwaymen of India and Burma

Year	1930	1931	1932	1933
	Rs.	Rs.	Rs.	Rs.
Income ..	32–12	947–0	604–5	618–7
Expenditure ..	——	32–12	947–0	604–5

The benefits obtained by registering trade unions under the Trade Unions Act are not considered of much value and hence a number of unions are reluctant to undertake the obligations which registration generally involves. The following table shows clearly how the statistics of registered trade unions cannot accurately represent the position of unionism.

[11] For illustrations to prove this statement, see Ch. XV: *Trade Union Membership and Finance.*

TABLE No. 2

Trade Unions in Bombay Presidency

Year	Average No. of Unions	Average Membership during the year	No. of* regd. unions	Membership* of registered unions
1927	63	77,263	—	—
1928	82	127,753	1	1,200
1929	91	191,937	26	73,306
1930	87	129,874	38	150,759
1931	92	113,552	34	71,868
1932	91	104,458	31	74,357
1933	91	109,307	36	69,420
1934	87	109,590	39	64,347
1935	103	103,429	34	66,931
1936	103	97,352	50	92,203
1937	105	93,453	43	84,722
1938	140	126,455	50	81,733
1939	170	159,026	53	109,032
1940	177	191,942	75	138,162
1941	174	184,517	75	160,168
1942	183	183,364	89	151,648
1943	214	221,029	91	174,505
1944	261	266,042	97	197,665
1945	294	321,582	109	243,421
1946	351	340,540	118	268,395
1947	457	425,528	208	335,916

* Figures about the number of registered unions and their membership (Columns 4 and 5) are each year for the period ending 1st September. From 1942, the figures are for the year ending 1st June.

The figures show that the number of registered trade-unions has never been more than half the number of total trade-unions.

Reports of Committees and Commissions:

From the student's viewpoint, the various public investigations by committees and commissions provide comprehensive and important material. These public investigations differ in some respects from the departmental enquiries.[12] The latter are generally dominated by the official view with a definite vision throughout. The former, on the other hand, reflect public opinion and are much more comprehensive. As outsiders representing both the employers and the workers are associated with them the commissions may show differences of opinion in the form of minutes of dissent and thus reflect representative opinion. Their value depends not only upon the recommendations they make but also upon the large amount of evidence published separately. The reports of the various Factory Commissions since 1884, of the Industrial Commission of 1916, of the Whitley Commission of 1930 and of the Labour Investigation Committee of 1944-45 provide a wide field of research to a student of Indian Labour.[13] The reports of the Industrial Disputes Committees of Bombay and Bengal (1921), the Bombay Strike Enquiry Committee (1928), the Bombay Court of Enquiry and the Labour Enquiry Committees (1937-39) of Bombay, C.P., Bihar and Cawnpore are indispensable to the student of Indian trade unionism. Reports of the various conciliators, arbitrators and adjudicators (especially in war-time) will also be of some use in this respect.

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[12] *Vide* Dr. R. K. Das—*Principles and Problems of Indian Labour Legislation*, pp. 70-81.

[13] The Report of the Whitley Commission, with its eleven volumes of evidence, lays down before the student such extensive material that, with due respect to the extremists in the Indian Labour World, one cannot help feeling that they committed a serious mistake when they boycotted the Commission. Mr. Subhas Bose, in his Presidential Address to the T. U. Congress (1931) said that although he had voted for the boycott of the Commission at the Nagpur Session (1929) he had no hesitation in saying that if the Commission's recommendations regarding welfare-work for labour were given effect to, there would be an improvement in the workers' conditions. The work of the Whitley Commission has been brought up-to-date by the Labour Investigation Committee, whose valuable data is now available in its Main Report and a number of ad-hoc survey Reports for various industries.

Documentary Evidence from Labour Unions:

Next in order of importance is the documentary evidence furnished by various labour institutions, consisting of cash accounts, minutes of meetings, internal statistics, rules and reports. The Trade Union Congress, the Railwaymen's Federation, the Indian Trades Union Federation (1930-33), the National Trades Union Federation (1933-40), the Indian Federation of Labour and the Ahmedabad Textile Labour Association have published regular reports of their activities. Some provincial trade union federations, a number of individual trade unions and the Asiatic Labour Congress have also published their reports. The annual reports of the tripartite Conferences at Geneva, the Director's Reports and the I.L.O. Year books give us an idea of India's place in the trade unionism of the world. Many unions, especially of the railwaymen and of textile workers, publish periodical journals. In 1924, there were in India 20 labour journals.[14] A consistent authoritative view of Indian trade unionism can be obtained, if the student goes carefully through the issues of 'Swadharma' (1921-24), the Trade Union Bulletin (1924-29) and the Trade Union Record (1932-38, revived in 1941), supplemented throughout by the Bombay Labour Gazette and the Indian Labour Gazette issues.

In view of this vast material for research, it is really surprising that though the Indian Labour Movement had its origin as early as 1884, India still lacks a Webb or a Cole to write a History of Indian Trade Unionism or a History of the Indian Working Class Movement. The Indian Trade Union Congress and the various political mass parties have not yet realised that a Labour Research Department is a necessity and a valuable adjunct to their social, economic and political activities. A semi-official central Labour Research Institute would solve many problems that face us to-day.

[14] For details see *All-India Trade Union Bulletin*—August 1924.

The following pages have been the result of a modest attempt to collect the available data, referred to above, to analyse it impartially and carefully, and to present the facts in a synthetic and critical manner. The main aim has been to co-ordinate the available data regarding Indian trade unionism in order to reveal some of the features of organised labour in India.

PART I: FREEDOM OF ASSOCIATION

CHAPTER I

GENERAL THEORY OF TRADE UNIONISM

Definition of 'Labour:'

Before defining the term 'Trade Union' it is necessary to examine the limitations of two other terms, 'Labour' and 'Labouring Classes.' Strictly speaking, all those persons who perform personal services for a compensation are labourers and their services labour, irrespective of the fact that the term labourer includes salaried, professional worker and the ordinary manual worker, differing widely from each other in economic and social position.[1] In common usage, however, we make a natural distinction between manual labour, skilled or unskilled, and the intellectual labour and apply the term 'Labour' to the former only. It is in this sense, that the Japanese Bill on Trade Unions (1926) did not consider Government officials as 'workers' under the Bill. The Industrial Disputes Investigation Act (1907) of Canada defines an employee as any person employed by an employer to do any skilled or unskilled manual or clerical work for hire or reward in an industry.

Definition of a 'Trade Union':

A trade union has been defined variously by different authors. The most popular definition is by Sidney and Beatrice Webb, who define a Trade Union as "a continuous association of wage-earners for the purpose of maintaining or improving the conditions of their working lives."[2] This definition, however, has certain limitations. A trade union may combine any class of employed persons; its purpose may extend outside the working lives of the members and its functions may be wider than merely maintaining and improving working conditions, if such conditions relate only to wages, hours and the conditions of the working lives in their

[1] Dr. V. Shiva Ram—*State in Relation to Labour in India*, p. 6.

[2] Webb—*History of Trade Unionism*, p. 1.

places of employment.[3] The definition given by the Webbs is from the economic point of view and hence judiciously avoids the details as to the status of the workers, aims and methods followed by them and the character of their association. These factors are included in the definition that defines a trade union as "a monopolistic combination of wage-earners who as individual producers are complementary to one another but who stand to the employers in a relation of dependence for the sale of their labour and even for its production; and that the general purpose of the association is in view of that dependence to strengthen their power to bargain with the employers."[4] In the same vein runs the Soviet definition that defines a trade-union as "an association of producers, in which citizens employed for remuneration in State, co-operative and private undertakings, institutions and businesses are organised. The union acts for its members in all negotiations with the various State institutions and represents them at the conclusion of agreements and contracts and in all discussions of questions relating to labour and social welfare."[5]

Three Schools of Thought in Trade Unionism:

One important feature of the above definitions is that they define the trade unions in light of the functions the unions are expected to perform. There is a diversity of opinions as to the role of trade unions in the working class movement, though all agree as to the fundamental purpose of trade unionism, viz., the pursuit of the interests of wage-earners. What is objected in modern trade unionism is not its object nor even its devices but its structure and methods.[6] All trade unionists believe that the abandonment of the conditions of employment to the chances of individual bargaining is disastrous, alike to the wage-earners and to the community. But when, in pursuance of this assumption, they take concerted action for the improvement of their

[3] A. Creech Jones—*Trade Unionism to-day*, p. 3. Mr. Milne-Bailey also criticizes Webb's definition as 'somewhat out-of-date, too limited, too static'. (*Trade Unions and the State*, p. 86).

[4] Cunnisson—*Labour Organisation*, p. 13.

[5] Article 151 of the *Soviet Labour Code*.

[6] Webb—*Industrial Democracy*, p. 807.

condition, we see at once the emergence among them of three schools of thought, termed by Mr. and Mrs. Webb, as Conservatism, Radical Individualism and Collectivism.[7] The main characteristics of conservatism, according to the Webbs, are the abiding faith in the sanctity of vested interests, the strong presumption in favour of the status quo, the distrust of innovation, liking for distinct social classes marked from each other by corporate privileged and peculiar traditions, disgust at the modern spirit of self-seeking assertiveness and the deep-rooted conviction that the only stable organisation of society is that based on each man being secured and contented in his inherited station of life. These traits of conservatism can be noticed in the American Federation of Labour, National Federation of German Trade Unions, the Kuomintang unions of China, the Nippon Rodo Sodomei (with its party Kokka Shakai To)[8] of Japan and the Fabianists of Great Britain.

Against this class of Conservatives, Mr. and Mrs. Webb place the Radical Individualists, who see in the society a constant struggle between warring interests, who feel that every man and every class is entitled to all that they can get and to nothing more and who assume that success in the fight is an adequate test of merit and indeed the only one possible. The third school of thought called by the Webbs as Collectivism insists on the need of "a conscious and deliberate organisation of society based, not on vested interests or the chances of the fight, but on the scientifically ascertained needs of each section of citizens." We may combine the latter two schools and call it the Left Wing Unionism, or we may re-classify this Left Wing Unionism into the Militants and the Centrists. The Independent Workers of the World, the Knights of Labour in U.S.A., the Unitary Confederation of Labour of France, the Minority Movement of Great Britain and Nippon Rodo Hiogoki (with its party Rono To)[9] of Japan are examples of militant organisations.

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[7] *Industrial Democracy*, pp. 597-599.

[8] 'Central Federation of Labour in Japan' (with the State Socialist Party).

[9] This party was dissolved in 1928 by the Government.

In between these extremes, stand a number of trade unionists, who want neither the 'reformism' of the conservatives nor the 'radicalism' of the communists. The British Trade Union Congress (with its Labour Party), the Nippon Rodo Kumiai Domei[10] (with its party Shakai Taishu To), and the All-China Federation of Labour belong to this group of Centrists. In India these three schools of thought are popularly known as the moderates, communists and socialists, and their differences of opinion were clearly marked in 1931-1933 when they formed three separate federations of labour each representing a distinct tendency in Indian trade unionism. The federations were, the Indian Federation of Trade Unions (moderates), The Red Trade Union Congress (communists) and the All-India Trade Union Congress (centrists). At present the Indian Federation of Labour and the Trade Union Congress reveal these tendencies of reformism and militant unionism respectively, while the recently formed Indian National Trade Union Congress stands between these two.

Reformist vs. Militant Unions:

The Anglo-Saxonist, the Austro-Germanist and the Socialist Utopian theories of trade unionism hold that the unions should be social reformist in character, and hence must keep aloof from political and revolutionary actions. Communists, Syndicalists and Marxists, on the other hand, give a definite role to the trade unions in the general class-struggle of the proletariat. When Marx and Lenin, for example, define a trade-union as "a school of communism" they mean much more than the phrase apparently implies. The trade unions serve first as organising centres and as 'schools'—schools for unification, of solidarity, for learning how to defend the interests of workers, for learning administration and management.[11] In the Stalinist regime, from the unions are drawn, the persons best fitted to occupy the leading positions in all branches of administration. The unions form a link between the more advanced and the comparatively backward sections of the working class, for

[10] The Japanese Federation of Trade Unions (with the Socialist Masses Party).

[11] Lozovasky—*Marx and Trade Unions*, Ch. XI.

in them the masses of the workers are united with the vanguard.[12] V. Yarotsky, a Russian Labour theoretician, however, thinks that the definition—'School of Communism' —is incomplete. He tries to 'complete' the definition of Marx in the following manner, "The trade union organisation as such is always, at all times and in all countries the association of workers best suited to the changing and constantly rising level of class consciousness." Lozovasky criticises this definition very severely.[13]

Employers' Organisations as Trade Unions:

The second feature that is common to all these definitions is that they confine the trade union to worker alone. A trade union is essentially an organisation of employees, not of employers, nor of co-partners, nor of independent workers.[14] The Indian Trade Unions Act, however, like the English Act and the Industrial Conciliation and Arbitration Act (1908) of New Zealand, allows even the employers' associations to register themselves as trade unions. Our Act, based in this respect on the English T.U. Act of 1876, defines a trade union as "any combination whether temporary or permanent, formed primarily for the purpose of regulating the relations between workmen and employers or between workmen and workmen, or between employers and employers, or for imposing restrictive conditions on the conduct of any trade or business, and includes any federation of two or more Trade Unions."[15] This definition can serve as a fine example of vague terminology and wide scope. The most disgusting feature about this definition is that even influencial and wealthy associations of employers, like the Indian Jute Mills Association, Bengal with income and expenditure amounting to lakhs of rupees can pass off as 'trade unions' which usually mean the workers' organisations. What a false impression this fact creates in the mind of a casual observer, as to the financial position of our trade unionism can be seen from the following table.

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[12] Stalin—*Leninism*, pp. 29-31.
[13] *Marx and Trade Unions*, ch. XI—pp. 176-8.
[14] N. M. Joshi—*Trade Union Movement in India*, p. 1.
[15] *Indian T. U. Act of* 1926, Section 2(h).

TABLE NO. 3.

Registered Trade Unions in Bengal 1938-39.

Registered Trade Unions	No. of regd. unions		Membership.	Annual Income	Annual Expenditure
	Unions	Those furnishing returns.		Rs.	Rs.
Total	191	130	95,938	4,80,955- 8-11	4,15,430-15-10
Employers' Organisations	9	9	781	3,93,093- 9- 0	3,32,603-11- 0
Workers Organisations	182	121	95,157	87,861-15-11	82,827- 4-10
Indian Jute Mills' Association (Employers' Association regd. under Trade Union Act, 1926).			73	3,08,716- 4-	51,340- 1-3

Thus while 121 workers' organisations with a membership of 95,157 have hardly Rs. 88,000 and Rs. 83,000 as income and expenditure respectively, only 9 employers' organisations with a paltry membership of 781 can claim Rs. 3,93,000 and Rs. 3,33,000 as income and expenditure; and both these kinds of organisations can go under the name of trade unions.

Other Associations as Trade Unions:

Under the Indian law, it is not only the employers' organisations that have a right to call themselves trade-unions; merchants' associations, general labour unions, friendly societies, organisations of independent workers as also the combinations of intellectuals can register themselves as trade unions under the Act.[16] Thus under a wide and

[16] Among the registered trade unions of 1938-39, we can see (i) unions of small merchants like the Traders' Association—Ajmer; the Petrol Dealers' Association—Lucknow; the Lime-Cement Merchants' Committee—Cawnpore; Umbrella Merchants' Association—Calcutta, and the Mutton Dealers' Union, Bombay, (ii) associations of non-manual labour like the clerks' unions of Bombay and Calcutta; the Shikshak Sangh of Warora (C.P.) and the Federation of the Punjab Board Teachers' Unions, (iii) employers' organisations like the bus syndicates of Ahmedabad, Amraoti, Barrackpore, Bombay, Cholospore and Nagpore, the Indian Jute Mills Association, Bengal and the Indian Cement Distributors' Association, Calcutta; (iv) friendly societies like the Workmen's Compensation Aid Society, Karachi, and (v) trade combinations of persons who are neither wage earners nor employers like the Hawkers' Union, Bombay; the Railway Licensed Coolies' Union, Cawnpore, the Rate Payers' Association, Lahore, and the two book-binders' unions of Bengal. Besides

vague definition of trade unions, can be grouped up organisations differing greatly from one another not only in the aims and methods to be followed, but also in the constitution, class of membership and the structure of the organisations. Strictly speaking, the term 'Trade Union' refers only to workers' organisations. Even organisations, for workers but not of workers, have no right to be called trade unions. The Kamgar Hitwardhak Sabha (1909-1928) and the Social Service League (1910), both of Bombay, are examples of organisations, working more as welfare centres and hence have not been considered as trade unions. The two organisations themselves never claimed that title. The Amalgamated Society of Railway Servants of India and Burma, at first registered under the Indian Companies Act of 1882, appeared to confine its activities mainly to Mutual Benefit and Mutual Insurance work. It was, therefore, considered by the Bombay Labour Gazette as a 'quasi-union' —more or less a friendly society rather than a trade union.[17]

'Mixed Combinations':

This right of the employers to register their organisations as trade unions, should not be confused with the right of what is called 'mixed combinations'. The latter right allows the employers to join workers' organisations and *vice versa.* Such combinations were, under the statutory definition, definitely regarded as trade-combinations in Chile France, Hungary and Roumania.[18] In Bombay, for example, there were in 1923 two such unions known as the Victoria Owners' and Drivers' Association, and the Saloon Hamamkhana Owners' and Barbers' Association. The Labour Gazette[19] first considered them as quasi-unions because they represented more as trade guilds than as trade

these, there is a large number of general labour unions i.e. unions irrespective of occupation, like the Mazdoor Sabha, Cawnpore, Sramik Mandal and Employees' Association, both of Calcutta; Sramik Sangh, Howrah; Azad Union, Bareilly and Southern Ansar League, Ludhiana.

All these illustrations are taken from the lists of annual (Provincial) Notes on the working of the T. U. Act, 1926. The Act applies only to registered trade unions. The unregistered unions are free to have any constitution and policy they choose.

[17] *Labour Gazette*: February, 1926, p. 548.

[18] I.L.O.—*Freedom of Association*, Vol. I, p. 34.

[19] February, 1926.

unions but later refused to consider them even as such, owing to the peculiar nature of their constitution and membership. The Crawford Market Stall Keepers' Association 1925, Bombay, was a purely trade-guild to remove and represent the grievances of the stall-holders and their employees in the Crawford Market; it was not a trade union.

Limitations to Trade Unions:

Before arriving at an exact definition of a trade union, it is necessary to know all the limitations to its constitution, structure, membership and the like. We have considered in part the first limitation as to the right of the employers either to found or to join a trade union. We have seen that the Indian Act places no restriction as to this right of the employers. The Decree of 12th July 1934 issued by the Brazil Government allows only employers and workers carrying on an agricultural, industrial or commercial activity, persons engaged in a liberal profession and persons working on their own behalf to form unions. There the right to form trade unions does not belong to the public servants other than manual, professional or technical workers in the service of an agricultural, industrial or transport undertaking managed by the Federal Government, a State Government or a Municipality.[20] In Russia, "persons working for themselves in small production, professional men who practise for themselves without occupying State positions and others who do not work for a wage or salary cannot join a trade union."[21] However, doctors, dentists and such other persons who work for the State are entitled to membership in the Medical-Sanitary Workers' Union.

Age-Limitation:

The other limitations of trade unions mainly relate to age, sex, occupation, political opinion, nationality and aims of the organisation. The Indian Trade Unions Act is very liberal and puts down only one restriction as to the right of individuals to join a union. Section 21 of our Act allows any

[20] *Industrial and Labour Information*, 8th October, 1934.
[21] Freeman—*The Soviet Worker*, p. 113.

person who has attained the age of fifteen to be a member of a registered trade union. No person, however, who has not attained the age of eighteen years, can be an officer of a union. The main reason for the liberalism of our Act lies in the fact that it affects only the registered trade union. Unnecessary restrictions on the right of membership to the union might discourage registration under the Act. According to the Labour Code in French India, persons under 18 years of age can only become members of unions after obtaining the permission of their parents or guardians. This age restriction on the right of combination is involved in the provisions of the ordinary or the common law, i.e., in the case of young persons and married women. Young persons were not permitted to join trade combinations in Italy (minors), Hungary (apprentices and minors), Belgium and Russia (under 16 years of age).[22] Under the Act of 1898 of Belgium, the husband could object to his wife's joining a trade union.

Limitations as to Race, Nationality and Morality:

Trade unions in some countries are closed to disfranchised citizens and to aliens. In Russia, "the former rich, members of the former police or secret service, priests and ecclesiastical officials, etc. were not permitted to carry a union book."[23] The general principle is that any citizen who works for hire may join a union irrespective of political opinion, race, creed, colour, sex or occupation. The classes of persons mentioned above along with superintendents, agents and proprietors of private businesses and those with administrative posts which entail the right to hire in private enterprises are prohibited in Russia from joining a union. The Federation of Austrian Workers and Salaried Employers could refuse admission for membership, if the applicant had been convicted in a court of law on account of a crime or of an offence against public order or public morals, or if administrative penalties had been imposed on the applicant on account of action hostile to the Government, or if there

[22] I.L.O.—*Freedom of Association*, Vol. I, p. 36.
[23] R. Dunn—*Soviet Trade Unions*, p. 6.

was any ground to suspect that the applicant might abuse his membership of the Federation for purposes of class-war or political agitation.[24] In Estonia, Hungary, Italy and Latavia, only nationals were permitted to form trade combinations, while aliens were prohibited even to be members, unless they were residents for a certain fixed period. In India, the aliens have the right to found and join a trade union. The National Union of Railwaymen of India and Burma and the Anglo-Indian and Domiciled European Association have both Anglo-Indians and Europeans as their members while the All-India and Burma Covenanted Non-Gazetted Railway Service Association is a union of railwaymen covenanted from Great Britain. Indian labour is comparatively free from communal and racial unions[25] and a number of important organisations, especially of the railway and postal employees, enrol members irrespective of race, creed and colour. Leaving aside the political differences, India can boast of a number of non-Indian eminent trade unionists like C. F. Andrews, J. B. Miller, E. Kirk, P. Spratt, B. Bradley, L. Hutchison and R. Brraunfield.

'Police Unions':

Public servants in the armed forces and the police, in virtue of the special discipline to which they are subjected, are either entirely prohibited from joining or forming such combinations, or where this is not the case, are only allowed to form them subject to considerable restrictions.[26] In England, the Police Act of 1919 after setting up a statutory federation to represent the interests of the police, makes it illegal for a policeman to join a trade union or association having for its objects control of the pay, pension or conditions of service of the Police force and any person contravening the provisions forfeits all pension rights and his membership of the Police force. The Japanese T.U. Bill of 1926 prohibited soldiers, sailors and civilians attached to

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[24] *Industrial and Labour Information*: March 19, 1934.

[25] This aspect has been considered in detail, later in Chapter V, *Indian Trade Unionism Today*.

[26] I.L.O.—*Freedom of Association*, Vol. I, p. 36.

the Army and Navy, except those in temporary services, to join trade unions. The position in India is much the same; though the T.U. Act is silent on this point, we hear of such organisations as the Madras Policemen's Union (1920-affiliated to T.U.C.).

Inadequacy of a Definition:

From all these limitations, we can see how difficult it is to define exactly the term 'trade union'. The limitations vary from place to place and it becomes impossible to group all the organisations under one single definition, unless the definition is vague and wide. Definitions always prove inadequate and dangerous,[27] as can be seen from the evolution of the trade union Definition Clause of the English Act. The T.U. Act of 1871 defined a trade union in order to facilitate registration.[28] In practice, it proved an obstacle. To remove the obstacle the definition was enlarged in 1876 by enumerating the various kinds of societies. This enlargement was construed by courts against the intentions of the Parliament as "a clause of limitation or exhaustive definition" of objects and purposes so as to bring trade unions under the doctrine of *ultra vires* in the famous Osborne Case Judgment. The Definition Clause of the 1876 Act, as the Webbs point out, was loosely construed to include all sorts of existing or possible associations of different kinds. The Registrars of Friendly Societies till 1909 understood the clause to be an enabling clause and not a restricting one: "and they had accordingly for a whole generation willingly registered rules presented to them by Trade Unions, including in their objects and purposes all sorts of things not enumerated in the definition and not even incidental to any of the purposes therein enumerated."[30] The Osborne Case Judgment for the first time in 1909 showed the inadequacy of the definition and held that "as the purposes for which trade unions are incorporated have to be found somewhere authoritatively given, the definition which

[27] *Memorandum of T. U. Congress to Government of India on T. U. Legislation, 1922.*

[28] Webb—*History of Trade Unionism*, p. 616.

[30] Webb—*History of Trade Unionism*, pp. 619-620.

Parliament incidentally enacted in the Trade Union Act of 1876 must be taken to enumerate, accurately and exhaustively, all the purposes which any group of persons falling within that definition can, as a corporate body, lawfully pursue." The inadequacy and dangerous character of the definition were revealed when the Osborne Judgment prohibited even educational work and participation in municipal administration by the trade unions.

Definition of a Trade Union:

A study of Indian trade unions reveals two characteristics that are common to them all, in spite of their diverse constitutions, classes of membership, structures of organisations and rules and regulations. They are all associations either of employers, employees or of independent workers, not only of wage-earners as the Webbs define them. Indian trade unions, as we have seen, may comprise of merchants' associations, employers' organisations, general labour unions, friendly societies or combinations of intellectual labour. All of them can lawfully call themselves as trade unions, provided they conform to certain formalities laid down by the Act. The second feature that is common to all trade unions is that their fundamental purpose is the pursuit of the interests of their members and of the trade they represent. There may be differences of opinion as to the devices and methods of the organisations but the main aim of them all is to safeguard the interests of their members. Even in Russia, the purpose of the trade unions is to satisfy the cultural and every day requirement of their members to the fullest extent.[31] A majority of our unions are for collective bargaining; some collect funds for mutual insurance; while a few try to bring pressure upon the Government to pass favourable labour legislation. As for the structure, our unions show all the types: craft-unions of Ahmedabad, industrial unions all over the country, and general labour unions in important industrial centres like Cawnpore, Bombay and Calcutta. The objects of the unions may also vary in details: some try to solve only economic problems

[31] *The Soviet Comes to Age* p. 173.

relating to conditions of employment as hours of work, wages etc.; some have before them social problems as educational and cultural progress of their members, while a number of our unions have a political colour with some such objects as adult franchise, a classless society and the establishment of a socialist state. However, in spite of these differences as to the constitution, objects, methods and structure, all trade unions have one main aim in common—to look after the welfare of their members. Bearing these two features of our trade unionism in mind, we can define a trade union as a continuous association of persons in industry, whether employers, employees or independent workers, formed primarily for the purpose of the pursuit of the interests of its members and of the trade they represent. A similar definition calls a trade union as "an organisation of the economic and vocational groups of the population to defend the interests of the group or trade and those of the members, to co-ordinate the rights and obligations of employers and workers in relation to economic and social conditions and to co-operate with the Government in the study and solutions of problems directly or indirectly affecting the interests of particular groups."[32]

Trade Union and Trades Union:

A slight confusion is created when we often use in common speech the terms 'trade union' and 'trades union' interchangeably and indiscriminately. The distinction between a trade union and a trades union is exactly that which the terms imply. "A Trade Union is a combination of the members of one trade: a Trades Union is a combination of different trades. The Trades Unions means the ideal at which the Trade Unionists aimed."[33] The All-India Trade Union Congress and the Red Trade Union Congress should have been Trades Union Congresses, in the same manner as are the British Trades Union Congress, the Indian Trades Union Federation and the National Trades Union Federation. Trades Union is not the plural of trade union.

[32] Decree of 12th July 1934 issued by the Brazil Government.

[33] Webb—*History of Trade Unionism*, p. 113.

Are Trade Unions Obstructive?

Are trade unions, even though properly constituted and well-managed, obstructive to the general interests of the workers?[34] The question may seem rather out of date when practically no one denies the importance of developing healthy trade unions. Even employers have urged the Government to offer "every facility for the development of organised labour along healthy lines and in the right direction both in the interests of employers and employees."[35] The Royal Commission was completely convinced that "the need of organisation among Indian workers is great, and that, unless industry and the state develop along entirely different lines, nothing but a strong trade union movement will give the Indian workman adequate protection."[36]

Do Trade Unions lower Wages?

The utility of organisation of the workers was, however, once seriously disputed by eminent classical economists like McCoulloch, Mill, Ure, Bastiat, Stirling, Cairnes, Walker and others. Their main contention was that the trade unions and strikes were of no use to the working classes since they lower wages and efficiency. According to Stirling, trade unionism is confronted with the dilemma: whether it fails or it succeeds, the result would be unfavourable to the workers any how. If it fails in its demand for higher wages from the employer, then all organisational efforts, monetary expenditure and waste of energy will have been in vain; while if it wins, temporarily, then the final result would be still worse. Proudhon, in his Philosophy of Poverty, carries on the same logic: Every upward movement in wages can have no other effect than that of a rise in prices of wheat, wine etc. i.e. the effect produced by a dearth. Wages are the proportion of the elements which compose wealth and are consumed reproductively each day by the mass of the workers. But to double wages is to bestow upon each of the

[34] Though our trade unions include other organisations than those of workers, the term trade union generally refers to workers' organisations only. It is in this sense that the term is used hereafter unless specifically stated otherwise. The employers' organisations are called as 'trade associations'.

[35] *Memorandum*—Bombay Chamber of Commerce on T. U. Legislation. 1921.

[36] *Report*, p. 322.

producers, a part greater than his product, which is contradictory; and if the rise only affects a small number of industries the result is to provoke a general perturbation in exchange, i.e., a scarcity. "It is impossible" Proudhon concludes, "for the strikes which result in an increase of wages not to lead to a general dearness; that is as certain as that two and two make four." To this long argument of Proudhon, in his 'Philosophy of Poverty,' Marx briefly replied in his 'Poverty of Philosophy' that he denies all these assertions "except that two and two make four."[37]

Proudhon, the founder of anarcho-syndicalism, was clearly against the right of association and the strike movement. Very severely he criticizes the law permitting trade unions as "anti-juridical and anti-economic, contradicting every social regime and public order. Any concession made in connection with this law is an abuse and is null and void in itself—it is cause for making public charges and instituting criminal proceedings."[38] The questions of wages etc. are like barriers to Cairnes. Against these barriers trade unions must dash in vain. They are not to be broken through or eluded by any combinations however unusual; for they are barriers set up by Nature herself.

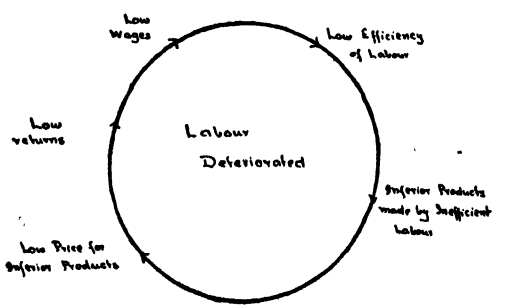
Do Trade Unions lower Efficiency?

The second important objection to trade unions is that they lower the efficiency of the workers. Trade unions in the past have ever been opposed to machinery and the introduction of improved process of manufacture.[39] Rationalisation usually means labour-saving machinery, that discharges a large labour force from active service and replaces skilled labour by the unskilled. It is, therefore, natural for the trade unionists to feel a traditional resentment towards the introduction of improvements in the technique and apparatus of production. The conflict generally comes over three questions:[40] Who shall work the machines or appliances? How many men are required for their operations?

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[37] Marx—*Poverty of Philosophy*, pp. 143-144.
[38] Proudhon—*'On the Political Capacity of the Working Class'*, (1865).
[39] Webb—*Industrial Democracy*, p. 392..
[40] Hilton and others—*Are Trade Unions Obstructive?* p. 320.

And what rates shall be paid to the operators? The most important demands put forward by strikers in the greatest industrial dispute in India—the Bombay Textile General Strike of 1928—were against the reduction of wages, the standardisation scheme and the rationalisation in industry. The 'Luddism' movement in England clearly showed the resentment of workers against the introduction of machinery. In 1769, the British Parliament enacted a special law for the protection of machines. In 1811, over 200 machine looms were destroyed in Nottingham alone. 'King Ludd' reigned supreme and the Parliament had to pass another law imposing the death penalty for the destruction of machines. The objectors to the trade union movement take all these facts to prove that the movement on the whole is against any improvements in the technique and apparatus of production. Trade unionism is thus a bar to the progress of industry, efficiency of the workers and general welfare of the public. It creates 'the vicious circle of the sweated industries, in which the gradual beating down of the rate of remuneration produces an inevitable deterioration in the quality of the work, whilst the inferiority of the product itself makes it unsaleable except at prices which compel the payment of progressively lower rates.'[41]



[41] *Industrial Democracy*, p. 416.

Quite an unimportant reason is also given by some objectors as to the futility of trade unionism. Trade unions are formed with a fixed purpose of ensuring better conditions of life to workers and better conditions in their turn may increase the birth rate among the lower classes. In a world of overpopulation, any stimulus to the growth of population should be checked and hence trade unionism should have no place in the labour world.

That trade unions have been for the most part right in resisting wage-cuts is usually admitted, since wage-reductions do not necessarily or in general have the effect of increasing employment. Even Keynes admits that "every trade union will put up some resistance to a cut in money wages, however small. But since no trade union would dream of striking on every occasion of a rise in the cost of living, they do not raise the obstacle to any increase in aggregate employment which is attributed to them by the classical school."[42] The resistance to wage-reductions is advocated by Keynes for another reason also. "Since there is as a rule no means of securing a simultaneous and equal reduction of money wages in all industries, it is to the interest of all workers to resist a reduction in their own particular cases."

Three Assumptions of Trade Unionism:

The trade unionists in their narrow sphere of the conditions of employment, are influenced by three divergent conceptions of the principle upon which wages, hours and other terms of the labour contract ought to be determined. Mr. and Mrs. Webb distinguish these three assumptions as the Doctrine of Vested Interests, the Doctrine of Supply and Demand and the Doctrine of a Living Wage.[43] The Doctrine of Vested Interests lays down the assumption that wages and other conditions of employment hitherto enjoyed by any section of workers ought not to be interfered with for the worse. The Doctrine leads to customary rates of wages, prohibition of new processes, strict maintenance of the lines of

[42] Keynes—*General Theory of Employment, Interest and Money.*

[43] *Industrial Democracy*, Ch. XIII. The Assumptions of Trade Unionism.

demacration between trades and the enforcement of entrance fees. The Doctrine of Supply and Demand considers labour as a commodity to be bought by the employer in the cheapest market and to be sold dearest by the workers. It leads to compulsory trade unionism, sliding scales, rationalisation, strikes and lockouts, boycott and blacklist, deliberate regulation of output and the establishment of alliances with the employers against the consumer. The Doctrine of a Living Wage requires improvement in necessary social conditions for the continuous and efficient working of the social machine, i.e., enforcement of sanitation and safety, reduction of hours, attempts by the skilled trades to organise the unskilled labourers and women workers, denunciation of sliding scale and fluctuating incomes and establishment of a minimum wage. The first doctrine appeals to state protection, the second to collective bargaining and the third to the state as arbitrator. Considering these three doctrines in detail, the Webbs observe that the first doctrine is hopelessly out of date, the second is daily losing ground while any application of the third is likely to be only gradual and tentative.[44] The learned authors, therefore, come to the conclusion that "the complete acceptance of democracy, with its acute consciousness of the interests of the community as a whole, and its insistence on equality of opportunity for all citizens will necessitate the abandonment of one, the modification of another and the far-reaching extension and development of the third doctrine."[45] These are the assumptions on which the trade unionists base their belief in trade unionism itself, their justification of particular demands and the utility of unionism.

As to the utility of trade unionism, we shall now see how Marx tries to defend it. Marx lays down three propositions.[46]

(i) A general rise in the rate of wages would result in a fall of the general rate of profit, but broadly speaking, not affect the prices of commodities.

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[44] Industrial Democracy, p. 594.

[45] Industrial Democracy, p. 809.

[46] Value, Price and Profit (Edited by Mrs. Aveling), pp. 93-4.

(ii) The general tendency of capitalist production is not to raise but to sink the average standard of wages, and

(iii) Trade unions work well as centres of resistance against the encroachment of capital.

According to Marx, the maintenance of the association of workers is more important and necessary than the maintenance of wages and to this effect he cites the example of the English economists who were astonished at seeing the workers, sacrificing a great part of their wages on behalf of the associations which in the eyes of these economists were established only in support of their wages. Besides the question of maintenance of wages, instead of proving the futility of combination, unites the workers against their employers. Big industry masses together in a single plant a crowd of people unknown to one another. Competition divides their interest, but the maintenance of their wages, this common interest which they have against their employers, unites them in the same idea of resistance viz. combination. Thus combination has always a double end of eliminating competition among the workers themselves, while enabling them to make a general competition against the capitalist.

Some form of organisation is inevitable, since the need is acute and is bound to evoke a response. If that response does not take the form of properly organised trade union movement, it may assume a more dangerous form.[47] It is a matter of simple history, the Webbs point out, that strikes have been far more numerous in industries which have practised Collective Bargaining without trade unionism, than in those in which double combinations have existed.[48] Ahmedabad would have been a centre of violent industrial unrest like Bombay, Cawnpore and Calcutta, if there would not have been the Textile Labour Association. The statistics of industrial disputes[49] show that the number of strikes and lockouts in 1921, is far greater than that of any other year

[47] Report—Royal Commission on Labour, p. 322.

[48] Industrial Democracy, p. 220.

[49] See the Table of Industrial Disputes in India, 1921-1946. (Table No. 5 in Appendix II).

till 1937. In 1921, the T. U. Movement was in its early infancy, while it began to develop since then. The same cannot be said about the intensity of the movement which can be judged from the total number of days lost. The number of working days lost in 1924, 1925, 1928, 1929, 1937 or 1938 exceeded that of 1921, because of the general strikes of cotton and jute workers of Bombay and Calcutta. With the progress of trade unionism in a country strikes assume definite, well-planned systematic attempts on the part of the workers; the number of disputes diminishes but their intensity increases. The strikes, though few in number, take a serious protracted form. A similar progress may take place in another direction also. As trade-unionism develops, the number of unions decreases but the membership increases.

The kind of development of trade unionism, that brings in its wake serious, prolonged strikes, does not benefit the employers and hence, when the Royal Commission on Labour remark that "Labour is not the only party that will benefit from a sound development of the T. U .Movement. Employers and the public generally should welcome its growth",[50] we should accept the statement with certain limitations. The question naturally arises as to the factors that make a trade union *'sound'*.[51] That trade unions should be merely strike committees, formed only to wage violent, prolonged strikes, even at the sacrifice of the interests of wage-earners, no reasonable man will agree. But strike is a weapon—may be last or first—the only one in the hands of many of our trade unions. The right to strike is a necessary adjunct to the right to form associations and it will be rather unjust to deny the first right when the second is granted. Industrial peace we all desire to have, but in its inevitable absence, a period of organised labour engaged in collective bargaining is to be preferred to that of sporadic, ill-organised strikes as were witnessed in the immediate post-war period (1918-1920). Trade unionism, developed on proper lines,

[50] *Report*, p. 322.

[51] This question has been discussed in Ch. VI and VII: *'Trade Unions, the State and the Employers'*.

lessens violent class-conflicts and thus is beneficial to employers, the employees, the State and the public.

Realising that organisation of workers is not only necessary but also inevitable, it now remains to be seen as to what are the pre-requisites of organisation, factors for its proper development and the obstacles that stand in between. According to Professor Pigou the conditions necessary for the development of organised action among work-people are the differentiation of a separate wage-earning class, some stability of status within that class and some power of inter-communication among its members.[52] The organisation is facilitated by common nationality and language, uniformity in the work performed by considerable numbers, the existence of orational gifts, the improvement of education, spread of newspapers and introduction of localised industries. The factors that make an organisation strong and healthy are unflinching adherence to the union's constitution and rules, regular payment of all dues, fully representative character of the union and co-operation with other unions.[53]

The task of an Indian trade unionist has been never smooth. Right from its beginning, the Indian labour movement had to face serious internal and external difficulties. What Thomas Shaw, the eminent Labour M.P., while on a visit to India in 1926, said to our trade unionists, is still true: "There is no royal road to success in a labour movement. There is only one road narrow, stony and thorny and that is the road of endeavour, of sacrifice, of hard work, of fighting for an ideal, whatever the consequences may be." One of our eminent politicians envisaged, even before Tom Shaw, similar conditions for our labour movement when he also declared that the road to success is not royal. "The history of labour in other countries is a painful reminder of this fact. Labour cannot succeed unless and until it can present a united front, standing four-square to all the winds

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[52] *Principles and Methods of Industrial Peace*, Ch. I.

[53] Presidential Address by N. M. Joshi—Annual General Meeting of G.I.P. Railway Staff Union, Bombay, 31-3-1923.

that may blow."[54] The history of Indian labour movement, like that of Japan, England or U.S.A., is "a story of success and failure, progress and retrogression, hope and disillusionment."[55] It is the history of a long and bitter struggle between Capital and Labour—a struggle against oppressive penal laws, for the right of association, of collective bargaining and for the recognition of trade unions.

Japanese and Indian Labour Movement:

Indian labour movement resembles more closely to that of Japan than of any other country. Both the movements had the ancient guilds as their nuclei, took their earlier forms as friendly societies and were transformed to modern trade union movement in the immediate post-war period. The reasons for the origin and feverish growth of trade-unionism in these countries during 1918-1924 are the same viz. grave economic difficulties after the war, consequent intense industrial unrest, the lesson of the Russian Revolution and the establishment of the International Labour Organisation. In both these countries, the Communists dominated the labour movement for a time and brought about splits in the national labour federations. The workers of both the countries had to fight, under an outside leadership, not only with the employers but also with the state. It is but natural, therefore, that the obstacles to the development of trade unionism, experienced by the labour leaders of both the countries, are similar. The reasons for the slow progress of Japanese trade unionism are the agricultural character of the country, the traditional family system, lack of class-antagonism, legal restrictions on the right to strike and temporary character of labour.[56] Similar are the conditions of Indian labour.

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[54] S. Satyamurti in *'Swadharma'* 20-11-1921.

[55] H. Butler—*'Industrial Relations in the United States'*, p. 40.

[56] I. L. O.—*Industrial Labour in Japan*, p. 86.

PART I: FREEDOM OF ASSOCIATION

CHAPTER II

TRADE UNION LEGISLATION IN INDIA.

Having recognised the right to combine for trade purposes, it remains to be seen how that right is protected by law. In some countries it is recognised explicitely by the constitution, in some others implicitely by custom, while in some countries by an ordinary Act of the Legislature.[1] In India, trade unions are recognised by a legislative Act, passed in 1926. The evolution of Indian Trade Union Legislation deserves some study in order to view its effects on Indian trade unions. Before the passing of the Trade Unions Act, the labour organisations in India were subject to the common law of the land.

Lateness of Indian Act:

Coming late in the field of trade unionism, Indian workers were benefited from the experience of labour organisations in industrially advanced countries. Indian workers had not to encounter such prohibitory legislation as the English Combination Acts of 1799 and 1800, Sections 414 and 415 of the French Penal Code, or the Russian Penal Law of 1874. Trade combinations were criminal in England till 1820 and were unlawful till 1871. A refusal to work was also criminal till the passing of the Master and Servant Act of 1867 and the Employers and Workmen Act of 1871. In India, both trade combinations and strikes were not subject to any specific law, until the enactment of the Trade Unions Act of 1926 and the Trade Disputes Act of 1929. Both these Acts have been modelled on the British labour legislation—a fact which saved the Indian Labour Movement from various legal onslaughts experienced by the British Movement. The evolution of British trade unionism throughout the XIXth century was from illegality to legality. The Combination Acts, the Conspiracy Acts, the Boilermakers' Case of 1867, the Criminal Law Amendment Act of 1874, the Taff-Vale

[1] I. L. O.—*Freedom of Association*, Vol. I, pp. 19-20.

Case of 1901 and the Osborne Case of 1906 were some of the legal actions that hampered the growth of British trade unions. To off-set the evil effects of these legal decisions the British Legislature had to intervene to pass favourable labour legislation such as the Trade Unions Acts of 1871 and 1913, the Trade Disputes Act of 1906 and the Conspiracy and Protection of Property Act of 1875. Indian Trade Union Legislation, though it was an outcome of attempts to solve some debated legal points, had not to traverse the long way taken by the British trade unions.

Indian Penal Laws:

The penal laws concerning Indian Labour consisted of the Workmen's Breach of Contract Act of 1859, the Assam Labour and Emigration Acts (enacted between 1863 and 1901), the Madras Planters' Labour Act of 1903 and Sections 43 and 120B of the Indian Penal Code.[2] The first three Acts, which in fact had little to do with trade unions as such, soon proved dead letters and were repealed. The amendment of the Indian Penal Code in 1913 made the trade unions practically illegal bodies.[3] Mr. N. M. Joshi introduced a Bill in the Central Assembly on 8th September 1928 to amend the Indian Penal Code (120B) in order to give the members and office-bearers of any union protection from criminal liability.[4] The Bill was strongly opposed both by Government and commercial interests in the Assembly and was lost.

Necessity of Trade Union Legislation in India:

With the emergence of Indian trade unionism after the first World War, the necessity of a trade union law was felt. Some attempts were made to extend the scope of some existing Acts in order to cover the activities of trade unions. Section 27 of the Indian Contract Act laid down in a broad language that "every agreement by which any one is restrained from exercising a lawful profession, trade or business of any kind is to that extent void." It was proposed

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[2] K. C. Roy Choudhary in *Journal of Indian Industries and Labour*, 1923.

[3] N. M. Joshi—*Trade Union Movement in India*, pp. 22-24.

[4] *Evidence* of Bombay Government before Royal Commission, Vol. I, Part I, p. 114.

by the Government of India that this Section should not apply to registered trade unions. Another proposal was to the effect that Sections 2, 3 and 4 of the British Trade Unions Act of 1871 should be included in the Indian legislation. Attempts were also made to extend the scope of the Indian Companies Act of 1913 beyond its well-recognised limits to bring trade unions under it. Under that Act, however it was not possible to provide proper safeguards for all legitimate trade union activities, especially in case of strikes and lockouts.[5]

Case against Madras Labour Union:

The absence of any trade union legislation was strongly felt in 1921 when in a suit against the leaders of the Madras Labour Union, the High Court of Madras, following the common law in England, regarded the trade union as an illegal conspiracy. During the third lockout (20th October 1920 to 27th January 1921) of the Buckingham Mills, Messers. Binny and Company, the Managing Agents, filed a suit against Mr. B. P. Wadia and the other members of the Lockout Committee for disuading the workers from working and thus causing serious loss to the Company. The Company claimed damages to the extent of Rs. 75,000 and also applied for an interim 'injunction' against the defendants. The injunction, which was first granted temporarily, was made permanent until the disposal of the civil suit. On account of the intervention of some leaders, the Company eventually agreed to take back all the dismissed men except thirteen ringleaders and also to withdraw the civil suit if the 'outsiders' in the union would leave it for the workers to manage themselves. Mr. Wadia agreed to the conditions, severed his connection with the Union and left India.

The decision of the Madras High Court came as a rude shock not only to trade unionists in this country, but also to those in England. A Deputation of the British Trades Union Congress waited in March 1921 upon Mr. Montague, the then Secretary of State for India, to impress upon him the

[5] Dr. R. K. Das—*Principles and Problems of Indian Labour Legislation*, pp. 114-117.

necessity of trade union legislation. The members of the Deputation pointed out the injustice of injunction against the young Trade Union Movement and asked for legislation for the recognition of trade unions, with the principal provision that the unions would have power to sue and be sued. Mr. Montague admitted that due to the absence of any trade union legislation in India there was neither the provision for vesting the property of trade unions in trustees with power to sue and liability to be sued, nor any protection to trade unions against certain actions of tort or in peaceful picketing. In the same year, the Government of India accepted in a slightly modified form, a resolution of Mr. N. M. Joshi for the introduction in the Assembly of legislation for the registration and protection of trade-unions.[6]

Trade Unions Act 1926:

Though the resolution in favour of trade union legislation was passed in 1921, it was not till 1926 that the Trade Unions Act was enacted. The Royal Commission rightly consider that an earlier resolution would have been conducive to the development of trade unionism in this country.[7] The figures of registered trade unions have ever been on the increase since the Act was enacted. Though registration has been voluntary under the Act, the various privileges and benefits obtained by registration have induced a number of unions to register. The greatest benefit from registration is the legalisation of the union activities. The Royal Commission on Indian Labour think that the stimulus given by

[6] Two more factors that attracted some attention to the necessity of trade union legislation in India were the influence of the International Labour Organisation and the pressure of public opinion on the Government. The main aim was to legalise trade unions. Dr. V. Shiva Ram, therefore, goes far when he remarks, "To promote a healthy growth of the Trade Union Movement by protecting legitimate trade unions, giving them status and dissociating them from political propaganda which may conceal their real aims and jeopardise their usefulness and to protect the ignorant and superstitious workers from fraud and imposture to which they can be easily subjected an Act called the Indian Trade Union Act was passed in 1926". (*State in Relation to Labour in India*, Ch. VI).

[7] Report, p. 318. It is, however, interesting to note that the Bombay Millowners' Association thought the trade union legislation premature on the ground that the desire for such legislation had not come from the workpeople themselves, as had been the condition antecedent to the adoption of similar measures in other countries. (*Memorandum of the Association on Trade Union Legislation*, 1921).

the Act to trade unionism resulted not so much from any rights or liabilities that it created, as from the enhanced status given by the recognition of trade unions in the Statute Book. The fact that some of the employers refused to negotiate with unregistered unions compelled even some extremist unions like the Bombay Girni Kamgar Union to register under the Act.

The Trade Unions Act of 1926 can be divided into three major divisions, viz., the registration of trade unions, their rights and privileges and the liabilities and obligations. The sudden growth of trade unions in the post-war period of 1919-20 made the Government of India believe that if the unions were enabled and encouraged to define their objects, their methods and their organisation a step would be taken in the right direction.[8] It is for this reason that a number of obligations were imposed on the unions, registered under the Act. To compensate these obligations the regis tered unions get in return a number of privileges and rights. Unregistered unions are free both from the obligations and the privileges, their position being the same as it was before the passing of the Trade Unions Act.[9]

(1) *Registration:*

The Trade Unions Act is permissive in character, i.e., the individual unions may or may not register under the Act. Compulsory registration was purposely left out, as it would have needlessly infringed the lawful right of the workers to form combinations. Compulsion necessarily involves penalties for evasion and hence compulsory registration would have necessitated "legislation on lines attempted in England a century ago, but long abandoned there and now generally regarded as unjust and inequitable."[10] The object of the Government of India was to grant to trade unions a position in the eyes of the law, which would at once be defi-

[8] Circular of the Government of India on Trade Union Legislation, 1921.

[9] This fact was proved by a case in Sholapur where in 1929 on the application of three of the mills an interim injunction was granted against certain members of an unregistered union restraining them from inciting the workers of these mills to strike work (See *Evidence* before the Royal Commission of Government of India, Department of Commerce, Vol. II, Part I, p. 228).

[10] Letter No. L-925 (30th August 1924) of Government of India to Local Governments.

nite and privileged. That this object of the Act has been achieved can be seen from the observation of the Whitley Commission that the registered unions have gained in the eyes of the public and of the employers and even unregistered unions have benefited from the greater confidence given to the trade union movement as a whole.[11]

Registration of a union under the Act does not bring any serious obligations which a genuine trade union would like to avoid. Any seven or more members of a Union can register their union, if its rules provide for certain statutory matters such as a regular constitution, proper audit of accounts, and the proper utilization of the general and political funds. The Executive of the Union should be composed in such a manner that at least 50 per cent of the members must be actually engaged in an industry with which the trade union is connected. The general fund should be separate from the political fund, which is to be perfectly voluntary even for the members of the Union. In return for these obligations the registered union gets a number of privileges, which lure other unions to register under the Act.[12]

The Bombay Industrial Disputes Committee of 1921 was strongly in favour of "compulsory registration of trade unions under a broad and generous Act." The Committee thought that such registration would ensure at least strict adherence to the elements essential to any substantial association of a definite code of rules, regular and proper election of office-bearers and maintenance of an accurate register of subscribing members. The Bombay Chamber of Commerce and many other employers' associations had been in

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[11] *Report*, pp. 318-319.

[12] In fact, it was criticised that the Act had been so framed as to make difficult for people not to register their unions (see speech of Mr. N. M. Joshi on the *Indian T. U. Bill*). It is interesting to note that in some countries like Australia the benefits obtained by registering trade unions under the Act are not considered of much value and hence few unions apply for registration (*Australian Year Book*, 1937, p. 597).

Some more obligations placed on a registered union have been discussed later in this chapter on pp. 39-41.

favour of compulsory registration, while workers' organisations like the Trade Union Congress advocated optional registration.[13]

(2) *Rights and Privileges under the Act:*

The Act granted the Unions the right to corporate existence and immunity from prosecution for criminal conspiracy and also from civil suit in certain cases. Under the present criminal law (Sub-Section 2 of Section 120B of the Indian Penal Code) an agreement to persuade workers to break their contracts with their employers is an offence of criminal conspiracy. Section 17 of the Indian Trade Unions Act allows agreements between members for the purpose of furthering legitimate trade union activities. Section 18(1) prevents a suit or legal proceeding against trade union members for any act done in contemplation or furtherance of a trade dispute, while Section 18(2) grants immunity to a trade union from liabilities arising out of acts of its agents. These sections, which grant the main privileges to Indian trade unions are based on the British Trade Disputes Act of 1906, which legalised sympathetic strike in furtherance of a trade dispute and granted freedom of civil liability for unions for wrongful acts committed by or on behalf of them.[14]

(3) *Liabilities and Obligations under the Act:*

To compensate the privileges, which legalise some of the trade union activities, the Act imposes on registered trade

[13] See the Memoranda of these bodies on the Government Circular regarding T. U. legislation 1921. There has been compulsory registration in some countries such as Russia and Kenya (see *Industrial and Labour Information* 19th July 1937). In Russia, however, the individual unions register, not with any State institutions but with the inter trade union organisation, the C.C.T.U. The difference between the Indian Trade Unions Act and similar Acts in Great Britain and Dominions is that our Act has been confined to registered trade unions only.

[14] See Section 3 of the British Act. This Act (1906) was enacted to neutralise the effect of the Taff Vale Case of 1901. The Taff Vale Railway Company filed a suit against the Amalgamated Society of Railway Servants for damages due to loss incurred by the Company, when the members of the Society struck work. The case was decided in favour of the Company, which was awarded £23,000 as damages.

Some trade unionists do not approve of the special legal privileges granted to trade unions. Mr. Ramsay MacDonald, for example, remarks, "They are no privileges at all. A trade union in actual working, cannot be a corporation: to improve upon the strict law of agency is to inflict upon it a gross injustice." (*Social Unrest*, pp. 80-81). The Bombay Industrial Disputes Committee (1921) was also strongly opposed to confering on trade unions any special privileges outside the ordinary law of the land, or on the other hand, any special responsibilities.

unions certain liabilities and obligations. Section 16 of the Act enumerates the objects on which the general funds of a trade union can be spent. These objects include secretarial and management expenses, legal costs in suits against the union or its members, expenditure in trade disputes, on social insurance and mutual benefits, and the cost of publication of journals or books. The Government of India are empowered to add to this list of objects and thus the clause has been made elastic. The trade union cannot spend its general fund for civic or political purposes. It can constitute a separate fund from contributions separately levied for it and can use it for the payment of any expenses for election to legislature of a candidate or for maintenance of a member of the Legislature. This part of our Act is similar to Section 3(3) of the British Trade Unions Act of 1913.[15]

A registered trade union has to submit annually to the Registrar a general statement, audited in the prescribed manner, of all receipts and expenditure during the year, as also its assets and liabilities. The Union is also to supply a statement showing all changes in officers and a copy of the constitution and rules corrected up-to-date. So also all changes in rules, name or address and of amalgamations or dissolutions are to be notified to the Registrar in prescribed forms and periods.

Defects:

The Trade Unions Act of 1926 is the first and only of its kind in India and, except for a slight alteration in 1928, had not been amended till recently, when the Indian Trade Unions (Amendment) Act, 1947, provided for recognition of trade unions under certain conditions. The defects of the Act would

[15] The inclusion of the Clause in the British Act for the constitution of a special political fund was necessitated by the Osborne Case Judgment of 1908. Mr. Osborne, a branch secretary of the Amalgamated Society of Railway Servants obtained an injunction against his Society, restraining it from making a political levy on its members and from spending its funds for the support of the Labour Party. The decision meant the illegality of parliamentary and other trade union activities, that were not specially mentioned in the Acts of 1871 and 1876.

For details of the General and Political Funds of Indian trade unions, see Ch. XV: *'Trade Union Membership and Finance'*.

have been minimised if the Government of India would have followed the recommendation of the Royal Commission to the effect that the Act should be re-examined in not more than three years' time.[16] Periodical reconsideration of the limitations imposed upon the activities of registered trade unions would be instrumental in encouraging *bona fide* trade unions to register under the Act.

The enactment has not at all altered the legal position of unregistered unions, as they stand outside its scope. Unregistered unions are still subject to Section 120B of the Indian Penal Code and are not immune either from civil or criminal liability. Even in the case of registered unions there are a number of restrictions placed upon the powers of the unions in respect of the expenditure of general and political funds. The objects given in Sections 15 and 16 are very limited, as they form only a part of the trade union activities.

The Act needs to be amended in a number of respects. From the employers' point of view the Act is defective because there are no specific provisions for prohibition of sudden or lightning strikes, for keeping out of unions persons dangerous to labour interests and for calling and properly conducting a strike. Besides the Act is silent about the nature of books, appointment and removal of officers, the number of such officers, minimum subscription payable, inspection of accounts by the government and the manner in which alterations in rules are to be carried out.[17]

The Royal Commission on Indian Labour recommended free audit by government officials of the union funds, reduction of 'outsiders' from half to one-third in the Executive and permission to registered trade unions to initiate and conduct

[16] Government have noted this recommendation 'for consideration in due course.'

[17] *Evidence* of the Bombay Millowners' Association before the Royal Commission, Vol. I, Part I, p. 407. Some of the Provinces lay down certain regulations regarding the maintenance of books and registers (for example, see the *Indian Labour Gazette*, July 1943, p. 18 for Madras).

co-operative credit or supply Societies.[18] If privileges under the Act cannot be granted to unregistered trade unions, these bodies should at least be legalised. The Act can also be made more extensive by including some machinery for social insurance and for industrial peace. Section 21 of the Act prohibits minors to be the members or the officers of a trade union. It is desirable that some other qualifications, than that merely of age, should be laid down for officers of a registered trade union, so that the responsibilities may be properly discharged and the privileges conferred under the Act may not be misused. The Bihar Labour Enquiry Committee recommend that provisions similar to those of the National Labour Disputes Act of the U.S.A. should be incorporated in the Indian Trade Unions Act, in order to allow trade unionism to follow its development without unjust interference. Section VII of the American Act grants the workers the right of association and of collective bargaining, while Section VIII imposes a number of obligations upon the employers to recognise these rights. Legal clauses protecting the worker from victimisation and granting him some benefits would encourage trade unions to register. Mere registration with inadequate privileges would neither bring recognition from the employers nor be beneficial to unions in other ways.[19]

Conclusion:

That trade union legislation can at best be only a palliative measure to prevent the graver abuses in the Labour

[18] It is interesting to know the reaction of the Government to these three recommendations of the Royal Commission. Government do not think any legislation, with regard to free audit of union accounts, necessary, because the object can be achieved by amendment of the regulations. "The recommendation was commended to local governments who are generally opposed to its adoption on account, *inter alia* of financial stringency. The regulations have been amended in some of the Governors' provinces and in Delhi." According to Government, the recommendation about the composition of union officials is of little practical importance, while that about the right of a registered trade union to conduct co-operative credit societies is unacceptable, as "it would not be practicable for a single body corporate to be at one and the same time a trade union registered under the Indian Trade Unions Act and also a Co-operative Society registered under the Co-operative Societies Act". However, some or all of the members of a trade union may form themselves into a co-operative society with a separate constitution. (Annual *Reports* showing the action taken by the Central and Provincial Governments on the recommendations made by the Royal Commission on Labour in India requiring administrative action).

[19] The Indian Trade Union (Amendment) Act, 1947, provides for recognition of trade unions. See Chapter VII.

Movement is a fact often observed. The Bombay Industrial Disputes Committee of 1921 regarded as mistaken the idea that trade unionism can be moulded or diverted in any artificial direction by legislation, especially that its funds should be arbitrarily devoted by statute to certain objects. The Royal Commission observe that there are strict limitations to the power of Government and the public to protect workmen who are unable to protect themselves. The Bihar Labour Enquiry Committee remark that law can neither create trade unions nor infuse in them strength. The urge must come from within. The law at best may be useful in the protection of the right of association by means of legalisation of the trade unions. In spite of these limitations it cannot be denied that the Indian Trade Unions Act has had a benevolent effect on labour unions in India. The ever-increasing number of unions, registered under the Act, reveals the appreciation by the trade unions of the Act as a popular measure.

PART II: HISTORY OF INDIAN TRADE UNIONISM

CHAPTER III

ORIGIN OF INDIAN TRADE UNIONISM

Mediaeval Gilds and Modern Trade Unions:

The origin of British trade unionism is sought by some persons in the ephemeral associations of wage-earners such as the journeymen fraternities of the Middle Ages. But in all the cases, investigated by Mr. and Mrs. Webb, it was found that these associations formed a subordinate department of the masters' gilds, by the rulers of which they were governed. The learned authors, therefore, conclude, "It will be obvious that associations in which the employers dispensed the funds and appointed the officers can bear no analogy to modern Trade Unions."[1] Curiously enough, however, the origin of trade unionism has been sought by many not in these organisations of the wage-earners, but in those of the employers—the craft gilds. In many respects these gilds resemble closely to our modern trade unions, especially in the regulations for admission, the titles of the officers and the purpose of the formation. However, beyond the fact that both these types of organisations had for their object the establishment of certain trade-regulations and the provision of certain benefits, there is nothing in common between them. The Webbs point out that the similarities (mentioned above) are common not only to the gilds and trade unions, but to all kinds of organisations such as friendly societies or sick clubs. The protection of the standard of life was the leading principle not only of the gild but of the whole mediaeval order. "In no case," the Webbs assert, "did any trade union in the United Kingdom arise, either directly or indirectly, by descent, from a craft gild."[2]

Ancient Indian Gilds:

A careful study of our ancient Gild-system, (which still prevails in Gujarat and South India) would lead us to the

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[1] *History of Trade Unionism*, p. 5.

[2] *History of Trade Unionism*, p. 14.

same conclusion—that not only in their origin, but also in structure and functions, these organisations differ essentially from the modern trade unions. In many respects, our gilds resemble to those of Europe in the Middle Ages. Dr. Richard Fick, for example, finds similarity between the Medieval Gilds in Europe and the Indian Gilds of the *Jataka* period, mainly because of their heredity of profession, localisation of industry and the institution of the *Jatthaka* (Alderman). Similar institutions existed also in China, Japan and Egypt.

A number of our trade unionists believe the ancient gilds and the functional castes as a crude form of early Indian trade unionism. Rai Saheb Chandrika Prasad in his Presidential Address at the 7th Session (Delhi 1927) of the All-India Trade Union Congress observed that trade unionism in India had been in vogue from the ancient times. "The four-fold classification of Manu was the basis of our labour. The numerous castes which grew subsequently were so many labour gilds." In India, the gilds as industrial or trade organisations did not come into existence as the caste in its secular aspect was itself an occupational gild.[3] The caste-system served one useful purpose of unifying in a class a number of persons belonging to a particular occupation and thus made the bonds of the occupational gilds practically dissoluble. Similarly some village organisations also looked after the common interests of the community and protected the individuals as members of a family. The government of gilds was analogous to that of the village communities and castes, i.e., by hereditary officials. It must, however, be clearly noted that trade gilds of the great polytechnical cities of India were not always exactly coincident with the sectarian or ethnical caste of a particular class of artisans. Sometimes the same trade was pursued by men of different castes and its gilds generally included every member of the trade it represented without strict reference to caste.[4] The term, *Sreni* (i.e. a gild) is defined as a corporation of people, belonging to the same or different caste, but following the same trade and industry. The

[3] N. M. Joshi—*Trade Union Movement in India*, p. 5.
[4] Sir G. Birdwood—*Industrial Arts in India*, pp. 137-140.

three terms, caste, gild and trade union, were often used indiscriminately and hence the real meaning was confused.[5]

The origin of our gilds is in the mystic past. Dr. R. C. Majumdar in his *'Corporate Life in Ancient India'*[6] gives a detailed chronological description of the gilds, from the early *Jataka* period 700 B.C. to the 8th century A.D.) Professor Rhys Davids mentions sixteen different types of gilds, including as many crafts, in the Buddhistic times.[7] The list of 24 trade-gilds traced by Dr. Majumdar from inscriptions and literature in Ancient India shows that practically all the different branches of occupation had some sort of definite organisation. These organisations were important in as much as their rules were recognised as valid in the eyes of law and their representatives had a right to be consulted by the king in any affair that concerned them.

Hereditary Membership:

The membership of the gild was generally hereditary. The son was apprenticed to the craft of his father from his early youth and the skill and talent of a particular industry was thus an inheritance of the family from generation to generation.[8] This feature, Dr. Richard Fick observes, was more marked among the artisans than among the traders and merchants. *The Handbook of Chiteras* in the Punjab lays down a rule: "No engraver shall take in an apprentice of any class other than his. If so, the committee shall impose a fine and dismiss the apprentice."[9] This rigidity of apprenticeship, specially marked by the custom of patrimony, was prevalent even in the medieval gilds of Europe. The custom meant a privilege enjoyed from time immemorial by the journeymen in certain occupations of bringing their own sons into the trade and themselves informally instruct-

[5] The following reference in the *Imperial Gazetteer of India* (Vol. V, p. 101) proves the statement, "In consequence of importance of its manufactures of silk and cotton, the system of *caste* or *trade unions* is more fully developed in Ahmedabad than in any other part of Gujerat. Each of the different *castes* of traders, manufacturers and artisans, forms its own *trade-gild* to which all heads of households belong". (Italics mine).

[6] Most of the references regarding Indian Gilds, hereafter, are taken from this exhaustive treatise.

[7] *Buddhist India*, pp. 90-92.

[8] Dr. Majumdar—*op. cit.* p. 21.

[9] Quoted by K. R. R. Sastri—*South Indian Gilds*, p. 13 from *Clibborn's Committee on Industrial Relations*, Part I, p. 115.

ing them in the processes of the craft.[10] This fact of the heredity of profession, however, does not make the gild a monopoly of a particular caste. The custom of patrimony in the mediaeval gilds of Europe was not regulated by law or gild ordinance but rested only on the customs of the workshop. It was rather a privileged exemption from the operation of the law than a lawful right of the master-craftsman. The entrance of new-comers to a trade was not prohibited but the privileged position of the master-craftsman and the substantial fees demanded for apprenticeship had secured to the members and their eldest sons a virtual monopoly.[11] Similar was the case in the Indian gilds, where the new-comers were admitted on the payment of an entrance fee which in Ahmedabad amounted to £2 for papermakers and £50 for tinsmiths.[12] Mr. K. R. R. Sastry, in his study of the South Indian Gilds, does not find any written or implicit understanding prohibiting apprentices from other communities.[13] The system of apprenticeship was prevalent in the gilds of all countries. In the Woodsawyers' Gild of Tokyo, every journeyman had to serve first as an apprentice, regardless of his skill. The miners' gild of Japan, after a service of three years by a journeyman, issued a membership card which entitled the apprentice to seek a job in any mine in the country.[14]

Gild Officials:

The central figure of the gild organisation both in India and Europe was the master-craftsman, owning the instruments of production and selling the product. He was the practical administrator of, and the dominant influence in, the gild system.[15] In India, this President or Alderman was known by various terms, in different places and in different times: *Nagar Seth* or the City Lord in Ahmedabad, *Peria-*

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[10] Webb—*Industrial Democracy*, pp. 455-461.

[11] Webb—*History of Trade Unionism*, p. 83.

[12] Birdwood—*op. cit.* pp. 137-140

[13] "Though they prefer apprentices of their relatives, generally they are not loath to take destitute workers from other communities and villages". (*South Indian Gilds*, p. 13).

[14] Sen Katayama—*Labour Movement in Japan*, Ch. I.

[15] *History of Trade Unionism*, p. 16.

dhanakkaran in South India, *Jetthaka* in the *Jataka* period, *Shresthin* in the *Yajnavalka Samhita* and *Sarthvaha* or *Kulika* in *Mahabharat*. The President and the office-bearers *Karya Chintaka* or *Mahajan* of the gild were often hereditary and were usually honest persons, well acquainted with the Vedas and their duties, self-controlled, sprung from noble families and skilled in every business. For clerical work a full time paid Secretary was appointed known as *Gumasta* in Ahmedabad and *Kariasthar* in South India. The President exercised full authority over the gild, its members and the trade they represented.[16]

Gild—an Employers' Organization:

The typical gild member was not wholly, or even chiefly a manual worker, but an entrepreneur, supplying capital and knowledge to the trade. The members of the Indian gilds (like those of the European) were artisans, traders, moneylenders, merchants, cultivators, mariners and the like, who were the real directors of industry and not mere wage earners. In contrast to this, we find in the modern trade unions, not a combination of employers and employees, with the former predominating, but an association of hired wage workers, serving under the direction of industrial captains, who are outside the organisation. According to Mr. and Mrs. Webb, this separation into distinct social classes of the capitalist and the brain worker on the one hand and the manual workers on the other vitiates any treatment of the Trade Union as the analogue of the Craft Gild.[17] The gild system at no time extended to any but the skilled handicraftsmen, while the modern trade unions are for all wage earners, skilled or unskilled. Besides, in the modern trade unionism, the executive and the membership are open to all wage earners in that industry and are not hereditary as were in the gilds.

Functions:

The gilds of India had a variety of functions. They were charitable organisations, regulators of the conditions

[16] Mr. Sastry was told by a gild official, "The *Periadhanakkaran's* words are law. He can fine us even twenty rupees and is obeyed by people even thirty miles away". (*South Indian Gilds*, p. 8).

[17] *History of Trade Unionism*, p. 17.

of work and of competition, representatives of their members to the king, ordinary courts of law and even military organisations. The ancient Indian gild served as mutual benefit societies, allowing none of its members to starve and thus taking the place of a poor law in India.[18] They were corporate bodies possessing immovable property often with the privilege of legal immunity. Koutilya's *Arthashastra* grants special concessions regarding the law suits between trade gilds and awards special privileges to a merchant belonging to a trade gild. In the city, places were reserved for the offices of the gilds and corporations of workmen. The village gilds were protected by the regulation that no gilds of any kind other than the local "co-operative gilds" should find entrance to the village. The gilds of the early Buddhistic times and of the *Dharma Sutra* Period (5th to 3rd Century B.C.) had the right to represent their class before the king. Through them, the king summoned the people on important occasions. The gilds of the *Mahabharata* period are described as one of the principal supporters of the royal power and sowing dissensions among the heads of gilds or inciting them to treason was looked upon as a recognised means of injuring the enemy's kingdom.[19]

Regulation of Labour and Output:

The gilds regulated the hours of labour and the amount of work to be done in their workshops by strict bye-laws, enforced by the levy of fines, preventing thereby undue competition among the members.[20] This action on the part of the gilds makes them resemble more closely to the employers' organisations than to those of the employees, and in itself more as rationalisation by the employers than as a trade union method. The gilds regulated not only the conditions of work and undue competition but also the relations between the members and dealt with the questions affecting

[18] W. W. Hunter—*Brief History of the Indian Peoples*, p. 98.

[19] The status of the gilds can be judged by the fact that Duryodhan after his defeat by the *'Gandharvas'* dared not face the heads of the gilds, through humiliation.

[20] A. K. Coomarswamy—*The Indian Craftsman*, p. 9.

the relations of the caste *vis-a-vis* the community.[21] They settled disputes between members by arbitration and tried to maintain a high standard of production.

Powers:

The Indian gilds, at some periods, had the legislative, executive and judicial powers. *Gautama Dharma Sutra* (ch. XI verse 21) authorises the cultivators, traders, herdsmen, moneylenders and artisans to lay down rules for their respective classes. This shows that the corporations of traders and artisans were recognised by the constitution as an important factor in the state and invested with the highly important power of making laws for themselves.[22] Kautilya's reference to *Srenivala*[23] shows that the gilds could exercise military powers also. Kautilya further refers to a class of Kshatriya gilds among the various classes of troops which the king might possess. Later in the 5th Century A.D., we find references in the *Brihaspati Samhita* which show that the gilds wielded the judicial power also, by acting as ordinary courts of law.

In view of their importance, special facilities and concessions, it was but natural that the gilds had enormous powers not only over their members but on the society as a whole. This gild-authority was used chiefly through social sanctions and ex-communication was considered to be the highest punishment. The gilds had the right to fine and to banish a member and even to confiscate his property, if he was in fault. *Narada Samhita* urges the king to punish severely those who cause dissensions among the members and thus to maintain the usages of the gild. The gilds had the power to withhold the labour of their members and to prohibit them from accepting lower returns of their products. The artisans were prohibited from receiving less wages than a certain fixed standard. *The Handbook of Chiteras* says, "The Committee finding any engraver violating this rule will fine him." Though this rule was not generally observed,[24]

[21] Times of India *Year Book* 1939-40, p. 570.

[22] Dr. R. C. Majumdar—*op. cit.*, pp. 24-26.

[23] This word has been translated by Dr. D. R. Bhandarkar as 'Soldiers maintained by the gilds'.

[24] Sastry—*South Indian Gilds*, p. 14.

we still find some references to collective bargaining. Sir W. W. Hunter, for example, gives us an interesting example to this effect. In 1873, a number of the bricklayers in Ahmedabad could not find work. The bricklayers' gild met and decided that as there was not enough work for all, no member should be allowed to work extra hours.

Funds:

The gilds differ from modern trade unions, not only in the constitutions they have, in the functions they perform, in the methods they follow and in the powers they wield, but also in the income and expenditure of their funds. The income of the gild was chiefly derived from the heavy fines of the members and the special levies on various occasions such as entrance to the trade, marriage, nuptial and death. Some inscriptions found at Nasik and Junnar prove that the gilds received deposits of public money and paid regular interest on them, i.e., conducted the business of local banks. People kept deposits of money with them with the direction that the interest (rate of which varied from 9 to 12 per cent) accruing therefrom was to be devoted to specific purposes, every year, "so long as the Sun and the Moon endure."[25] According to Dr. Majumdar, this is the best proof of the efficiency and organisation of these bodies, for people would hardly trust them with permanent endowments, if they were not satisfied with their working. The gild had practically the monopoly of the trade to which its members belonged, and hence it could realise money through this trade monopoly. A favourite device for raising money in Ahmedabad was for the men of a craft or trade to agree on a certain day to close all their shops except one. The right to keep open this one was put up to auction and the amount bid went to the gild fund. The executive officials of the gild had the right to contract and grant loans on behalf of the gilds. Many of the gilds were so rich that there are instances of their being robbed by kings, when they were in need of money.

The gilds of Western India, where they prevailed chiefly among the *Vaishnavas* and the *Jainas* of Gujrat were for

[25] Majumdar, Dr. R. C.—*Ancient Indian History and Civilization*, p. 295.

the greater part spent on charities, especially on hospitals for the sick and helpless domestic animals, *Sadavartas,* on the temples of Maharajas of the *Wallabhacharya* sect of *Vaishnavas* and on gild feasts. According to Brihaspati, the social functions of the gild were the construction of a house of assembly, of a shed for water, a temple, a pool and a garden. As for the audit and accounts of the gild funds, we find the provision in Kautilya's *Arthasastra* of 'a Superintendent of Accounts' to enter regularly in the prescribed registers the history of customs, professions and transactions of the corporations; three commissioners enjoying the confidence of the gild were appointed to receive their deposits which could be taken back in times of distress.

From this brief analysis of the Indian gild system, we see that our modern trade unions differ greatly from these organisations. The craft gild was a combination of the employers and the employees, local and municipal in operation, with the purpose to secure the interests of the trade. The modern trade union, on the other hand, is a continuous association, only of wage earners, for their own improvement; it is national and tends towards internationalism in its scope. Moreover, the gilds had no written rules or regulations and their background was more social than industrial.

From Gilds to the Modern Factory System:

Towards the end of the XVIIIth century and the beginning of the XIXth century, the gild system under the influence of the French Revolution and later of the Napoleonic legislation disappeared from Europe.[26] In its place arose the principle of freedom of labour, giving birth to modern trade union movement. Modern trade unionism is essentially a product of the industrial order, an inevitable reaction to the establishment of capitalist relations of production. The Indian worker, like that of any other industrial country, has passed through all the different stages of economic development—from the self-sufficing economy to the modern factory system. In India, the domestic system

[26] I.L.O.—*Freedom of Association*—Vol. I, p. 9.

with the growth of the trading class, replaced the handicraft system and established relations with such distant markets as Babylon and Rome. The domestic system was followed by the workshop system which slowly gave way to the modern factory system in the latter part of the last century.

Industrial Evolution:

Industrial development in India dates from the second half of the XIXth century, when the first cotton mill (1851)[27] and the first jute mill (1855) were started in Bombay and Bengal respectively. The introduction of the factory system in India completely changed the Indian industry. The new industrial order with its large scale production and machinery turned the Indian craftsman into an unskilled manual worker and created a number of problems such as the class-conflict, an entirely new class of industrial workers, wage-regulations and the like. According to Marx, the factory system overthrows both simple and organic co-operation, revolutionizes the manufactures, handicrafts and domestic industries, introduces machinery and causes the most revolting exploitation of women and children. The machinery brings in more and more female and child labour, prolongs the working day, undermines morality, prevents education of children and increases death-rate among the labourers.[28] The introduction of machinery, according to Marx, was the starting point of the industrial revolution. The personal touch between the employer and his employees was completely lost and the former, in order to get more profits resorted to such unfair means as low wages, long hours and insanitary conditions. The mines, the factories and the plantations of the country became the property of a distinct class of persons, with the result that unorganised attempts were made by the oppressed labourers to safeguard their interests. The Chartist Movement (1848), the Communards Revolution in France (1871) and the peasants' riots in India (1860-1880) reveal the unsuccessful efforts by the labourers

[27] To be exact, the first cotton mill was started in Bengal in 1818, but it soon ceased to exist.

[28] Karl Marx—*Capital*, Vol. I, Part IV, Ch. XV; pp. 431-440 (Kerr Edition). The whole chapter is important as it reveals the merciless exploitation of human labour by means of 'automatic mechanical monsters'.

to protest against the modern industrial system that exploited them. They failed in their attempts because they were inexperienced and unorganised. That their programme was only premature and not impracticable can be seen from the fact that nearly all the demands of the Chartists were conceded afterwards. This stage is the embryonic, preconscious phase of our labour movement. In this first stage of development, the workers instinctively rose to protect themselves against the reactions of the complex economic changes created by the factory system. They, however, failed to understand the real implications of the economic changes and the struggle they unsuccessfully waged was spontaneous and sporadic. They were unified, not by any outside agency, but by the necessity caused by the realisation of an exploited, hazardous and often helpless position.

Failing in this first attempt at revolution, Indian labour resorted from 1875 onwards to an extremely moderate and cautious movement making use of representative institutions, of democratic rights and liberties, memorials and petitions. All revolutionary attempts were at an end and a new, liberal type of labour movement developed. This phase of our labour movement can be compared to that of the early English trade unionism started just after the historic defeat of the Chartist Movement. The new movement was ultra-modest in its demands and expectations, was determined to offer no challenge whatever to the capitalists as a class, and was content if it might obtain a foot-hold for the mere fact of working-class combination within the capitalist system.[29]

T. U. Movement and Labour Movement:

Before we analyse the Indian labour movement, it is necessary to distinguish clearly the Trade Union Movement from the Labour Movement. According to R. G. Hawtrey, the Labour Movement includes four distinct separate movements:[30] Trade unionism, Parliamentary labour movements, syndicalism, and socialism. We may not agree

[29] J. Strachey—*What Are We To Do?*, Ch. I.

[30] *The Economic Problem*, pp. 320-335.

with this analysis; political power, elections, collective bargaining and socialism may also be the methods of trade unionism. In the absence of a political labour Party (as in India), the Trade Union Congress can set up labour candidates to the legislatures and, if possible, can establish even a labour cabinet. Syndicalism or socialism may be the guiding principles of a trade union and then the movements cannot be separated from trade unionism. The trade union movement, in any case, forms a part of the bigger movement, the labour movement Welfare-work, labour legislation, labour representation in the legislature, improvement in conditions of work etc. form the different parts of the labour movement, which can be carried on, not only by the organised labour, but also by other agencies—the State, the employers and the public.

The labour movement, as we have seen, is the creation of modern industrial conditions and of the capitalist system that accompanied it. Under the present economic and political conditions, Dr. R. K. Das points out, the growth of capitalism is inevitable in India.[31] The growth of capitalist production and the rapid expansion of Indian industry resulted in the creation of a number of new evils. As early as April 1874, the attention of the Secretary of State for India was directed, by a question asked in the House of Commons, to the dangers which might arise from the ill-treatment of little children in the growing cotton industry of India. In February 1875, the Secretary was reminded of the necessity of protecting the health of the women and children employed, as they were "systematically worked for 16 hours a day and in many cases even including Sundays." The result was the appointment of the First Bombay Factory Commission (1875). It was also at this time that a few philanthropists under the leadership of Mr. S. S. Bengalee and Mr. N. M. Lokhanday started an agitation in order to draw the attention of the Government to the wretched conditions of the workers (especially women and children in factories) and to the need for legislation.

[31] Preface to *Labour Movement in India*, 1923. Dr. Das gives four reasons for the inevitable growth of capitalism in India.

Four Periods of Indian Labour Movement:

The history of the Indian Labour Movement from 1875 up to date can be divided into four distinct parts, each of them revealing different tendencies that mark it from the others. The first period from 1875 to 1918 is marked by various moderate, constitutional methods, such as investigations, memorials, petitions, legal enactments, conferences and public commissions. The organisations formed during this period cannot rightly be called trade unions as they were loose organisations, more for than of the workers. They lacked definite aim and constitution and the leaders worked mostly in an advisory capacity. The labour movement at this stage was unorganised, and social in character. This period can be called the Social Welfare Period of our early labour movement. The immediate post-war period (1918-1924) forms a further phase of our labour movement, when out of the grave economic difficulties, created by the war, the Indian trade unionism was born. Though a number of trade unions were mere strike-committees and hence vanished in a year or two, Indian trade unionism came to stay. The movement, though guided by politicians, was industrial in character and was the outcome of the post-war industrial unrest. This period we can call as the Early Indian Trade Union Period. The third stage in our labour movement, the period of Left-Wing Unionism, started in 1924 with the spread of communism in the movement and lasted up to the year 1935. During this period, the Communists captured the labour movement, twice split the Trade Union Congress and conducted some of the most violent strikes in India. Their influence waned from 1935, when they amalgamated the Red Trade Union Congress with the original body, and though attempts were since made to revive their influence, they have not been successful. The last stage began from 1935, whence Indian trade unionism has been cautious and moderate, more constitutional and parliamentary than before. This tendency has not been much affected even by the Second World War.

Lancashire's Initiative in Indian Factory Legislation:

The causes of the origin of our labour movement were purely social and economic in character, as can be seen from the fact that Lancashire played an important role to bring about the early Indian labour legislation. In the House of Lords, the Earl of Shaftsbury, speaking on this subject, on 30th July 1875 said, "We must bear in mind that India has the raw material and cheap labour; and if we allow the manufacturers there to work their operatives 16 or 17 hours and put them under no restrictions, we are giving them very unfair advantage over the manufacturers of our country and we might be undersold even in Manchester itself, by manufactured goods imported from the East." This fear of the capacity of the Indian mills to sell cloth at a very low rate was the real reason behind a very pious resolution of Lancashire to lessen the exploitation of the female and juvenile labour in India. In November 1888, the Manchester Chamber of Commerce passed a resolution that in view of the excessive hours of work in the cotton mills of British India, the provisions of the British Factories Act, in so far as they related to the employment of women and young persons and children should be extended to include the textile factories in India.[32]

Origin of the Mill-hands' Association, 1890:

The Factories Act of 1881, was passed by the Government of India, in spite of the opposition of the majority of the Bombay Factory Commission (1875) to any legislative intervention by the Government. The Act proved to be 'gravely and palpably inadequate' and the dissatisfaction with the provisions for the protection of children and, in particular, the absence of any regulation of women's labour, gave rise to an agitation for the amendment of the Act as soon as it was passed.[33] The result was the investigations of Mr. Meade King in 1882, and the appointment of the second Bombay Factory Commission (1884). On 20th

[32] In case of factory legislation in India, "the voice was the voice of Exeter Hall but the hand was the hand of Manchester." (Dr. Panandikar—*Industrial Labour in India,* p. 119).

[33] I.L.O.—*Industrial Labour in India,* p. 70.

November 1884, the President received a letter from Mr. N. M. Lokhanday, enclosing a memorial to the Commission drawn up on behalf of the mill operatives in the city of Bombay.[34] Mr. Lokhanday, who can be called the first labour leader in India, had organised in September 1884 (23rd and 26th) public meetings of mill-operatives and had drawn up a memorial signed by about 5,500 of them, incorporating therein the resolutions unanimously adopted. The resolutions demanded a weekly holiday, half an hour's recess at noon every working day, regular monthly payment of wages and an adequate compensation in case of an accident. These were very moderate demands further supported by the investigations of Mr. Jones, the Lancashire Factory Inspector, who referred to the evils of the factory-system such as long hours of work, few holidays, irregular payment of wages, the incompetency of mill-managers, inadequate fencing of machinery, and the ill-ventilated and filthy state of many work-rooms. In spite of these protests, the state of affairs continued to be the same and in April 1890 another memorial containing the same demands as before and signed by about 17,000 operatives was forwarded to the Government by a Mill-owner, the Hon'ble N. N. Wadia. This was the background of liberalism and constitutionalism, of memorials and petitions, on which India's first labour union, the Bombay Mill-hands' Association was started in 1890 with Mr. Lokhanday as the President and Mr. D. C. Athaide as the Secretary. The Association was formed to provide a clearing house for the grievances of the Bombay Mill-workers and to help in drawing public attention to the cause of labour. Its immediate aim was to agitate for a revision of the First Indian Factory Act of 1881.[35] The Association, however, cannot be called a trade union. It had no existence as an organised body, having no roll of membership, no funds and no rules.[36] The officials acted simply as volunteer-advisors to any mill-hand who might come to them. The next twenty years after the formation of the Mill-hands'

[34] J. C. Kydd—*Factory Legislation in India*, p. 36.

[35] A. Clow—*Indian Factory Legislation*, p. 15.

[36] *Report on the Working of the Factory Act in the City of Bombay, 1892.*

Association (1890) saw a number of labour associations which were rather welfare centres than active trade unions. Dr. I. N. Nair, a member of the Factory Commission of 1908, was the pioneer of labour movement in South India. Both Mr. Lokhanday and Dr. Nair belonged to what is generally known as the Moderate School of Politics, but they realised, at a period when labour propaganda was almost an unknown factor in Indian politics, that the salvation of the worker lay in his ability to make an organised effort against the conditions of his employment.[37] They brought the labour question to the attention of the Government and the public, and attempted to formulate the grievances and sentiments of the labouring classes in definite shape. The Bombay Millhands' Association, the first Indian Labour Union, was also the first to start a labour journal which was known as 'Dinbandhu' (Friend of the Poor).

Other Labour Associations, 1890-1918:

There were various other labour associations in the prewar period, such as the Amalgamated Society of Railway Servants of India and Burma (1897), the Printers' Union, Calcutta (1905), The Bombay Postal Union (1907), the Kamgar Hitvardhak Sabha (1909) and the Social Service League, (1910). All these associations, though formed for the welfare of the workers, cannot rightly go under the name of trade unions. We have already seen[38] how the Amalgamated Society of Railway Servants was considered even by the Labour Gazette as a quasi-union, an account of the fact that its activities appeared to be confined mainly to mutual insurance work and also because it was first registered under the Indian Companies Act of 1882. That the association was merely a friendly society and not a trade union can further be proved by one of the objects in its constitution by which it was the duty of the association "to avoid strikes upon the part of its members by every possible and lawful means." Collective bargaining forms the most important method and a sacred right of a trade union and a body that not only

[37] Dewan Chaman Lall—Presidential Address, 8th T.U.C., Session Cawnpore, (1927).

[38] Chapter I, p. 17.

refuses to make use of it but also denies that right to its members is anything but a trade union. The Printers' Union and the Bombay Postal Union were more or less sporadic attempts on the part of the workers who came together. They did not prove to be *continuous* associations of workers and after a few months of work fell into a moribund state of inactivity. The Kamgar Hitwardhak Sabha, the Servants of India Society and the Social Service League were associations more for than of the workers and hence though they worked for labour and often represented the workers, they never claimed to be trade unions. The K. H. Sabha was the result of the necessity to mitigate, in some measure, the evils of the industrial system such as, monetary difficulties, agricultural and industrial indebtedness, overcrowding and insanitary housing (slums), lack of open air life, the drink problem, perpetual hold of the Marwari, Bania and Pathan, and the evil influence of the struggling pleader and the law-touts with their bogus unions.[39] The Sabha functioned as a welfare centre in times of peace and as a negotiator in times of industrial unrest. One more organisation during this period was the Workers' Welfare League of India (1911), started in England, with the object of bringing about "a unity of the working and living conditions of Indian and British labour."

Features of the Early Indian Labour Movement, 1875-1918:

The period (1875-1918) of our labour movement, which is now under our consideration, has been divided by Dr. Rajni Kanta Das into two parts:[40] first the Regulation Period (1875-1891) when the child and woman labour in factories was regulated by legislation; and second the Abolition Period (1891-1917) when a successful protest was made against the indentured system by which Indian labourers were sent out to British colonies. In the first period, labour was very loosely organised and the movement was purely social in character. The second period saw the movement captured and led by intellectuals and many social and political

[39] *A Brief Sketch of the Work of the Kamgar Hitwardhak Sabha*, 1909-1919.

[40] *Labour Movement in India*, chapters II and III; also *Factory Labour in India*, p. 183.

organisations along with the press, championed the cause of labour against the indentured system. In the post-war period the movement divested itself of the social and political domination of the first two periods and assumed its economic nature. It became a movement for and by the workers, although for leadership, it had still to depend upon outsiders.

Absence of radicalism:

The most notable feature of the period (1875-1918) is the complete absence of radicalism in the labour movement. The Royal Commission on Labour state that prior to the winter of 1918-19, a strike was a rare occurrence in Indian industry.[41] The statement however is partially true. Strikes were not unknown before the war and we find reference to them since 1882, when the workers in the Golam Baba Spinning and Weaving Company went on strike from 13th to 15th November.[42] Dr. Pillai finds in the early history of organised labour in India a number of instances "to show that while the operatives fully understood the machinery of local strikes and have repeatedly forced employers to comply with their demands in isolated cases, they have been unable to combine over any large area with the object of securing a common end by concerted action."[43] Even a Bulletin of the Department of Industries and Labour,[44] admits that strikes had occurred sporadically but says that the power of the strike as an economic weapon was not generally realised by Indian labour. "The workers who were for the most part villagers endeavouring to improve their position by a temporary allegiance to industry were submissive and unorganised: and if conditions became too distasteful, the natural remedy was not the strike but the

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[41] *Report*, p. 333.

[42] Dr. D. H. Buchanan makes reference to a strike in 1877 (*The Development of Capitalist Enterprise in India*, p. 416).

[43] *Economic Conditions in India*, p. 258.

[44] & [45] Bulletin No. 43. *'Industrial Disputes in India'* 1921-1928.

abandonment by individuals of the mill or of industry generally."[45] This tendency of migration to villages is also noted by the Royal Commission on Labour.[46]

Though a strike, in this period, was not uncommon, there was not a single, solid well-built organisation either to conduct the strike or to negotiate with the employer, and hence we may confidently assert that the method of collective bargaining was unknown before the war. The labour associations were merely friendly societies and should not be mistaken as trade unions. The distinction between these two kinds of organisations can be clearly seen when we realise the fact that before the growth of active trade unionism in any country, Mutual Aid and Fraternal Societies develop among the workers, in the same trade, to assist them in case of death, sickness or the like. These societies assist the members as individuals and not as a class. Their work at best serves only as a palliative measure dealing with the symptoms rather than with the disease. In this first stage of the labour movement, the labourer, who had but recently been torn away from the land and drawn into the factory, does not yet feel himself a part of a distinct social group and therefore acts on an individualistic basis. A welfare association takes for granted the present status of the workers and its activities are based on the spirit of fellow-feeling; while a trade union fights for social justice, thus creating quite a new status for the workers.[47]

The labour associations, in the pre-war period, were purely social and economic but never political in character. The only political activity of the Kamgar Hitwardhak Sabha was the war-time work, when the Sabha fully co-operated with the British Government in conducting war propaganda among the Bombay mill-workers. The associations mainly relied on petitions, memorials and other constitutional methods and worked in co-operation with Government officials and the employers. The memorials of the Mill-hands' Association, the petition of Bombay workers to the

[46] *Report*, p. 333.

[47] Dr. R. K. Das—*Labour Movement in India*, p. 52. See also Ch. X *'The Method of Mutual Insurance'*.

Governor-General in 1889, and the Memorandum submitted by the K. H. Sabha to the Secretary of State for India are some of the examples of the spirit of moderation in the Indian labour movement. The K. H. Sabha made the mill-hands to petition the City Improvement Trust and the Bombay Millowners' Association about better housing and arranged to take a few corporators to slum area. It also submitted many representations to the Government in respect of limitation of working hours and of education of factory workers.[48] The absence of radicalism can be seen also in other labour associations of this period, like the postal unions of Bombay consisting mainly of clerks, and the Amalgamated Society of Railway Workers mainly of Anglo-Indians. The labour movement, at this stage, was engaged chiefly in agitating for factory legislation, legal and medical help, improvement in industrial conditions, literacy, and redress of individual complaints.

Causes of Moderation:

The causes of the absence of radicalism in the first period of the Indian labour movement are the non-realisation of the evils of modern industrialism, the character of the Proletariat—small in number, weak and poor, the absence of class consciousness and hence of class conflicts, lack of radical leaders and of the press, absence of revolutionary doctrines, and the dominance of the Indian National Movement, which threw all other movements in the background.[49] It is the same story in every country where the labour movement develops. In England, at first it is rather as a friendly society that the trade union was seen, when throughout the XVIIIth century small clubs of artisans and labourers, with sick and funeral funds, flourished widely.[50] In Japan, the most important pre-war labour association the Yuai Kai (Friendly Love Society), started in 1912, was, like our K. H. Sabha, an institution for workers' education. The early moderate principles of the society, in spite of the criticism that it was a cat's paw of capitalism, favoured its development.

[48] *Brief Sketch of the K. H. Sabha*, 1909-1919.
[49] Dr. R. K. Das—*Labour Movement in India*, Ch. V.
[50] Clayton—*Trade Unions*, p. 12.

Spontaneous Growth of Trade Unions:

Another feature of our early labour associations is their spontaneous growth, i.e., formation as the need was felt. Trade unions grow by themselves. In Britain, for example, trade unions have been in existence since about 1700, when the means of production had not completely passed in the hands of a special limited class.[51] The origin of unionism lies in the revolt of working people against the degradation of human life and the oppressive influence of industrialism.[52] We have seen how the inadequacy of the Factories Act of 1881 and the necessity of formulating the economic grievances of the workpeople brought about the existence of the Millhands Association. The K. H. Sabha and the Social Service League were the result of the grave economic situation created by the textile crisis of 1909, when several Bombay textile mills went suddenly into liquidation and a large number of mill operatives were thrown out of employment without payment of the arrears of their wages. The Amalgmated Society of Railway Servants emerged out of a strike on the railways in 1897 and the necessity of the Bombay postal unions was felt due to the unhappy economic position of the postal clerks.

Trade Unions and Education:

The third feature of our labour associations is that they made easy progress among the educated class of workers such as the printers, postal clerks and the railway employees. The growth had not been uniform in all industries and services. The movement had not made much headway in the more important and more organised industries in India viz. textiles, mining and plantations.[53] Lack of education proves to be one of the greatest obstacles to unionism.

Communalism:[54]

One more feature of our early labour movement is the communal colour that is sometimes given to it. Both Mr.

[51] J. Strachey—*What Are We To Do?* Ch. I.

[52] "They (trade unions) were formed as the need was felt, taking shape as economic conditions and the state of industry permitted" (A. Creech Jones—*Trade Unionism To-day*, p. 1).

[53] R. R. Bakhale—*Directory of Trade Unions*, 1925—Introduction.

[54] The subject has been discussed in more detail later in Ch. V: *'Indian Trade Unionism Today'*.

Lokhanday and Dr. Nair confined their activities to the non-Brahmin class, because a large proportion of the industrial workers in Bombay and Madras were recruited from that class. The officials of the Bombay Millhands' Association and of the K. H. Sabha belonged mostly to the backward Maratha communities and hence it was natural that they served their own community from which a number of members came. The third association, the Amalgameted Society of Railway Servants was an association chiefly for Anglo-Indians and domiciled Europeans who were railway employees. Communalism, as it was limited but not narrow-minded, proved to be sound and healthy in the beginning of the labour movement. The same, however, cannot be said of the present stage of our labour movement, when we realise the evil effects of communalism in the present day politics.

The Great War (1914-1918) *and After:*

The Great War gave a new turn to the Indian labour movement. The two or three years following the war saw the formation of a large number of labour organisations—strike committees, welfare associations and the like. The stoppage of foreign imports and the demand for Indian products helped our leading industries to yield phenomenal profits. On the other hand, the cost of living of the industrial workers was steadily rising due to an enormous rise in prices and though the trade and industry were passing through a period of unprecedented boom, the wages were not being increased in proportion to the rise in prices. The natural result was economic discontent among the workers, which found expression in intense industrial unrest. In a study[55] of 547 family budgets of the N.W. Railway Employees, Mr. Mulk Raj found out that the unrest and discontent of 1918-20 were due to two fundamental causes—(i) Economic pressure and (ii) change in the mental and material outlook of the Indian labour. The calculations of Mr. Mulk Raj showed that 37 per cent. of the labourers covered by his study were living

[55] Mulk Raj—Article on *'Labour Problem in India'—Indian Journal of Economics*, 1926-27, p. 104.

below the jail standard, 12 per cent. were earning just subsistence wages, while 18 per cent. were earning a little above the subsistence level. Both the Industrial Disputes Committees (1921) of Bombay and Bengal came to the conclusion that economic causes, such as the unco-ordinated raising of wages, were responsible for the strikes during 1918-1920. The labour movement in the immediate postwar period was given a political complexion, mainly owing to the fact that a number of its supporters were politicians.[56] The movement, however, was purely economic in character, emerged out of the grave economic situation created by the war.

Strikes: 1919-1920:

Exact figures of the strikes before 1921 are not available: we can, however, have a rough idea of the extent and intensity of the industrial unrest from the following table which gives details of some important strikes during 1919-1920.

[56] *Evidence* of Government of India before the Royal Commission, Vol. II, Part I, p. 226.

TABLE No. 4

Industrial Disputes in India—1919-1920

Year	Strike	Duration Started	Ended	Workers involved.
1919	Textile General Strike, Bombay	Jan. 9	—	1,25,000
	Cawnpore Woollen Mills' Employees	Nov. 24	Dec. 2	17,000
	Jamalpur Railway Workers	Dec. 7 (1919)	Jan. 9 (1920)	16,000
1920	Jute Mill-workers, Calcutta	Jan. 9	Jan. 18	35,000
	Textile General Strike, Bombay	Jan. 2	Feb. 3	2,00,000
	Rangoon Mill-workers	Jan. 20	Jan. 31	20,000
	Br. India Navigation Co., Bombay	Jan. 31	.. Feb. 1	10,000
	Sholapur Mill-workers	Jan. 26	Feb. 16	16,000
	Indian Marine Dock-workers	Feb. 2	Feb. 16	20,000
	Tata Iron and Steel Works, Jamshedpur	Feb. 24	Mar. 29	40,000
	Mill-workers, Bombay	Mar. 9	Mar. 10	60,000
	Mill-workers, Madras	Mar. 20	Mar. 26	17,000
	Mill-workers, Ahmedabad	In May 1920		30,000
	G. I. P. Railway Workshops, Parel	2 months (August-September 1920)		7,000
	Oil Company Workers, Bombay	1 month (September 1920)		2,000

For the first time in the history of industrial India, we hear of the General Strike which was waged twice in the textile industry of Bombay during 1919-1920. The figures in the above table further show that the unrest was not confined to Bombay alone; the wave of strikes and the general feeling of unrest swept the whole of India. The strikes were chiefly directed towards securing a ten-hours day and a wage increase in proportion to the phenomenal rise in prices. The success achieved was remarkable: out of 97 strikes during July-December 1920, only 31 ended in failure. The extent of this success can be realised when we find that in no year after 1921, the proportion of successful strikes to the total disputes waged is more than 27 per cent.[57] Shorter hours of work and wage increases were easily obtained by the workers by resorting to the method of collective bargaining. In 1918, the Indian Jute Mills Association recommended 'Khoraki' (i.e. an allowance) to their employees in respect of the enforced short time working. In 1920, the Bombay textile workers obtained a ten-hour working day even before it was enacted by legislation. The easy and immediate success in the industrial disputes helped to foster the newly-born industrial trade unionism in two ways. Firstly, most of the strikes were short-lived as success was soon achieved after they were waged; and hence the patience, zeal and enthusiasm of the workers were not exhausted. Secondly, a series of successful strikes, waged for wage increase, demonstrated to the workers, as nothing else could have done more successfully, the importance of organisation.

The World Industrial Unrest, 1918-1920:

In the immediate post-war period, not only in India, but in every country, in which modern industry prevails, labour was powerful and militant.[58] There was wide-spread discontent and the expectation of a new social order marked by greater justice and harmony as a result of sufferings endured in common during the war. In France, in 1919,

[57] See Appendix II: Table No. 5.

[58] Marquand—Introduction to *'Organized Labour in Four Continents'.*

even against the direction of the Federation of Metal Workers, a strike of nearly 100,000 metal workers broke out in the metal trades of Paris, followed in 1920 by two general strikes on railways. The lightening railway strike of 1919 in Great Britain was only one of the 1,350 stoppages during the year in which 35 million working days were lost in disputes, involving nearly 2,600,000 workers. In the United States, the biggest strike periods of the XXth century were 1919-1923 and 1933-1937 with 1924-1932 an era of quiet. In 1919 alone, there were 3,630 strikes involving 4,160,348 workers. The following table shows the growth of industrial unrest in the immediate post-war period in Japan.

TABLE No. 5

Industrial Disputes in Japan—1907-1921

Year	No. of disputes	Total No. of workers involved
1907 to 1913 (Average per year)	30	5,174
1916	108	8,413
1917	398	57,309
1918	417	66,457
1919	497	63,137
1920	282	36,371
1921	246	58,225

This world-wide uprising of labour consciousness naturally extended to India, where for the first time the mass of industrial workers awoke to their disabilities particularly in the matter of wages and hours and to the possibility of combination.[59] This new consciousness made the Indian industrial worker restless, discontented and defiant—and now for the first time we discover in our labour movement the symptoms of trade unionism, born out of the industrial unrest, class-consciousness and class-solidarity.

[59] *Report*—Royal Commission on Labour, p. 317.

Swaraj Movement (1921-1924) *and Russian Revolution* (1917):

Two more factors at this period helped to increase the prevailing unrest and the consequent rise of unionism—the political movement for Swaraj (1921-24) and the influence of the Russian Revolution (1917). The Swaraj movement led by the Indian National Congress had a mixed result upon the Indian worker: it intensified the trade union movement, widened the gulf between the employers and the employed, obscured the justice of many of the workers' demands and supplied willing leaders to the new movement. During the Civil Disobedience Movement thousands of students abandoned their studies and numerous lawyers, their professional careers. The newly started trade union movement, which was spreading with remarkable rapidity to all the main industrial centres, found in these nationalists the necessary leadership and organizing capacity.[60] The Russian Revolution (1917), especially the establishment of the U.S.S.R., awakened the hope of a new social order; the left-wing elements in our trade union movement which for a decade dominated the labour world had their origin in 1920. Whatever may be our conviction as to the utility of communism, we have to admit that communism has played a very important part in the development of our labour movement and hence it deserves a scientific study, not complete indifference, intelligent criticism, not irresponsible censure.

I.L.O. & A.-I.T.U.C.[61]

Two organisations established in 1920—the International Labour Organisation and the All-India Trade Union Congress—were both the result of the labour unrest and the cause of active growth of trade unionism. The establishment of the first organisation, moreover, led to the establishment of the second, which in its turn fostered a number of trade unions under its aegis. The gravity of the post-war critical labour situation and the importance of trade unions were recognised in the Treaty of Versailles especially by

[60] B. Shiva Rao—*Industrial Worker in India*, p. 184.

[61] These two organisations have been studied later in detail. See Ch. IX, and Ch. XIV.

the establishment of I.L.O., which gave the right to workers' organisations to have their delegates nominated by the Government to Geneva Conferences. The origin of the All-India Trade Union Congress is to be sought in a resolution passed by a Bombay workers' meeting in Parel on 10th July 1920. The resolution strongly protested against the unconstitutional nomination by the Government of India of a representative of Indian workers to the I. L. Conference and asserted the right of the workers to elect their own representatives and advisers. The meeting also resolved to hold the first session of the A.I.T.U. Congress with Lala Lajpat Rai as the President. The Congress, in its first year, claimed to have 64 affiliated unions with a membership of 140,854, and hence got the right to nominate the workers' delegate to Geneva.[62]

Summary and Conclusion:

Indian trade unionism came comparatively late in the field. The reasons of this lateness can be given as the slow progress of the industrialisation of the country, the special difficulties arising out of the illiteracy of the workers, their migratory habits and the heterogeneous composition of the labour force in industrial centres.[63] Indian trade unionism, as we have seen, is the product of a number of factors—the class consciousness and class solidarity, industrial unrest due to the grave economic difficulties created by the war, the profound influence of the swaraj movement and the Russian Revolution and the establishment of the International

[62] Similar fillip was given to the Japanese trade unions, as can be seen from the following table:—

	JAPAN
Year	No. of Unions
1917	14
1918	11
1919	71
1920	66
1921	71

The sudden increase in 1919 is mainly due to the Washington Conference which established the I.L.O. (*Vide*, I.L.O.: *Industrial Labour in Japan*, pp. 93-4). On May 1, 1920, the Federation of Labour Associations in Japan was formed by the Yuai Kwai, the largest labour organisation, with the help of six other associations, mainly for the purpose of claiming the right to nominate the workers' delegate to Geneva Conferences. The right, however, was not granted by the Government till 1926.

[63] Government of India—*Evidence* before Royal Commission, Vol. II, part I, p. 226.

Labour Organisation and the All India Trade Union Congress. Indian Labour Movement, at this stage, was in transition passing from the period of Mutual Aid and Friendly Societies to that of active trade unionism. The above factors helped to bring this transitional stage earlier and fostered the early Indian trade unionism. The industrial evolution, which is marked by the development of factories and consequent increase in the number of workers, creates in all countries the necessary pre-requisites for joint action against employers on the part of the workers. We have seen how the immediate post-war period was a period of spontaneous protests, when the workers acted without any organisation or plan. The history of the development of the labour movement in various countries shows that while the beginning of the movement varies as regards the time it begins, the paths of development, the forms and methods of struggle are very similar—similar because they are the results of the same cause—the need to defend the elementary day-to-day vital interests of the working class. In this phase of the development of the labour movement, trade unionism is both a defensive and an offensive instrument for maintaining and improving the conditions of labour.

PART II: HISTORY OF INDIAN TRADE UNIONISM

CHAPTER IV

GROWTH OF INDIAN TRADE UNIONISM

Trade Unionism—a Product of Industrial Evolution:

We have seen in the preceding chapter how our trade unionism has been a product of the inevitable industrialization of our country, which found speedy progress in the immediate post-war period. The growth of industrialisation brings with it its necessary evils—evils alike of the capitalist system, machinery and large scale production. The inevitable reaction to the capitalist system is the growth of working-class combinations. According to Marx, Capital is concentrated social power, whereas the workman possesses nothing but his individual labour power. The only social force possessed by the workers is their numerical strength. This force, however, is dispersed and weakened by the absence of unity, which is further worsened by the inevitable competition among the workers for employment. Trade unionism arose out of the voluntary attempts of the workmen to resist the despotic behests of Capital and to prevent, or at least to keep in check, the mutual competition for an opportunity to labour, in order to obtain such conditions as would raise them above the level of simple slavery.[1]

Whether we agree to this Marxist view of the origin of trade unionism or with any other, one fact is clear: that trade unionism is the inevitable product of an industrial revolution in any country. Mr. and Mrs. Hammond in their well-known books, *"The Town Labourer"* and *"The Village Labourer"* describe the British Industrial Revolution as one of the greatest acts of dispossession in history, wherefrom emerged the British trade unionism. The enclosures in the villages and the factory system in the towns formed the weapons of this dispossession.

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[1] M. Beer: *A History of British Socialism* (1940 Edition), Part II, pp. 218-219 and A. Lozovasky: *Marx and Trade Unions*. Ch. I.

Madras Textile Labour Union, 1918. *The First Trade Union in India:*

Modern trade unionism in India began with the Madras Textile Labour Union (1918). A brief sketch of this first Indian trade union would illustrate the causes of origin, obstacles to development, motives, methods, character and policy of our trade unions. Mr. B. P. Wadia, the Founder President of the Union in his 'Labour in Madras' says that the Madras Labour Union was a mere accident. Judging from the facts and circumstances of that time, we notice that the Union was not a mere accident, but an inevitable reaction to the post-war grave economic and social conditions of the Madras factory workers.

Origin:

About the end of the year 1917, P. Kesava Pillai, a well-known social worker of Madras made certain remarks in the Press referring to the conditions of labourers in the Madras textile factories. Sri Venkatesh Gumritha Varshini Sabha, a religious organisation took the matter in its hands and one day two young men, G. R. Nayudu and G. C. Chetti, who had interested themselves for some time in social and religious work among the textile workers of Madras, visited the office of 'New India' to seek the advice of the assistant editor, Mr. B. P. Wadia. Mr. Wadia addressed the meetings and soon definite steps were taken to start a union with a monthly subscription of an anna per member. On Sunday, 27th April 1918, the Madras Textile Labour Union, the first trade union in India, was started.[2]

Causes of Origin:

The Union was not a mere accident. It was the result of purely social and economic causes. The immediate causes were: the extremely short recess of thirty minutes for the midday meal, the frequency of assaults on the workers by the European assistants of the Buckingham and Carnatic Mills, and the inadequate wages in face of the rapidly rising

[2] B. Shiva Rao—*Industrial Worker in India,* p. 13: *'Swadharma'* of 29-5-1921 and *Evidence* before the Royal Commission on Labour, Vol. VII, Part I by the Madras Government, pp. 37-38 and by the Madras Labour Union, p. 178.

prices.[3] For the first time in India, class consciousness had arisen among the workers. The Madras Textile Labour Union seized the opportunity and enhanced the spirit of class consciousness and class solidarity among those workers, by making them realise their real position and their rights. The Union became so comprehensive in its membership, that according to Dr. Lokanathan, not one textile worker in the city of Madras remained out of the Union.[4] The formulation of the grievances of the workers, some of the concessions granted by the management of the mills, the opening on 26th May 1918 of a provision stores for the benefit of the members of the Union, the renting of a room and the opening of a library were the circumstances which made the Union a popular institution among the workpeople of the mills.[5]

Madras Union—a Typical Indian Trade Union:

(i) Methods:—The Madras Textile Labour Union can be called a typical Indian trade union in as much as its activities have brought to light a number of controversial labour problems. For the first time Indian labour used the trade union as a weapon of class struggle and as a method of collective bargaining. Class-solidarity emerged out of class consciousness, which, itself, was the result of post-war industrial unrest. The two-fold activities of the Madras Union both as a social welfare centre and as a militant organisation of industrial workers, make it quite distinct from the pre-war labour organisations. Following the method of mutual insurance, the Union conducted a library and co-operative stores. Following the method of collective bargaining it represented the employees by formulating their grievances and conducting the industrial disputes on their behalf.

(ii) Labour and Politics:—Another controversial problem which emerged in the struggle of the Union with the employers was: whether trade unions should 'dabble' in

[3] *Evidence* of Madras Labour Union before the Royal Commission, Vol. VII, Part I, p. 178.

[4] Dr. P. S. Lokanathan—*Industrial Welfare in India*, p. 160.

[5] *Evidence* before Royal Commission: by the Madras Government, Vol. VII, Part I, pp. 37-38.

politics or be merely economic and social organisations. The speeches of Mr. Wadia[6] in the early days of the Union, seem to have a political colour and were apparently delivered partly to further the Indian Home Rule Compaign and partly to win the support of the British Labour Party.[7] The political colour was deepened by the entry of many politicians into our labour movement during the Civil Disobedience Movement (1921-24).

(iii) Inadequate Legislation:—Another fact that was revealed by the Madras Union was the inadequacy of labour legislation. The successful suit against the leaders of the union, for leading the workers who were locked out by the employers in 1920, showed the illegality, in the absence of a trade union law, even of normal trade union activities. Wadia's case was represented before the Secretary of State for India by the members of the British Labour Party, with the result that the Indian Legislative Assembly adopted in 1921 a resolution in favour of legislation for the registration and protection of trade unions. Thus the Madras Labour Union is indirectly responsible for the Indian Trade Unions Act of 1926.

(iv) Communalism:—The breaking up of the Madras Union in 1924 revealed one more fact—of the danger of communalism in our labour-world. The Union fell a victim to the caste differences, after its sturdy fight for six years. Lastly, the industrial relations of the Union reveal some of the problems, vital to the study of Indian trade unionism, such as trade union leadership, attitude of the State and the employers and presence of 'outsiders' in the Union. Within three years of the formation of the Madras Union, we find rivalry among its leaders and in 1921 one of its Vice-Presidents complained in the Press that Mr. Wadia was only one of the five persons who founded the organisation and that much of the spade-work was carried out by the remaining four persons.[8] The majority of the leaders of the Union

[6] Published as '*Labour in Madras*'.

[7] Dr. P. P. Pillai—*Economic Conditions in India*, p. 258.

[8] Letter of M. A. Jalilkhan, Vice-President of Madras Labour Union in '*Swadharma*' of 1-5-1921.

were outsiders, not connected with the industry and this fact led some persons to start a rival union in opposition to the Madras Labour Union. This proved to be one of the efforts on the part of the employers to suppress the spirit of unionism among the Indian workers.

Labour Movement, 1919-1920:

Leaving now the details of the Madras Labour Union, we shall take up the history of our Labour Movement from the year 1918, where we left it in the last chapter. The year 1918 gave a new turn to the Indian Labour Movement, as it marks the origin of our Trade Union Movement. We have already seen in the last chapter why the pre-war workers' associations cannot be called trade unions. Apart from these pre-war labour associations, we find references in old journals about some associations in the war period also. It is interesting to note that even before the Madras Labour Union, there was started in 1917 an association under the name of the Alluminium Labour Union, Madras.[9] This Union ceased to function in 1922, but was again revived in the same year. The employers, however, contended that the Union which was going under that name in 1929 was quite different from the original one. The facts are not clear. The exact number of trade unions in India at any time is not available and hence much of the work to measure the strength of our unionism is handicapped. The material that we have been able to obtain shows that in 1918 seven new unions were started, important among them being the Labour Union-Madras, Indian Seamen's Union-Calcutta and the Clerks' Union-Bombay. Out of these seven unions, four were started in Madras, two in Bombay and one in Calcutta. In 1919, the number of new unions started was ten—five in Bombay, two in Madras and one each in Bengal, U.P. and the Punjab. Important among these were the Employees' Association-Calcutta, M. & S. M. Railway Employees' Union-Madras, and the Seamen's Union-Bombay. The facts and figures show that in 1920 trade unionism had spread to most of the provinces and in some of the industries.

[9] See the Evidence of this Union before Royal Commission, Vol. VII, Part I, p. 286. The warpers in Ahmedabad also had formed a union in 1917.

There were no unions among the agricultural, mining and jute labourers though strong, well-built unions arose in railways, shipping, textiles, engineering and communications.

The total number of unions affiliated and sympathetic to the All-India Trade Union Congress in 1920 (1st Session) was 107, of which 64 unions had a membership of 140,854.[10] A number of influential and important unions are not included in the above account. The Ahmedabad Textile Labour Association and the Unions of the Government employees had, for a number of years, kept themselves aloof from any national labour federation. The Ahmedabad Association consisted in 1920 of six unions with 16,450 members, who formed about 43 per cent. of the total textile labour of Ahmedabad.[11] The All-India Postal and R. M. S. Association, seven of whose provincial branches, had been formed in 1919-20, had a membership of about 20,000. Besides, there was a large number of other unions whose accounts are not available. Still, from the facts noted above, we arrive at a modest estimate of about 125 unions with 2,50,000 membership in 1920. The membership of our unions in 1920 has been often exaggerated. In a table of trade union membership of 30 nations given by the International Labour Organisation, we find India's membership being given as 500,000.[12] Judged by the number of trade union members, India stood the fifteenth country in order of importance. If judged by the proportion of trade union membership to the total population of the country, India took the last place among the thirty nations. Even Japan the 29th nation claimed to have 43 organised workers in every 10,000 to India's 16. Besides, the alleged membership of 500,000 is an exaggerated one. Mr. S. Saklatwala went still further. In a conference of delegates from British trade unions called in London on 26th August 1922 by the Workers' Welfare League of India, Mr. Saklatwala, replying to a ques-

[10] For full details and table, see Ch. XIV, *National Federations of Indian Trade Unions* where the history of the All-India Trade Union Congress is given.

[11] For the Ahmedabad Textile Labour Association, see Appendix I.

[12] I.L.O.—*Year Book*. For an analysis of the table see Prof. K. B. Madhava's article on *'Trade Unionism'* in the *Indian Journal of Economics*, 1926-27. Pp. 227-249.

tion of Mr. Ebbs, as to the strength of Indian trade unionism, declared that the All-India Trade Union Congress represented about 800,000 workers, though many more were organised more or less loosely.

Period of Early Unionism:

From 1921, the unprecedented prosperity experienced by our industries in the immediate post-war period began to disappear. With the depression in industry, the Labour Movement experienced a period of acute difficulties.[13] In 1922 the era of successful strikes came definitely to an end; strikes steadily declined both in their number and duration while the percentage of their success grew less and less.[14]

The high figures of the number of days lost in 1923-25 do not refute our statement that strikes began to decline from 1921; these figures are swollen due to the General Strikes in Bombay and Ahmedabad textile industries. The following table shows how only three strikes account for about 21 million days lost.

	Workers involved	Number of days lost
1923 General Textile Strike, Ahmedabad	43,000	2.4 millions
1924 General Textile Strike, Bombay	160,000	7.75 millions
1925 General Textile Strike, Bombay	160,000	11.0 millions

The trade union movement had no appreciable expansion during this period because of the absence of factors that influenced it in the immediate post-war period. The serious economic situation at that time brought into existence a number of labour associations, a great majority of which were loose organisations formed for some tem-

[13] Gadgil—*Industrial Evolution of India*, p. 286.
[14] See the table of Industrial Disputes in India in Appendix II.

porary and immediate purpose such as getting enhanced wages, if possible, without strikes, but if not, with them. In the circular (1921) for trade union legislation, the Government of India describe these associations in the following words: "They have frequently no definite constitution; they publish no accounts; their officers have no assigned functions: even the objects of the union are unstated in some cases. Many are little more than strike committees formed to promote or carry on a strike and cease to function after the strike has ended." The Government of Bengal gave some figures regarding these ephemeral associations. In their *evidence* before the Royal Commission (Vol. V, Part I, P. 118), they remark that between 1920-29, 140 employees' organisations came into existence in Bengal. A large number of them, about 54, mostly being strike committees passed out of existence very soon after they were started. Dr. P. S. Lokanathan similarly complains that most of the unions formed during 1918-20 were for some immediate objects. This phase of activities having been exhausted, no constructive plan of work was chalked out to them with the result that in 1923 the labour unions in Madras came to a sad end.[15] The failure of these unions was due to their narrow outlook, lack of a constructive plan of work and frequency of strikes which many unions had recourse to, since the beginning of their career. In the primary stage of unionism, there were strikes in Madras for increased wages, later to support a dismissed leader and later still, for the recognition of unions by capitalists and for the establishment of arbitration boards.[16]

During the period 1921-25, though the number of unions might have decreased, the spirit of unionism came to stay. The unions, that died out soon after their formation, were after all of a temporary character, established to achieve

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[15] *'Swadharma'* of 11-2-1923.

[16] P. S. Lokanathan—*'Labour Movement in Madras'* an essay—published in the *Transactions of the Indian Economic Association* (Madras Section) 1921-22. To this charge of Dr. Lokanathan, a labour leader of Madras (Mr. P. Kothanda Raman) answers that the Madras unions were not brought into existence merely for conducting strikes, but to ventilate the grievances of the workers. The unions succeeded in keeping the workers in touch with the events of the world, infusing class-consciousness in them and developing a sense of unity, discipline and self-respect. Their failure was due, not to the strikes, but to the hostile attitude of the employers and the State. (*Swadharma*, 25-2-1923).

some immediate purpose. To this class also belong two other kinds of associations—that which comes into existence owing to the influence of one or two individuals for a specific purpose such as raising the status of a particular class of workers and that which is set up for the interest of some particular individual for a selfish cause as the nomination to legislature or to Geneva. All these kinds of organizations died out either after they achieved the immediate purpose of their existence or after they lost their first flush and vigour. To this defect of our trade unionism, is added the discouraging effect of the failure of strikes waged.

Strength of Trade Unionism, 1921-25:

The strength of Indian trade unionism during the period 1921-25 has been variously estimated. Dr. R. K. Das in his *Labour Movement in India* gives an estimate of 77 unions with 1,000,000 members in 1921. The figure of membership is very much exaggerated as can be seen from the fact that the membership in 1921 was definitely smaller than that in 1920. The Secretary of the Trade Union Congress gave the number of unions in 1922 as 113. In 1924 a systematic attempt was made by the All-India Trade Union Congress to collect information about all the trade unions in India. For the first and only time in the history of our Labour Movement an attempt had been made to measure accurately the strength of Indian trade unionism. *The Directory of Trade Unions* (1925) published by the Trade Union Congress gives a list of 167 unions which are grouped according to industries in the following table.

TABLE No. 6

Trade Unions in India in 1924

Group	Total No. of Workers	Unions furnishing Returns	Membership
I Transport			
(i) Railway	25	10	97,702
(ii) Shipping	6	3	14,500
(iii) Other transport	6	3	6,300
II Textile			
(i) Cotton	23	17	30,795
(ii) Jute			
III Engineering and Allied Industries			
(i) Chemical, glass, pottery etc.	3	1	500
(ii) Iron, Steel, Metals	3	2	9,000
(iii) Other Engineering	5	2	825
IV Non-Manual			
(i) Banking	3	2	1,610
(ii) Currency	4	3	1,120
(iii) Clerks, teachers	4	1	500
(iv) Commercial	4	1	2,600
V Miscellaneous			
(i) Government and Municipal Servants	37	4	9,150
(ii) Mining	2	1	400
(iii) Paper & Printing	5	3	710
(iv) Posts & Telegraphs	18	14	37,625
General Labour	19	1	10,000
Total	167*	68	2,23,337

* The Directory shows that in 1924 there were 167 unions. The number of unions given by the All-India Trade Union Bulletin (October-November 1924 and January 1925), the official organ of the Trade Union Cognress, is however, 183. These unions grouped according to Provinces are: Bombay—61; Bengal—51; Madras—36; U.P.—8; C.P.—8; Punjab—8; Assam—2; Bihar and Orissa—2; N.W.F.P.—2; Delhi—2; Burma—2; and Ceylon—1.

The figures show that trade unionism in 1924 had developed mostly in the provinces of Bombay, Bengal and Madras, and in the textiles, communications and Government concerns. This fact proves the statement that trade unionism makes easy progress among the educated classes and in industrial provinces. The membership of the unions in the industries mentioned above where generally the employees are educated is about 75 per cent of the total membership shown in the table. Similarly out of the total 183 unions, (as given in the All-India Trade Union Bulletin) the Provinces of Bombay, Bengal and Madras, which can be called industrially advanced, claim 148 unions i.e. about 80.8 per cent. The growth of unionism, however, was not uniform in all trades, industries and services. Some of the unions like the Burma Labour Union (10,000 members), the Jamshedpur Labour Association (9,000 members), the Ahmedabad Textile Labour Association (14,000 members), the Bombay Textile Labour Union (5,000 members), and the Girni Kamgar Mahamandal, Bombay (3,500 members) were strong, well-built and commanded membership in thousands, while a majority of our unions were loose organisations with insignificant membership. There were no unions among the plantation and agricultural labour, whereas the few unions in the important industries of mining and engineering were weak, striving for mere existence. The clerical, non-manual labour was also organised, though not to a sufficiently high degree, the organisations being purely economic in character and among well-educated middle class.

The Directory of Trade Unions further gives a list of 8 Federations of labour with a membership of 195,800. The All-India Trade Union Congress stands first among these organisations both in the number of unions affiliated and the total membership.

TABLE NO. 7

Labour Federations—1924

Name of the Federation	Year of Formation	No. of unions affiliated	Total Membership
1 Ahmedabad Labour Association	1920	5	14,000
2 All-India Currency Union	—	All provincial Branches	800
3 All-India Postal and R.M.S. Association, Calcutta	1920	9	30,000
4 All-India Railwaymen's Federation, Calcutta	1921	—	30,000
5 All-India Trade Union Congress, Bombay	1920	40	100,000
6 The Bengal Trade Union Federation, Calcutta,	1922	3	5,000
7 The Central Labour Board, Bombay	1922	7	6,000
8 The South Indian Railway Labour Board, Coimbatore	1924	5	10,000

The details of the Ahmedabad Labour Association, the All-India Railwaymen's Federation and of the All-India Trade Union Congress will be studied later in their proper places.[17] The All-India Currency Union and the All-India Postal and R.M.S. Association were purely economic organisations mainly for clerks employed in Government services. These organisations had a well-knit structure, with their provincial and district branches, as can be seen from the following table of the A. I. Postal and R.M.S. Association.

[17] See Appendix I and Chapter XIV. *National Federations of Indian Trade Unions.*

TABLE NO. 8

The All-India Postal & R.M.S. Association, 1924

Provincial Association	Date of formation	No. of district branches	Membership
1. Bengal-Assam	1920	32	10,224
2. Bihar-Orrisa	1919	37	3,205
3. Bombay	1920	18	3,764
4. Burma	1920	12	1,868
5. Central Provinces	1919	9	1,012
6. Delhi	1919	..	300
7. Madras	1920	33	3,895
8. The Punjab—N.W.F.P.	..	45	2,559
9. United Provinces	..	44	2,300
	TOTAL	230	29,127

It is, however, doubtful whether the figures cited above show the real state of affairs in Indian trade unionism. A number of unions existed only in name, without any membership at their command. The membership figures were exaggerated; membership registers were often not kept at all and in case they were kept, membership was not properly defined as we find a number of persons on the rolls, though they have long ceased paying the subscription fees. Even the A.I.T.U. Congress exerted little influence over the workers or over the State. In 1923, the Government of India refused to nominate, as a delegate to Geneva, a representative of workers chosen by the T. U. Congress and sent to the I.L.O. an independent labour leader of Bengal whose right to represent Indian labour was challenged by the All-India and provincial T.U. Congresses. The report given by the Labour Gazette of the 5th Session of the All-India Trade Union Congress (Bombay 1925) further shows how even the All-India body had little response from the workers. "The audience (at the Session) numbered about 60 on the first and 100 on the second. The attendance of mill-hands did not exceed a dozen and the delegates local and mofussil numbered about 30." We have

seen how in 1920, India judged by the strength of unionism, took the last place among the thirty principal nations of the world; in 1925 the position was just similar as can be seen from the following table taken from the 3rd Year Book (1925) of the International Federation of Trade Unions.

TABLE No. 9

International Trade Unionism, 1925

	Country	Population (000 omitted)	No. of organised workers (000 omitted)	Percentage of organised workers to total population 2:2
1.	Germany	59,853	9,193	15.3
2.	Gr. Britain	40,561	5,405	13.3
3.	Belgium	7,540	755	9.9
4.	Italy	38,836	2,235	5.1
5.	France	39,210	1,396	3.6
6.	Canada	8,788	256	2.9
7.	Japan	57,655	126	0.2
8.	India	319,930	300	0.1

Left-Wing Unionism—Communism, 1924-34: *Origin:*

It was at this stage of our Labour Movement that, for the first time, militant elements emerged from within the ranks of labour. Communism in India dates back to the year 1920 when the Red International of Labour Unions, Moscow began to take active interest in the proletariat of the East. A sort of propaganda carried on in India, that the British forces were ready to attack the holy places of Mecca and Medina, led in 1920 a large number of Muslim students from the Universities of North India to cross the Indian frontier for entering a Muslim country.[18] A small number of them, when prohibited to stay in Afganistan, crossed the Russo-Afgan frontier and entered Russia. The Red International took special interest in these youths, trained them in Communism at Tashkent and Moscow Universities and sent them back to India to prepare the

[18] See *'Life of M. N. Roy'* by A. K. Hindl, pp. 61-63.

Indian masses for a working-class movement. On their return, these Communists began to take active interest in trade unions, bringing about violent strikes and radicalising the whole labour movement. They first came into lime-light in the famous Cawnpore Trial of 1924, when five of them were charged with conspiracy "to overthrow the sovereignty of the King Emperor over British India by means of an organised violent revolution." The main evidence against the accused was that they were interested in the theories of socialism and communism and hence took an active part in the Labour Movement. The Allahabad High Court, in rejecting the appeal of these people, described the aims of the accused as the formation of a Peoples' Party, an apparently harmless body, within which illegal and subversive activities were to be pursued by an inner party consisting of all the revolutionary nationalists. The Cawnpore trial failed to check these communistic activities as we find a number of revolutionary labour parties, cropping up during the period 1924-29, such as the Workers' and Peasants' Party in Bombay and the Kirti, Kisan and Nawjawan Sabhas in the Punjab.

Meerut Trial:

For over a decade the Left-Wing elements dominated the Indian labour world. The Communists captured and twice split the All-India Trade Union Congress, proved themselves a strong minority in the Indian National Congress, conducted violent, protracted strikes and formed a number of revolutionary political parties. Their influence grew so strong that the Government had to stage in 1929 one of the longest and costliest trials of the world. The Meerut Trial has been compared by Prof. Harold Laski,[19] to the Mooney Trial and the Sacco-Vanzetti Trial in America, the Dreyfus Trial in France and the Reichstag Fire Trial in Germany. "Men were torn from civil life for long years whose only crime was to carry out the ordinary work of trade union and political agitation after the fashion of every day life in this country (i.e. England)." The prosecution,

[19] Preface to L. Hutchinson's—*The Conspiracy at Meerut.*

lasted for four and a half years and involved a total cost of about £160,000. The heavy sentences passed on the young trade unionists naturally aroused a storm of protests from all quarters: questions were asked in the House of Commons and indignant statements were issued by such international celebrites as the Arch-Bishop of York, H. G. Wells, Prof. Albert Einstein, Romain Rolland and Prof. Harold Laski. However, on appeal there was a sensational reduction in all the sentences. The Government seemed to have realised that the extremely heavy sentences passed on persons who had only been engaged in ordinary trade union and political activities, had defeated the object of the Government in initiating the trial.

Causes of Meerut Trial:

What were the reasons that led the Government to institute such a long, costly trial? The non-fulfilment of pre-war and war promises, grave economic situation leading to the impoverishment of the masses and the intense industrial unrest had already created a field where communism was bound to prosper; and hence when, with the Russian Revolution, new revolutionary ideas began to penetrate through the Indians frontiers, the Government determined to check them.[20] The result was disastrous both to the workers and to the Government. Quite a significant number of the Meerut prisoners were from Bombay, where they had successfully led the biggest strike in India viz. the Textile General Strike of 1928. The Bombay textile workers had threatened to wage another general strike, in case the findings of the Fawcett Committee should be unfavourable; and hence to intimidate the workers, there was a general round up of their active leaders which included two actual cotton workers. The third factor behind the Meerut Trial was the fear of the Government of the active help of foreigners to the cause of Indian labour. The Meerut Trial, with the Public Safety Bill, served both the purposes of

[20] Professor Laski severely criticises this policy of the Government ot India. "A government, which acts in this fashion, indicts itself. It acts in fear and is incapable of that magnanimity which is the condition for the exercise of justifiable power." (Preface to Lester Hutchinson's *'Conspiracy at Meerut'*).

influencing the legislators of the dangers of communism and deterring the European communists from helping their Indian comrades. Finally, the Indian Government was in great need of a legal finding against communism, so that all their actions to suppress the militant trade union activities and active political agitation might be legally justified. Unfortunately for the Government, however, the Great Trial, conducted in an out of the way place failed to check the growth of communism and during 1929-31 the communists met with their greatest success, when they practically dominated the Indian labour world.

Cause of Growth of Communism:

But before we trace the growth of communism in our trade union movement, we would better pause a while and look out for the reasons that led to the phenomenal rise of communism in India. It is not our intention to show the merits and defects of this faith and to pass a judgment whether the communists are dangerous enemies of society or the saviours of humanity. That is a matter of individual conviction, after a scientific and intelligent study of the political doctrines of communism. Whether for good or bad, communism played a great role in our Labour Movement and hence any study of Indian trade unionism would be incomplete if it either overlooks or condemns without any reason, the extremist ideas of our Labour Movement. While tracing the origin of our trade union movement, we saw how in India trade unionism is the product of the grave economic situation and the consequent intense industrial unrest. Spontaneous protests from the workers marked a new spirit in our Labour Movement. However, these spontaneous movements, in spite of the fact that large masses took part in them and that the protests were of a collective character, generally failed to bring about the desired results after some years, mainly because of the lack of organisation. Writing about the success of communism in 1928 in Bombay, the Royal Commission on Labour remark, "The absence of any strong organisation among the cotton mill workers and a realisation of their weakness combined with the encouragement given by the result of a prolonged strike enabled a

few Communist leaders by an intense effort to capture the imagination of the workers and eventually to sweep over 50,000 of them into a communist organisation."[21] The Meerut Trial, the Trade Disputes Act (1929), the Public Safety Bill (1929) and the Bombay Trade Disputes Conciliation Act (1934) were some attempts of the Government to check the growing influence of communism in India. While introducing the Bombay Trade Disputes Conciliation Bill (1934), the Rt. Hon. R. D. Bell openly declared that the Bill was "a perfectly open effort, a deliberate attempt on the part of the Government to exclude the extremist labour leaders and communists from inter-meddling in the affairs of the textile industry of Bombay." The action by the Government had been further necessitated by the ineffectiveness of moderate leadrship in our trade unions.[22] It is really interesting to note that some of the moderate trade unionists refuse to believe in their inability to influence the workers, and hence they try to find the reasons of the communist influence in some other quarters. Rao Bahadur R. S. Asavale, for example in his speech on the 1934 Bill, blames the employers, who, in order to disorganize the labouring classes, created a class of professional agitators in the communists. Mr. Bakhale, another moderate leader, in his oral evidence before the Royal Commission said that some of the communists had been personal friends of the millowners and gave an illustration to prove his statement. Mr. B. Shiva Rao, a third moderate labour leader, remarks, "The fact that employers, like the Bombay Millowners, and the agents of certain railways refused to countenance ordinary trade union organisations and methods but showed a disposition to yield only when communist influence had gained considerable ground among the workers was a powerful stimulus to the growth of such tendencies."[23] In another place, Mr. Shiva

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[21] *Report*, p. 319.

[22] For example, Mr. Bell, in the debate referred to above, said, "Our experience since 1929 has been that when Government, by using the full powers, that the law gives them, removes these extremists from the scene of their operations, the men at once become leaderless. Any leadership by moderates that has been attempted to be given them has been entirely ineffective in the face of the employers." (Speech in the Bombay Legislative Assembly on 16th August 1934.)

[23] B. Shiva Rao—*'Industrial Worker in India,'* p. 151.

Rao says that in some instances the employers deliberately helped the extremist sections, presumably in the hope that the moderate elements would thereby be discredited and the influence of the unions undermined.[24] He, however, admits that to explain a phenomenon of the large number of strikes, which took place in the post-war period, solely due to the communists is to ignore the facts of the situation.[25] The strikes were spontaneous protests on the part of the workers, without being engineered by the "professional agitators". The grave economic situation offered an easy field to the communists and well did they reap it. Like their comrades in other countries, the Indian communists, though few in number, are very active. Even the British Labour Party Executive in rejecting the application of the British Communist Party for affiliation stated that the "energy and enthusiasm of the communists is undoubted." "Small in number as they are, they have everywhere been in the thick of the battle", says M. Beer about the British Communists.[26] With equal emphasis, the same can be said of our communists also.

'Moscow' and Indian Communism in Trade Union Congress:

On October 27, 1921, the Red International of Labour Unions, Moscow sent hearty greetings to the second session of the All-India Trade Union Congress (Jharia, 1921) and invited it "to join in the new great world movement of international solidarity on absolutely equal terms". The same session passed a resolution showing sympathy to the starving millions in Russia and calling upon the workers of the world to help Russia in her struggle for peace. The reactions of the Trade Union Congress to the various overtures of Moscow will be discussed in a later chapter, where we shall study the history of the Congress.[27] For our present purpose we may only note some clear facts which prove the growing influence of communism in India. Money flowed freely from

[24] B. Shiva Rao—Article on 'Trade Unionism in India'—*Indian Textile Journal, Golden Jubilee Souvenir*, January 1941, p. 47.

[25] Shiva Rao—*'Industrial Worker in India,'* p. 186.

[26] Beer—*History of British Socialism* (1940 Edition), Part II, p. 417.

[27] See Ch. XIV: *National Federations of Indian Trade Unions.*

Moscow to India for communistic propaganda.[28] Besides the communist organisations in other countries financially helped the Indian strikers. As early as 1925, communism found an important spokesman in the Trade Union Congress in Mr. D. R. Thengdi, one of the accused in the Meerut Trial, who became the President of the Congress in its fifth session (Bombay, 1925). Mr. Thengdi in his Presidential Speech advocated nation-wide strikes. In the Delhi Session of the Congress (1927) Mr. S. Saklatwala, the communist M.P., made his appearance and thence we find the colour of the Trade Union Congress changing—from rose pink to vermilion red. Saklatwala's visit was followed by a number of other foreign communists, apparently as fraternal delegates to the annual sessions of the Congress, but really to foster the growth of newly-born Indian communism. The year 1928 brought in India a Russian delegation of Messrs. Lepes, Amossov and Voronov and also Mardy Jones a delegate of the Workers' Welfare League of India and A. Fenner Brockway of the Independent Labour Party. In the year 1929, J. Ryan of the Pan-Pacific Trade Union Secretariat and J. W. Johnston of the League against Imperialism attended the 9th Session of the Trade Union Congress. Besides these fraternal delegates, Indian labour claimed at this time a number of British labour leaders like Spratt, Bradley and Hutchinson. The seed of communism was sown in the fertile field of Indian labour and the tree that grew out of it split the Congress in 1929. The various resolutions passed at the Delhi, Cawnpore and Jharia Sessions of the Trade Union Congress clearly showed the direction in which the wind was blowing. The Congress condemned Imperialism, boycotted the Simon Commission, censured the Government and the Police and desired to affiliate itself to the international communist organisations. Indian trade unionism was clearly breaking off from Amsterdam to approach Moscow; and the resolutions in the Nagpur Session (1929) made the split between the moderate and the communists inevitable. The moderate trade unionists could not

[28] For the details of the financial help to Indian Labour from foreign countries, see Chapter IX. '*Labour and Internationalism*'.

endorse the resolutions which boycotted the Whitley Commission, affiliated the Congress to the League against Imperialism and to the Pan-Pacific Secretariat, rejected the proposal to hold an Asiatic Labour Congress, refused to send delegations on behalf of the Indian workers to Geneva, recognised the Workers' Welfare League as an agent in Great Britain, turned down the offer from His Majesty's Government of a Round Table Conference and condemned the Nehru Report which had been sponsored by the All-Parties Conference. The inevitable result was the secession from the Trade Union Congress of the moderates who formed another organisation — The Indian Trades Union Federation — in 1930.

Communism at its Height, 1928-31:

The period of 1928-31 saw the growth of communism at its zenith, when the extremist ideas pervaded almost all the industrial centres in India. The figures of industrial disputes show that the number of days lost in 1928 was 31,647,404, (the highest figure so far recorded) of which the General Textile Strike of Bombay was alone responsible for the loss of 22 million days. Communism actively entered the Labour Movement in Bombay City in 1927 (March) when a group of the Nationalists, having failed to obtain acceptance of their ideas by the Indian National Congress, formed a Workers and Peasants Party, one of whose objects was "to promote the organisation of trade unions and to wrest them from their alien control".[29] In May 1926, they started a weekly called the *"Kranti"* (Revolution) and towards the end of that year, they captured a number of existing unions and also formed some new ones. Some of them even succeeded in getting elected as office-bearers of the All-India Trade Union Congress. The Workers and Peasants Party came into prominence at the time of the General Textile Strike (Bombay 1928), when they formed, with the help of some other socialist labour leaders, one of the strongest Indian trade unions, under the name of the Bombay Girni Kamgar Union, mainly to counterbalance the influence of

[29] *White Report on Labour situation* issued by the Bombay Government—Appendix B (1929).

the 'reformist' unions and to give a systematic, permanent form to the revolutionary organisation of the workers. The Indian trade unionism at this stage showed a rapid development and a number of strong well-built unions like the Bombay Girni Kamgar Union (Membership 54,000) and the G.I.P. Railwaymen's Union (Membership 41,000) came into existence. The facilities given by the newly enacted Trade Union legislation, glaring successes of the Bombay Girni Kamgar Union, necessity for collective bargaining and the new extremist ideals of trade unionism brough about a rapid expansion in the number of new formations as well as in the figures of membership of the existing unions. The All-India Trade Union Congress commanded in 1927, 59 unions with a membership of 125,000; in 1929 the number of unions decreased to 51 but the membership increased to 189,436.[30] The number of registered trade unions in 1927-28 was 29 with 100,619 members. It rose to 75 with 181,097 members in the next year. It will be seen from Table No. 1 in Appendix II, that though the number of registered trade unions increased every year, the figures of membership did not rise proportionately. Various factors are responsible for this peculiar phenomenon. The increase in the number of trade unions during 1928-30 was mainly due to the reluctance on the part of the employers to negotiate with unregistered unions. This factor coupled with the facilities granted by the Trade Unions Act and the communist zeal increased the number of trade unions which thought it prudent in their interest to register under the Act.

The period 1928-30 is notable for intense industrial unrest within the ranks of Indian labour. The two Bombay Textile General Strikes, the Bengal Jute General Strike and the G.I.P. Railway Strike were some of the most important disputes waged under the communist leadership, though the primary causes were rather economic. The Bombay Strike of 1928, for example, had been declared against an attempt of the millowners to introduce what they euphemistically

[30] The increase was due to the affiliation of two communist unions, whose membership figures were challenged by the moderate section. (See Chapter XIV: *National Federations of Indian Trade Unions*).

called a 'Standardisation Scheme.' The scheme would have resulted in the doubling of the amount of labour of each operative, reduction in wages and a tremendous increase in unemployment. The same reasons, further supported by the unfavourable reception of the Fawcett Committee Report, led to the General Strike in 1929 in Bombay. The wave of unrest spread from cotton workers in Bombay to the jute workers in Bengal and to the railway employees of the G.I.P. Railway.[31]

Fall of Communism; 1930-1934. *Causes:*

From 1930 communism in India experienced a serious set back. The communist ideals give for a time a filip to trade unionism, but the stimulus is generally transitory. Like a wave, they roll on bringing about for a time intense industrial unrest, and consequent tremendous rise in the union membership, only to create a long period of inactivity. The record membership of 54,000 of the Bombay Girni Kamgar Union in December 1928 came down to an exceedingly low level of 800 in June 1930. A similar example is of another communist organisation, the Cawnpore Mazdoor Sabha, which though utterly insignificant before 1937, brought about two big general strikes in 1937-38. Its membership rose tremendously from a paltry 100 to about 30,000, but after the feverish activity the Sabha fell again into its original moribund state of inactivity. The membership of these communist trade unions suddenly rises to a great degree, whenever some big strike is imminent. The Bombay Girni Kamgar Union again became active in 1934 and 1940, when it brought about general strikes in the textile industry of Bombay. The reasons for this unhappy feature are not far to seek. When there is no other uniting factor except class struggle, it is futile to expect workers to come together in times of industrial peace. Oppressed by the employers, faced with low wages and long hours, illiterate and indebted, the Indian industrial worker is naturally reluctant to pay regular subscriptions to the unions, unless he sees some immediate return from his payment. Naturally when

[31] Table No. 5 (of Industrial Disputes in India) in Appendix II shows how suddenly in 1928-29, industrial unrest in India took an acute form.

he pays for the strike fund or for the union membership, he generally expects from the strike, engineered by the union, some such material return as increase in wages, reduction in hours of work and improvement in working conditions. Strike then forms one of the means on the part of the union to bring the workers under its fold. If, however, it is the *only* means, as is often true of the communist unions, the membership begins to fall, when the uniting factor, i.e. class struggle, is absent as in the times of industrial peace. Some other methods than collective bargaining, like that of mutual insurance and social welfare or that of legal enactment, enable the workers to come together for longer periods. The various benefits granted by the Ahmedabad Labour Association are responsible for keeping the membership figures, throughout the last twenty-eight years, always above 10,000. To be a real trade union, labour association must follow both the methods—that of mutual insurance and that of collective bargaining; it must be both a welfare society and a militant organisation, fighting for the rights of the workers. The communist organisations lack in the first essential while the reformists are wanting in the second.[32]

During 1930-34, communism in India was at a very low ebb. The Civil Disobedience Movement sponsored by the Indian National Congress dominated the political life of the country and the communists who kept themselves aloof from this mass movement were completely ignored. Moreover the Indian industrial workers were very much disappointed on account of the failures of the general strikes waged by the communists during 1929-30. Disappointed and dejected, they showed very little enthusiasm for the communist organisations, with the result that communism failed to evoke the response that it commanded in 1927-30. The old experienced leaders were already behind the prison bars and the young element that succeeded them, being inexperienced

[32] According to Mr. M. N. Roy, the mechanical acceptance of the resolutions of the Communist International, the exaggerated notion about the revolutionary class-consciousness of the proletariat and the failure to differentiate between the leadership and the rank and file of the Indian National Congress blinded the Indian Communists to the realities of the situation and compelled them to commit tactical blunders which isolated them from the political life of the country. (M. N. Roy, *'Our Differences'* pp. 2, 9, 115 and 133.)

and immature, over-zealous and ultra-extremist, committed serious tactical blunders that deprived them of mass contact; and the persons who could command a majority in the All-India Trade Union Congress in 1929 found themselves in 1931 in a hopelessly small minority.

During 1929-35, the Indian industrial worker generally kept himself aloof from trade unionism and even the few unions, that were in existence, were mostly disinterested in the central organisations. The Indian Trades Union Federation, the most organised of all central labour federations, could command in 1932 only 40 unions with 78,000 members. Accurate figures regarding the All-India Trade Union Congress and the Red Trade Union Congress are not available, though some exaggerated figures are given.[33] The average trade union at that time was reluctant to affiliate itself to any particular central organisation, because of the nervousness felt in taking a definite step in the direction of affiliation with any section of the divided Labour Movement. There were four distinct schools of thought in the Labour Movement at that time. The communists aiming at the dictatorship of the Proletariat, twice split the Trade Union Congress and started their own Red Trade Union Congress in 1931. The Radicals with a view to make the Trade Union Congress a mass organisation and thereby to create a platform for the struggle for enforcing a series of political demands for the workers, twice reconstructed the original Trade Union Congress. The Liberals valuing both the economic and political character of the trade union movement were forced to leave the Congress, when the communists with their ultra-leftist programme captured it. They, therefore, started the Indian Trades Union Federation and eventually the National Trades Union Federation. The Fourth Group consisted of the 'Rest', i.e. the trade unionists who were not included in the above three groups, mainly because they were disinterested either in the Trade Union Congress or in the Trades Union Federation. This was the largest group of all, consisting of organisations with diverse opinions, methods and policies. It included

[33] For these figures, see Chapter XIV: *National Federations of Indian Trade Unions.*

the semi-socialist All-India Railwaymen's Federation, the economic National Union of Railwaymen, the reformist Ahmedabad Labour Association, the combinations of Government employees and many other unions not attached to any central organisation.

Revival of Communism, 1934:

The year 1934 saw the revival both of communism and of Indian trade unionism. The Great Depression was ending and the employers, especially in the textiles, were at their usual practice of rationalisation and wage reduction. Most of the extremist leaders, especially the Meerut Trial prisoners, had been released and there were active attempts and a sincere desire among the trade unionists for unity in the labour ranks. The initiative taken by the Railway unions had shown hopeful results when in 1933-35 two important amalgamations took place—first of the Indian T.U. Federation with the National Federation of Labour, both joining under the name of the National Trades Union Federation and second of the Red Trade Union Congress with the original All-India Trade Union Congress. Negotiations now took place between the All India Trade Union Congress and the National Trades Union Federation and in 1935 were held joint meetings and conferences of the representatives of these two national federations of Labour.[34]

Industrial unrest which was on the decline after 1929 again showed an active growth in 1934, in which year the figures for persons involved and working days lost were the highest recorded since 1929. Most of the strikes were waged for wage increase.[35] An All India Textile Workers' Conference was held in Bombay on 28th January 1934. The Conference passed the resolution of resorting to a country-wide general strike of all the textile workers, "in view of the brutal offensive, started by the textile employers all over India against the textile workers as a class, exhibited in (a) the inhuman wage cut, (b) intensive rationalisation and (c) increasing unemployment and in view of the

[34] For details, see Chapter XIV: *National Federations of Indian Trade Unions.*
[35] See the Table of Industrial Disputes in India. (Table No. 5 in Appendix II.)

inadequacy and futility of the local and political strikes." The Conference formulated twenty demands, some of which referred to the restoration of wage cuts, rationalisation, retrenchment, eight hours' day, annual leave for one month, minimum wage of Rs. 45 and prohibition of victimisation. In Bombay, along with a force of 86,000 workers employed in the textile mills in 1934, there were about 61,000 persons unemployed due to retrenchment—the ratio being 100: 70.[36] The main cause of this unemployment was the closing down of 34 out of the total 84 mills. Some other mills were working part time; while in a number of mills, night shifts were closed. Even among the fifty mills working, 48 had cut down the wages from 7 to 45 per cent. The example of the Bombay Mills in respect of wage reduction was followed by other industrial centres, the percentages being 12½ to 25 in Ahmedabad, 15 in Madras, 12½ in Sholapur, 20 in Nagpur and about 25 in Akola, Chalisgaon, Badnera and many other places. The following table compiled from the 'Bombay Enquiry' into Wages and Unemployment shows the comparative wages in 1926 and 1933 in Bombay, Ahmedabad and Sholapur textiles.

TABLE No. 10

City.	Average daily earnings of cotton worker. May 1926.	December 1933.	Percentage of increase or decrease
	Rs. as. ps.	Rs. as. ps.	
Bombay City	1 4 8	1 1 2	— 16.94
Ahmedabad	1 4 10	1 6 0	+ 5.6
Sholapur	0 13 1	0 12 0	— 8.28

Under these circumstances, it was natural on the part of the workers to rise against the economic condition that made their position worse. Naturally, the year 1934 saw a wave of strikes sweeping the industrial centres of India—Bombay, Nagpur and Sholapur experiencing general strikes. On 23rd July 1934, the Government of India declared the Indian Communist Party, with its committees, sub-committees and

[36] An article by Mr. R. R. Bakhale in *'Navashakti'* (11-2-1934).

branches, to be unlawful associations. The Government of Bombay, acting under the Bombay Special (Emergency) Powers Act of 1932 issued orders, between 20th July 1934 and 11th December 1935, restricting the activities of six communist leaders.[37]

Modern Trade Unionism, 1935 and after:

For a year, the Government succeeded in its effort and the number of working days lost fell from 4,775,559 in 1934 to only 973,457 in 1935. The method of checking strikes by ordinances however proves to be highly injurious in the long run; for a time it can repress the workers' risings, only to make them more intense afterwards. The Government could check the communist influence in 1935 by resorting to a number of legal enactments: but the peculiar economic situation, which created the landless labourers and the unemployed industrial workers, also brought with it in 1936 the consequent industrial unrest. Communism in the Bombay textile industry turned to the railways and textiles of Bengal and the United Provinces. The two general textile strikes of Cawnpore (1937-1939), the jute workers' general strike of Calcutta (1938), the Digboi Oil Fields Strike (1939) and the U.P. Glass Bangle Factories Strike, Ferozabad (1939) prove that industrial unrest had occupied the Northern and Eastern India which so far had been free from intense industrial disputes. The strikes mentioned above are some of the big strikes, waged on a very large scale, hitherto unknown in Northern India. The increasing industrial unrest brought with it, as it usually does in India, an improvement both in the number and membership of the registered trade unions. The number of unions registered under the Act, increased from 241 in 1935-36 to 555 in 1938-39. The real reason behind the increase was the newly granted labour representation in legislatures, either through the trade union constituencies or the special labour constituencies. The 1935 Act gave special seats to labour

[37] In a resolution, the 16th Session of the All-India Trade Union Congress (Delhi 1938) condemned the attempts to suppress the Communist Movement "as manifested in the recent conviction at Lucknow, continued trials against Red Guard and Calcutta Conspiracy Case, the non-release of communist prisoners and the continued ban on the Communist Party in India."

both in the Central and Provincial Legislatures and to qualify as electoral units a number of new unions were set up. The following table shows how almost all the provinces in India experienced a sudden growth of trade unions in 1937-38. The table shows that the industrial provinces like Bombay, Bengal, C.P. and Madras had made a great progress in unionism in 1937-38. The progress is specially marked in the case of Bengal where the growth in 1937-38 was 2½ times that in 1936-37.

TABLE No. 11

Trade Unions in India—1933-39

Year	Bombay & Sind	Bengal	Madsas	U.P.	Punjab	Bihar	C.P.	Delhi	N.W.F.P.	Ajmer Merwara	India
1933-34	45	54	38	5	28	10	27	18	3	3	420
1934-35	49	56	32	8	30	4	12	10	..	1	191
1935-36	55	69	32	10	30	5	15	12	..	1	213
1936-37	59	76	43	10	34	5	17	14	..	1	241
1937-38	72	172	54	18	44	5	16	15	..	3	262

Labour under Provincial Autonomy, 1937:

In July 1937, the Indian National Congress assumed office and formed governments in seven out of the eleven provinces. In the remaining provinces, popular governments had been already functioning since April 1937. The establishment of popular governments opened up new possibilities for Indian labour. The inauguration of provincial autonomy, the greater freedom exercised by the workers, the large-scale reforms to which political parties like the Congress are pledged, the larger representation accorded to organised labour in the various Provincial Assembles and the diminishing signs of hostility on the part of several employers towards trade unionism have resulted in a more active spread of the movement in recent years.[38]

The regime of the popular government was heralded by a wave of strikes all over India. We have already noted how the figures of disputes in 1939 and of workers involved in

[38] B. Shiva Rao—*Indian Textile Journal*, Jan. 1941—Article on Trade Unionism in India, p. 47.

1937 are the highest recorded up to 1942 while the number of days lost in 1937 stands second only to that in 1938, recorded since 1929.[39] What are the reasons of the paradox of the workers rising against the employers in the regime of a popular government?

This period in our Labour Movement can well be compared to that in France, when the electoral triumph of the 'Front Populaire' and the subsequent announcement of the formation of a government under Socialist direction gave a new turn to the French Labour Movement. Immediately after the establishment of the Blum Government in 1936, strikes broke out throughout France—in June 1936 alone, there were 12,000 strikes involving 1,831,000 strikers. The strike movement provoked keen controversy in France: "Some saw in it the result of activity on the part of communists, seeking from the beginning to create difficulties for the Socialist government. Others laid the blame at the door of extremist plotters, Trotskyists in particular".[40] Indian labour is not free from similar criticism for the same offence. The Report of the Bombay Disturbances Enquiry Committee[41] (Pp. 4-5) suggests that the strike movement in 1937-39 was due to the activities of the communist leaders and, in particular, of those who were set free by the withdrawal of the orders issued under the Bombay Special (Emergency) Power Act.[42] The truth, however, lies in a different direction. For a number of years, the workers had suffered from unemployment, wage reduction, excessive

[39] A publication by the Government of Madras, "*Madras Labour* (July 1937—October 1938)" says that during this period as many as 76 strikes took place (p. 1). The growing concern and anxiety of the Congress Governments at the epidemic of strikes that followed in the wake of their assumption of office in July 1937, made it necessary for them to enunciate their labour policy.

[40] *Organised Labour in Four Continents*: Chapter on France by A. Philip, p. 32.

[41] Appointed to enquire into the disturbances at the time of the One Day Protest strike on 7th November 1938 against the Industrial Disputes Act, 1938.

[42] To substantiate this charge the *Report* gives a series of facts: By October 1937, the Congress Government released all the persons who were detained from 1934 under the Bombay Special (Emergency) Powers Act of 1932 and cancelled all the orders made against them. About the same time the Girni Kamgar Union (Red Flag) revived its activities and their newspaper 'Kranti' restarted publication on the 4th September 1937. Between 14th November 1937 and 16th February 1938, 45 meetings were held under the auspices of the Girni Kamgar Union in several of which threats of strikes were held out. On the 18th January 1938, a declaration for a new paper, the *National Front* was filed.

hours of work and continuous lowering of their standard of living.[43] The advent of a popular government brought to the suffering masses an opportunity to improve their conditions. For these reasons the inspiration to strike came from the depths of the working class consciousness, escaping at the beginning from all control by the unions and, even more, from the authority of any political party whatever.[44] As for the Government it was obliged to devote its time to the work of conciliation, arbitration and social legislation. The various Provincial Governments in India secured the passage through the Assemblies of a mass of social legislation, with a view to change, from top to bottom, the conditions of working class life in India.

Congress Labour Policy:

Before we criticize the Labour Policy of the Congress Governments, we must first examine the promises given by them. The Congress Election Manifesto assured the industrial workers "to secure to them a decent standard of living, hours of work, and conditions of labour in conformity, as far as the economic conditions in the country permit with international standard, suitable machinery for the settlement of disputes between employers and workmen, protection against the economic consequences of old age, sickness and unemployment and the right of workers to form unions and to strike for the protection of their interests." These promises were repeated when the Congress assumed office in the various provinces. The attitude of the Indian National Congress towards labour, expressed in the Karachi Resolution, was the primary source of the labour policy of the Congress Governments. In a communique of 17-8-1940, the Bombay Government assured the industrial workers of a "minimum living standard, security of service,

[43] The Parliamentary Secretary of Labour in the Congress Ministry of Bombay writes, "The textile labour in the Province generally and in the Bombay City particularly had had legitimate grounds for dissatisfaction: The earnings of the workers bore no sensible relation to the human requirements of the simplest possible life in a large urban area. Wage-cuts in the textile industry had aggravated the difficulties of a worker's life. The extent of unemployment and under-employment was fairly wide, but no attempts had been made to measure them or deal with them. It was apparent that the incoming of a popular Government would awaken aspirations, create expectations and give a fillip to labour legislation for better things." *Social Welfare of* 26-9-1940.

[44] *Organised Labour in Four Continents*, p. 33.

alternative occupation in the case of unemployment and opportunity to improve his social status . If we examine the actions of the Congress Governments, in the light of the promises given, we cannot but remark that they fall short of expectations. No doubt the Congress Governments appointed various labour enquiry committees in Bombay, C.P., Cawnpore, Bihar and other places and collected the necessary statistics on whose basis they were going to pass social legislation. Unfortunately for labour, in less than two and half years the Congress terminated its own regime and left to the winds a number of schemes and bills that were drafted but not passed because of lack of time. Some of these were the sickness insurance scheme of the Bombay Government, the housing scheme of the U.P. Government, Trade Disputes Bills of Madras and U.P. and Shop Assistants Bill of U.P. An elaborate scheme of Labour Exchange in Bombay could not be passed because of the reluctance of the employers.

But instead of roaming in the world of things, that would have been, let us examine what the Congress Ministries actually did for labour. For the sake of brevity and convenience let us take only two of the industrially advanced Congress governed provinces and see the attempts of Congress cabinets to improve the working conditions of labour. In a series of articles in the Social Welfare (September-October 1940) Mr. Gulzarilal Nanda, the then Parliamentary Secretary of Labour of the Bombay Government, elaborates 'the promise made to labour by the Congress Ministry' and the fulfilment of that promise. "The Government of Bombay had embarked on an ambitious programme of pushing towards a living wage standard, improving working conditions, providing protection against hazards of sickness and unemployment and creating a social environment in which the working class could approach towards a decent, healthy and normal level of existence." Unfortunately for labour, the expectations it entertained proved to be rather futile and in some respects the Congress Governments proved more reactionary than even the preceding bureaucratic government. The Bombay In-

dustrial Disputes Act, aimed to prevent lightning and unnecessary strikes and lockouts, had the distinction of being condemned by almost all the non-Congress labour leaders. Similar bills were drafted by Madras and U.P. Governments but they were not passed owing to the termination of the Congress regime. The Textile Enquiry Committee, which was appointed just after the establishment of the Congress Ministry, published its report in 1941, when the Congress was not in office. On the recommendation of its interim report, the workers got a wage increase of about 10 to 12 per cent., adding about one crore and ten lakhs of rupees annually to the Wage Bill. This was one of the bright features in the Congress policy, but it must be admitted that if the Congress would not have granted the wage increase the result would have been serious industrial unrest. The Prohibition scheme, though enforced in good spirit and intention, had in it a number of legal loopholes, which were soon exposed, making the whole scheme unworkable. The other labour activities of the Bombay Government are of minor importance and consist of the extension of the Factories Act and of the Payment of Wages Act, the Shops and Establishments Act, Literacy Campaign and Labour Welfare.

As for the U.P. Government, the record of work is still more unsatisfactory. An authoritative Report published in 1940 gives only three labour activities: the appointment of the Cawnpore Labour Enquiry Committee (1937), the U.P. Sugar Control Act (1938) and the U.P. Maternity Welfare Act (1939). In spite of the Enquiry Committee, Cawnpore was the scene of two big General Strikes, waged on an unprecedented scale, in 1937 and 1939. The settlement of the first strike was brought about by the Government, giving thereby an annual wage increase of about 10-12 lakhs of rupees to the workers. The U.P. Sugar Control Act was passed to improve the appalling working conditions (low wages and high hours) of labour in the sugar industry. An Industrial Housing Scheme costing about Rs. 50 lakhs, a Trade Disputes Bill drafted on the lines of the Bombay Act,

and a Shop Assistants' Bill could not be passed, as the Congress Ministries resigned in 1939. The Indian Labour Movement thereafter took quite a new turn.

Labour in War Time:

The high prices of articles, new demands on labour for more production and the peculiar war situation created a number of new problems for Indian labour. Some of these like the industrial unrest and demand for dearness allowance have not yet been completely solved. After the failure of negotiations and conciliations, strikes were launched in various industrial centres with a demand of dearness allowance. Bombay experienced a general strike in the textile industry for the eighth time since 1918. Cawnpore was the scene of another general textile strike. The wave of industrial unrest rolled practically over all the provinces and industries. The Indian trade unions came forward to demand dearness allowance for the workers and when they could not get satisfactory results launched the strikes.

The war has a definite influence on Indian labour. The Defence of India Act and the Satyagrah Movement took many active Trade Unionists to jail. The lukewarm policy of the Trade Union Congress regarding war deprived it of some trade unionists, who started another organisation, under the name of the Indian Federation of Labour. The question of labour legislation has lately come to the forefront and to this effect the Government of India convened a number of conferences with the representatives of labour.

Labour in Postwar Period:

The cessation of hostilities has created a number of problems, out of which the most important is the resettlement of soldiers. The spectre of unemployment looms ahead. It is too early to examine the various measures adopted by the Government to solve their postwar problems. It may be said, however, that the co-operation of organised labour will be highly essential and valuable in all these measures.

Between the two world wars, the right and freedom of association was curtailed in a number of countries under the

influence of the totalitarian countries. There was a progressive seizure of control of the employers' associations and of the trade unions by the State. The end of the second World War involved the collapse of the totalitarian States and marked a decisive turning in the evolution of trade unionism.[44] India, though she did not come under the influence of totalitarian regime, has been affected in various ways by war. Her complete independence after the war, however, may mark a new era for the industrial workers in India.

Conclusion:

The position of Indian labour today bears a striking similarity to that after the Great War. Once again we had to pass through a World War. Is our Labour Movement going to repeat its own history or going to have a new landmark in the form of a sudden progress after the present war? The end of the last war saw the birth of our trade unionism, that of the present may see the formation of a Labour Party. Indian trade unionism in the modern sense was yet to be born in 1914-18. The peculiar economic condition in the immediate postwar period gave birth to our Trade Union Movement. Since then the Movement has had a chequered growth. The experiences the workers have gained, the hardship they had suffered, the inevitable splits they had to bring about and the final union in which they succeeded—all these factors may serve in the future guidance of our Movement. Standing amidst the passing clouds of the postwar period, one cannot fail to see the bright future of our trade unionism. We have seen how the industrial worker has gained much in his status, during the last twenty years, by resorting to unionism and collective action. Class conciousness has arisen, strikes had been conducted, elections had been fought and won and the cause of the workers had been championed in India and abroad. The various legal enactments are not mainly the

[44] See in this respect, the I.L.O. Report on 'Freedom of Association and Industrial Relations' (Seventh Item on the Agenda of the 30th Session of the International Labour Conference, Geneva, 1947). The Report describes the measures taken by various Governments to re-organise trade union rights in the post-war period.

products of the spontaneous wishes of the Government, but of the continuous struggle the workers had to wage. This struggle has been intensified in the postwar period when the rising prices and the industrial boom have provided a field for active trade unionism. Besides, the war-time necessities have trained a number of workers and the skilled industrial worker is an asset to trade unionism. In the field of politics however Indian Labour has yet to play its part. The necessity of a Labour Party for India was felt never before so important as at present. The franchise has been already widened, though to a very small extent, with the result that Indian Labour gained a few more seats in the legislatures. At present, it remains the foremost duty of our trade unions to train the workers and peasants for the mighty role they are going to play in the near future and to that end these workers' organisations may serve as the finest schools for the workers.

PART II: HISTORY OF INDIAN TRADE UNIONISM

CHAPTER V

INDIAN TRADE UNIONISM TO-DAY

Extent and Scope of Indian Trade Unionism. Various Estimates:

The History of Indian Trade Unionism would not be complete unless we judge the scope of trade unionism, measure the extent of workers organised and examine the difficulties that stand in the way of organisation of Indian workers. India is still primarily an agricultural country with a population of about 400 millions. The country is slowly and gradually experiencing the transition from agriculture to industry and hence the number of industrial workers, that can be organised into trade unions, has been on the increase. Even as early as 1922, India was recognised by the I. L. O. as one of the foremost industrial countries of the world. In a memorandum prepared by the India Office and submitted to the I.L.O. for the recognition of India as an industrial country, it had been proved that industrially India was overwhelmingly more important than Italy, Belgium, Japan or Switzerland, as can be seen from the following table, expressed in index numbers.

TABLE No. 12

Industrial Importance of India (compared with some other countries)—1922

	India	Italy	Belgium	Japan	Switzerland
Agricultural workers	100	8	7	..	0.5
Maritime workers ..	100	43	4	97	..
Workers in industries mining & transport	100	24	8	10	5
Total occupied workers	100	11	3	19	1

India at that time had "28 million agricultural workers excluding peasant proprietors, 141,000 maritime workers, lascars etc.—a figure second only to that of the United Kingdom; over 20 million workers in industry, including cottage industries, mines and transport, and railway mileage in excess of that in every country except the U.S.A."[1] Writing in 1927 about the extent of trade unionism, Mr. N. M. Joshi estimated the total number of wage-earning employees as about 99 millions.[2]

TABLE No. 13

Estimate of Wage-Earning Employees in India in 1927

		millions
I.	Agriculture	
	(i) Landless Labourers	25
	(ii) Partial Wage-earners	50
II.	Industry and Mining	12.1
III.	Transport	1.5
IV.	Trade	4
V.	Public Administration	4
VI.	Domestic Services	2.5
	TOTAL ..	99.1

Out of these 99.1 millions about 3½ millions were in organised industries and hence are easily organisable. To this can be added about half a million employees of the State and an equal number of domestic servants thus arriving at a total of 4½ millions—workers employed in organised industries. In an exhaustive table a part of which is given below in *'The Trade Union Movement in India'* Mr. Joshi summarises these figures:

[1] *Memorandum* submitted by the India Office to I. L. O. (Geneva) in 1922.
[2] *'Trade Union Movement in India.'*

TABLE No. 14

Organised Labour in India in 1927

Name of occupation	Total population supported	Total No. of actual workers	Total estimated No. of wage-earning employees	Estimated No. of wage employees in organised industry	No. of members of unions.
1. Agriculture	2,31,000,000	1,00,000,000	25,000,000	821,000	——
2. General—industries including mining	33,642,000	15,517,000	12,147,000	1,751,000	68,000
3. Transport	4,300,000	1,900,000	1,500,000	1,055,000	75,000
4. Commerce	18,000,000	8,000,000	4,000,000	100,000	5,000
5. Domestic Service	4,500,000	2,500,000	2,500,000	500,000	——
6. Public Administration ..	9,800,000	4,000,000	4,000,000	500,000	50,000
	3,01,242,000	1,31,917,000	49,147,000	4,727,000	198,000

Mr. V. V. Giri, in his Presidential Address to the First Session of the Indian Trades Union Federation (1932) estimated the total number of wage earners to be between 45 and 60 millions.[3]

The 1931 Census gives the number of agricultural workers as 31.5 million of whom 23 million were estimated by the Indian Franchise Committee in 1931 to be "landless". The same Committee estimated the total number of non-agricultural labourers as 25 million.[4] Both the Census and the Indian Franchise Committee of 1932 estimated that the total number of workers in organised industry would be about 5 million in 1931.

Different Types of Workers:

Before we analyse these figures, it is necessary to distinguish between different types of workers viewed from the point of employment. The persons who are to be organised into trade unions must be wage earners i.e. employed in regulated or unregulated industries. The unions of the workers who are unemployed will not be so fruitful though they might be desirable. The primary function of a trade union is to maintain and to improve the standard of living of the workers and one of the weapons to this end is the withholding of labour i.e. the strike. A labour force that is unemployed can be of no use in a strike, though the organisation of such persons has certainly some effect upon the general status of the workers. These unemployed, however, must be distinguished from the unemployables. A large number of workers is thrown idle in times of depression (as in 1931-34 in India) on account of the closing down of the mills. These people are employable but are unemployed, i.e., they are both willing and able to work but find no work. The unemployables are persons who, notwithstanding the

[3] Classifying them as: Agricultural Labourers—27.8 millions; Transport—1.5 million; Public Administration—1 million; Industry—11.8 millions and Trade—4 millions. Of these, according to Mr. Giri only a small number i.e. about 4 lakhs had been organised: The All-India Railwaymen's Federation—1.6 lakhs; the All-India Trade Union Congress—1.04 lakh and the Trades Union Federation 0.664 lakh.

[4] The Geneva publication on Indian Labour—"*The Industrial Labour in India*"—concludes from these figures that 'there are about 56.5 million wage-labourers out of 154 million persons in all occupations in the whole of India, or in other words, over 36 per cent. of the people in all occupations depend upon wage-labour as a means of livelihood.' (p. 30).

increased demand for adult male labour and independent female labour, prove to be incapable of earnng the National Income whatsoever.[5] The class of the temporarily unemployed can be organised into trade unions and hence as far as organisation is concerned it stands in the same line as that of actual wage earners. The unemployables have a parasitic effect on the National Income, considered from the economic point of view. These people are divided by the Webbs into three classes.[6]

A 'Revised' Estimate:

So when we examine the extent of the organisable persons in trade unions, we are to take into account both the employed and the temporarily unemployed. The 1931 Census gives the statistics of actual workers i.e. of earners plus working dependents. The table on p. 114 has been compiled from the 1931 Census, by taking only the figures of those persons, who can be organised into trade unions.

Strength of Indian Trade Unionism:[7]

The question naturally arises: How many workers, out of a total of 67½ million that can be organised, have actually entered the fold of Indian trade unionism? We have seen how the paucity of statistics hampers any attempt to measure accurately the scope and extent of organised labour. A rough estimate, though its accuracy might be challenged, can be given from calculations arrived at, after checking the figures of unions registered under the Act and of those affiliated to the All-India Trade Congress. In 1938 there were 420 registered trade unions out of which 343 had a membership of 390,112. The number of unions affiliated to

[5] Webb—*Industrial Democracy*, p. 784.

[6] Webb—*Industrial Democracy*, p. 785. The first class is that of the children, the aged and the child-bearing women who should not be compelled by their necessities to earn their own maintenance in the labour market. To this class may also be added the female and juvenile labour that is dismissed after a certain period of work, as is the case in Japan. The second class consists of persons who are physically, mentally or morally deficient such as the sick and the crippled, the idiots and the lunatics, the epileptic, the blind, the deaf and the dumb, the criminals and the incorrigibly idle. In the third class, come the men and women, who without suffering from apparent disease of body or mind are deficient in strength, speed or skill, that they are incapable of producing their maintenance in any occupation whatsoever.

[7] Census figures of 1931 and trade union figures of 1937-1940 have been taken as a basis for estimating the strength of Indian trade unionism. 1941 census figures have not been found to be of much use mainly because they are not complete in some respects.

TABLE No. 15

Census of India: 1931*

Name of occupation.	Total Number following occupation.	Actual workers (Earners & working depdts.) Male	Female	Total
Agricultural Labourers	33,523,423	17,110,466	14,369,753	31,480,219
Plantations	1,124,413	1,032,132	40,243	1,072,375
Mines and Quarries	404,262	259,583	86,417	346,000
Industry	17,523,982	10,797,527	4,554,426	15,351,953
Harbours, Docks, Rivers, Canals	94,983	80,656	9,383	90,039
Roads, Bridges, Porters, Messengers	684,667	438,347	156,323	594,670
Railway Construction, Porters, Coolies ..	315,512	238,947	40,212	279,159
Posts, Telegraphs, Telephone	89,255	82,752	816	83,568
Administration	387,578	363,325	3,829	367,154
Municipal and Local Service	151,060	134,403	10,614	145,017
Clerks and Servants connected with education ..	40,960	35,690	3,113	38,803
Domestic Service	12,674,110	2,094,487	8,803,790	10,898,277
Labourers otherwise unspecified	7,518,314	3,752,546	3,122,718	6,875,264
TOTAL	74,532,519	36,420,861	31,201,637	67,622,498

* Similar figures for 1941 are not available.

the All-India Trade Union Congress at the time of its 18th Session in Bombay (1940) was 198 with a membership of 348,003. Province by Province we can take the number of unions affiliated and registered and from the total substract the number of those that are common.

TABLE No. 16

Estimated Number of Trade Unions: 1937-39

Province	Year	No. of regd. unions.	No. of unions affiliated to T.U.C. 1940.	No. of unions common to both and membership.	Total excluding common unions.
Bengal	1938–39	191	68	41(66553)	218
Bihar-Orissa	1938–39	18	7	5(8478)	20
Ajmer-Merwara	1938–39	2	..	..	2
C.P.-Berar	1938–39	35	13	7(5177)	41
U.P.	1938–39	40	10	5(11800)	45
The Punjab	1937–38	22	5	2(7000)	25
N.W.F.P.	1937–38	3	..	..	3
Indian States	1937–38	..	4	..	4
TOTAL (*for some provinces*)		311	107	60(99008)	358

To this figure of 358 unions should be added 181 unions of Bombay (registered, affiliated and others)[8], 54 of Madras (registered 1937-38), 22 of Sind (registered 1937-38) and 18 of Delhi (registered 1937-38). The grand total comes to 633 unions, excluding of course a number of unions which are neither affiliated nor registered. This class which we have omitted cannot be neglected. The Ahmedabad Textile Association, the most stable labour federation of India, belonged to this class till 1935, when the prospects of labour representation under Provincial Autonomy lured it to register under the Act. Even now there is much reason to estimate that a number of unions belong to this class as can be seen from the fact that in 1940 out of 181 unions of Bombay Province, 58 have been neither affiliated to, the

[8] Compiled by *Labour Gazette* (1940), Bombay.

TABLE No. 17

Estimated Trade Union Membership

Province	Year	Returns of Regd. Unions		Unions affiliated to T.U.C.		Unions common		Total Membership excluding common.
		No.	Membership	No.	Membership	No.	Membership	
Bengal ..	1938-39	130	95,938	68	1,13,375	41	66,653	1,42,660
Bihar-Orissa ..	1938-39	10	23,992	7	8,549	5	8,478	24,063
Ajmera-Merwara	1938-39	2	304	—	—	—	—	304
C.P. & Berar ..	1938-39	30	13,377	13	10,404	7	5,177	18,604
U. P. ..	1938-39	16	23,414	10	16,400	5	11,800	28,014
Punjab ..	1937-38	22	56,544	5	11,136	2	7,000	60,680
Indian States ..	1937-38	2	155	—	—	—	—	155
N.W.F.P. ..	1937-38	—	—	4	12,845	—	—	12,845
	TOTAL	212	2,13,724	107	1,72,709	60	99,108	2,87,325

Trade Union Congress nor registered under the Act. Calculating from the same proportion of 123:58 we get 298 unions non-registered and non-affiliated. The total then comes to 931 unions. Roughly we can say that in 1938-40 there were about 900 trade unions in India.

Still less confidently can we speak of the membership of our unions. Membership is often irregular and many members are retained on the books even though they have long ceased to pay any subscription. A number of unions pay to the All-India Trade Union Congress high affiliation fees, quite out of proportion to their membership, only to have a voice in the Congress. Their membership is often estimated from the affiliation fees they pay and hence is generally in round figures. Quite a large number of trade unions fail to submit their annual returns while in a few cases the returns submitted are not acceptable. In view of these facts it is but natural that any estimate that has to be attempted would be but approximate. We follow the same method as was used in estimating the number of unions.

It should be noted that the figures 287,325 is the membership of 259 unions (212+107 — 60) and not of 358 unions which we have estimated in the preceding table. 99 unions had either failed to submit their returns or their returns were not acceptable. To this can be added the membership of 143,455 of 181 Bombay unions; 55,355 of 30 Madras unions (affiliated to the T. U. Congress 1940): 9,575 of 22 Sind unions and 15,310 of 17 Delhi unions. This brings the total to 511,120. About 100 unions have not submitted their returns under the Act and hence their membership has been naturally excluded in our estimate. Besides there are 298 unions, that we estimated as non-affiliated and non-registered. Thus there remain about 400 unions whose membership must be added to the total estimate we have reached. The average membership per registered union has been 3,409 in 1927-28, 1,145 in 1936-37 and 1,137 in 1937-38. It should however be noted that the unions which do not register nor affiliate have generally very small membership mainly because the advantages of registration and affiliation are obtained by unions with bigger membership. Unions

with a few members neither care to register nor desire to affiliate to any central organisation as their character is largely ephemeral. It is for this reason that we cannot take the averages mentioned above for our purpose. The average membership of 58 Bombay unions, that are neither affiliated to the Trade Union Congress nor registered under the Act, comes to 222. So taking this average for our purpose we get the membership of 398 unions as 88,356. Added to our first total of 511,120, the final figure is 599,476. From this we may conclude that between 1938-40, there were about 900 unions in India with an approximate membership of 6 lakhs.[9]

During war-time the trade union movement gained considerable momentum as can be seen from the following figures:

	Unions	Membership
(i) Number of unions registered under the T.U. Act in 1944-45	865	8,89,388
(ii) Number of unions affiliated to the All- India Trade Union Congress in January 1947	608	7,26,439
(iii) Number of unions affiliated to the Indian Federation of Labour in 1946	134	3,13,807

Besides, there are a number of unions, which are either unregistered or non-affiliated and some of which have recently formed the Indian National Trade Union Congress. A very rough estimate of about 1,200 unions with about 1½ million members may not be far wide of mark.

Thus out of 67½ millions of workers that can be organised into trade unions, only 6 lakhs had been organised in 1938-40 i.e. about 0.9 per cent. One of the main reasons of

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[9] The following figures show the further development of Indian trade unionism:

	No. of unions	Membership
(i) Unions registered under the T. U. Act, 1941-42	747	5,73,520
(ii) Unions affiliated to the T. U. Congress, 1943	256	3,18,244
(iii) Unions affiliated to the Indian Federation of Labour (including unions of its Associated Member) 1943	289	5,29,818

It is unlikely that the two All-India organisations have any common unions; so, if their figures are correct, between them they have 545 unions with 8,48,062 member. However, we have already 747 registered unions. Adding to this a large number of unregistered unions we can roughly claim to have about 1,000 unions with 10 lakhs of members. Most of this increase may be a war-time growth.

this low percentage is the absence of trade unions among the agricultural labourers. This class of workers forms about 31½ million out of 67½ million and hence deserves great attention. If we take only the non-agricultural workers i.e. those working in mines, industries, plantations, transport, administrative and domestic services, we get only 36 million workers that are to be organised. Then the percentage of the organised workers to the total workers that can be organised comes to 1.4 for India. It must be admitted that this percentage cuts a sorry figure, if we look to the percentages of other principal industrial countries (compiled from a number of sources).

TABLE No. 18

Extent of Organised Labour in Some Countries

Name of the country.	Year.	Approximate No. of wage earners.	Approximate No. of T. U. membership.	Percentage of workers organised.
		millions	millions	
1. Great Britain ..	1938	18.00	6.00	33.3
2. U. S. A. ..	1930	33.24	3.39	10.2
3. Japan ..	1937	6.42	0.395	6.1
4. China ..	1930	4.37	0.574	13.2
5. U. S. S. R. ..	1937	25.4	22.00	84.0
6. Australia ..	1936	1.698	0.814	48.0
7. Canada ..	1931	2.57	0.31	13.0

The strength of our Trade Union Movement has been variously estimated. Mr. M. N. Roy estimates the proportion as about 10 per cent.[10], while Mr. B. Shiva Rao arrives at an estimate of about 250,000 workers.[11] The Directory of Trade Unions, published by the All-India Trade Union Congress, collected in 1925 statistics of about 167 unions of which 68 unions had 2,23,337 members. Mr. N. M. Joshi's estimate in 1927 was 164 unions with 196,500 members.[12]

[10] *Our Differences*, p. 119.
[11] *Industrial Worker in India*, p. 149.
[12] *T. U. Movement in India.*

Agricultural Trade Unions:

We now come to the problem of the 31½ millions of agricultural wage earners. The first question that naturally faces us is whether the organisations of these people can be called trade unions. We hear of the Ryot Sabhas or Kisan Sabhas that are set up to organise the Kisans of India. The growth of these organisations is of recent date. In October, 1935, the All-India Peasants' Committee came into existence and the first session of the All-India Kisan Conference, under the presidentship of Swami Sahajanand, was held at Lucknow in April 1936. The objects and main task of the Sabha are stated in the following resolution passed at its first Congress (Lucknow 11-4-1936):

> "The object of the Kisan Movement is to secure complete freedom from economic exploitation and the achievement of full economic and political power for the peasants and workers and all other exploited classes.
>
> "The main task of the Kisan Movement shall be the organisation of peasants to fight for their immediate political and economic demands in order to prepare them for their emancipation from every form of exploitation.
>
> "The Kisan Movement stands for the achievement of ultimate economic and political power for the producing masses through its active participation in the national struggle for winning complete independence."

The Sabha in a very short time proved to be a great force, bringing lakhs of workers under its fold, by making them more and more conscious, politically and economically of their basic problems. Its activities are confined only to those who live by the cultivation of the soil—and this class includes not only the ryots, the tenants and the landless labourers but in some places the petty zamindars.[13] Most of the work of the Sabha is therefore done among the agricultural workers, scattered over a very large area, illiterate and the lowest paid in the country.

It is doubtful whether the Kisan Sabhas can be called trade unions. In as much as they organise the agricultural *wage earners*, they are within the scope of trade unionism but when they extend their scope to agriculturists other than

[13] Prof. N. G. Ranga—*Kisan Handbook*, p. 4. Professor Ranga, however, revived in 1944, the All-India Kisan Congress, when he found the Sabha 'communist-ridden.'

landless labourers, who are mere wage-earners, they are not entitled to be called trade unions in the strict sense of the word. There are agricultural unions in India and four of them were affiliated to the Trade Union Congress, with a combined membership of 1,458 in 1943. In India a large number of agriculturists are peasant proprietors or tenant cultivators—a class that cannot be organised into trade unions. One of the demands of the All-India Kisan Sabha is an enactment of a "Peasants' Union Act", to safeguard their fundamental rights by collective action. This fact shows the reluctance of the peasant organisations to make use of the Trade Unions Act of 1926.

In the relations of the Sabha with the All-India Trade Union Congress, and the Indian National Congress, we find a sincere desire to co-operate with all other anti-Imperialist organisations "to develop and strengthen the anti-Imperialist and anti-Fascist United Front". Appeals were made by the Sabha to develop a United Front on the basis of the minimum demands of the peasants and workers as formulated by the All-India Kisan Conference and the All-India Trade Union Congress. The desire of the Sabha was reciprocated by the Trade Union Congress when on July 23rd 1939, its Working Committee appointed five representatives to serve on the Joint Committee formed with the Kisan Sabha for a combined drive against exploitation by the landlords and the capitalists. Generally speaking, industrial workers and the peasants have very little interest in each other. "Unity is brought about through leaders in both fields and the rank and file have very little responsibility for it." [14]

Difficulties in Labour Organisation:

The Indian Trade Union Movement had never had in its fold more than two percent of the total Indian Labour that is organisable. What are the obstacles that stand in the way of our trade unionists to make our unions more democratic, more representative of the workers? 'Cent percent unionism' is an ideal difficult to be achieved. Even in Russia and Germany, where union membership had been theoreti-

[14] Harada—*Labour conditions in Japan*, p. 216.

cally voluntary but practically compulsory, all the wage earners could not be brought within the fold of trade unionism. A trade unionist in India has to face a number of difficulties in the stupendous task of organising a large number of people, mostly illiterate, with special characteristics of their own; some like the colliery labourers are not concentrated in a single place, others like the plantation labourers are closely guarded by their employers, while still others like the Jetty or Dock labourers are nomadic in character.

The difficulties that confront an Indian trade unionist in his endeavours to build up the movement are both internal and external. According to the Royal Commission on Labour they are internal rather than external, i.e. they come from labour itself.[15] The urge to lessen the difficulties of a trade unionist must come from the workers themselves. No amount of legal enactment, outside help, and state intervention will be of any avail, if the masses themselves are either indifferent or unwilling to co-operate sincerely in the attempts towards their own welfare.[16]

Illiteracy:

The greatest obstacle that stands in the way of the welfare of the worker is his illiteracy. Lack of education is the cause of many other difficulties that face an active trade unionist when he tries to organise the unorganised. In India, nearly the whole mass of industrial labour is illiterate, a state of affairs which is unknown in any other country of industrial importance.[17] The consequences of this disability are obvious in wages, in health, in productivity, in organisation and in several other directions. Illiteracy gives room for victimisation, intimidation, harassment and ill-treatment. "Workers are marked for special treatment for their being members of the union; they are refused re-employment

[15] *Report*, p. 321.

[16] K. C. Roy Choudhary in the *Journal of Indian Industries and Labour*, (1923), writes, "What is essentially wanting in India is the spirit of association among our working classes, not merely for collective bargaining, but for mutual benefit, co-operative efforts for education, economic improvement and similar constructive labour schemes."

[17] *Report*—Royal Commission on Labour, p. 27.

owing to their having taken part in the last strike and in the organisation of the union; workers are dismissed under one pretext or another, gratuity is refused to workers on the ground that their applications came through the union: and jobbers when approached by the union members about some difficulties ask them to go to the union."[18]

The lack of education has also its moral effect upon the worker when it becomes very difficult to induce him to spend money by way of subscriptions to trade unions. The Indian workman wants obvious and immediate return for the money he spends and therefore is very reluctant to take a long view.[19] Co-operative saving for future benefits makes no appeal to him and our trade unions find it rather difficult to collect subscriptions from a worker who measures all the benefits from a union in terms of money.

Low Wages and Indebtedness:

Another serious difficulty in the way of organisation is created by the prevalence of low wages and indebtedness of our workers—factors partly the result of lack of education. Indian industrial worker is generally born in debt or comes to industry because he is in debt. Expenditure on festivals, on births, deaths and other events of life are the main causes that aggravate the economic position of a man whose income is little more than sufficient for bare necessities. Low wages and indebtedness of the workers affect their organisation in two ways: to a poor worker, especially when he is in debt, even a small subscription can be an appreciable burden. One of the main reasons of the attitude of our workers either to remain aloof from unionism or to fail to pay subscriptions for months together is their poverty. The second effect of a non-living wage is the lack of energy and leisure for union activity among the workers. An industrial worker whose wages and leisure are barely adequate for sustained work in the factory is not likely to find time or

[18] R. R. Bakhale—Article on 'Difficulties in Labour Organisation' in *Social Service Quarterly*, January 1927.

[19] Royal Commission *Report*, p. 322: also Shiva Ram—*State in Relation to Labour in India*, Ch. VI.

energy for any outside work.[20] In this fact lies one of the reasons of the dearth of active trade unionists from among the workers themselves.

Lack of Funds:

The strength of a union is generally measured from its financial position. In India, low membership, poverty among the workers, indebtedness and lack of education prevent a trade union from being financially sound. Few trade unions can afford to conduct benevolent work, while various insurance schemes and benefits are conspicuous by their absence in our unions. Too often in our country, the workers act on the belief that the union is a mere charity organisation that has got to help the strikers without going into the merits of the strike. The majority of our unions are short of funds and even these, sometimes, are drained away in expensive strikes, lockouts, injunctions, legal fees and other items that bulk so large in the balance sheets of our trade unions. The Indian Quarter-Masters' Union of Bengal suffered a loss of Rs. 4,000 on the failure of the Bengal National Bank, and of Rs. 6,000 more due to constant litigation with the intermediaries.[21].

Propaganda:

Much of the work of an Indian trade unionist is handicapped by the absence of a definite organisational propaganda. The Press, Platform, Pictures and the Party are some of the important organs of propaganda. Indian Press is indifferent to labour problems as can be seen from the fact that even the annual sessions of the Trade Union Congress do not attract as much attention as they deserve. An All-India Labour Party, on the lines of the British Labour Party, is yet to be born. Due to lack of adequate funds and of active co-operation of the masses, Indian labour cannot afford a labour press of its own. A political labour party, active propagandists among the masses, and labour journals both in English and Indian languages would pave the way for a strong and healthy organisation.

[20] Report: Royal Commission on Labour, p. 321.

[21] Evidence of the Union before Royal Commission on Labour, Vol. V, Part I, p. 435.

It proves rather costly to conduct a Study Camp or a Labour Journal. The Indian Federation of Labour conducted an All-India Trade Union Workers' Study Camp in September, 1943.[22] The expenses of the Camp amounted to Rs. 350-7-0. The following table shows the income and expenditure of the *Trade Union Record,* the official organ of the All-India Trade Union Congress:—

Period	Income			Expenditure		
	Rs.	a.	p.	Rs.	a.	p.
23-9-1940 to 30-11-1941	4	3	0	90	3	9
1-12-1941 to 31-3-1943	55	2	0	610	14	9
1-1-1945 to 31-12-1945	1,813	0	0	1,122	5	6
1-1-1946 to 31-12-1946	2,026	6	0	1,399	4	9

Class Consciousness:

Some of the pre-requisites of labour organisation, as we have seen before, are the existence of a more or less permanent class consciousness, of class-interests and the ability to maintain such interests.[23] With the industrial evolution in India, a new class, that of industrial workers, arose in our labour world. This class is chiefly drawn from rural areas and hence is still primarily agricultural in character. Though a distinct class of industrial workers arose in India, it is difficult to organise it owing to its rural character, consequent migratory nature and continuous labour turnover in our industries. The majority of our workers still remain "an inarticulate, incoherent and floating mass and have not yet become a self-conscious, independent, permanent class with a well-recognised status and with distinct rights and privileges as well as with well developed sense of duty and obligation in modern industrial society".[24] It is one of the basic principles that while capitalism creates the material pre-requisites for a higher system of the organisation of society, it also creates a distinct class of workers, the proletariat. Organisation being the only weapon in the hands of the working class in the struggle with the capitalists, the

[22] Details about this Camp can be found in the *Report* (Bombay, 1943, p. 20) and the *Bulletins* (June-July, 1943, pp. 42-48, and December, 1943 pp. 6-9) of the Indian Federation of Labour.

[23] R. K. Das—*Labour Movement in India,* Ch. V.

[24] Shiva Ram—*State in Relation to Labour in India,* Ch. VI.

former class grows more and more organised and more and more conscious of its own strength. These organisations usually take two forms: Trade Unions for economic struggle and Labour Parties for political struggle. It can thus be seen that "the development of modern mass production methods and the expanding inter-divisions within industries together with a growing line of distinction between the classes of society have been an important factor in supplying the necessary conditions for fostering the cause of labour movement."[25] Indian labour movement had these advantages but the lack of class consciousness, chiefly due to the temporary character of our labour, makes it difficult to organise. Those who frequently leave an industrial place, even for short spells, and frequently change their employer, are less inclined than more permanent workers to maintain a constant interest in any organisation. The majority of our industrial workers are emigrants from villages who are pushed to the city mainly because of the difficulty of finding an adequate livelihood in their rural areas. This problem of migration is one which sadly perplexes the industrialist, the humanitarian and the sociologist.[26] One of the evils of the large influx of workers into the city from outside is the formation of a potential source of supply of blacklegs during strikes.[27] It is a common feature that provincial feelings run high during the strikes in Bombay textile industry when the local employees accuse the Bhayyas and Pardeshis, recruited from Northern India, as black legs and scabs. Other consequences of the incessant migration are a low standard of technical efficiency, an abuse of responsibility arising from treatment of factory work as a disagreeable necessity only to be practised long enough to enable the workers to earn enough to return to his village, a social disruption separating the workers from his home and his family for long periods and the existence of a large class of parasites preying upon the worker and mulcting him of his wages.[28]

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[25] *Japan Manchoukuo Year Book*, 1939.

[26] Sir Stanley Reed's Introduction to Burnett-Hurst's—*Labour and Housing in Bombay City*.

[27] Shiva Rao—*Industrial Worker in India*, p. 159.

[28] Paper on '*Trade Unionism*' read by Prof. K. B. Madhav at the 10th Indian Economic Conference, 1927.

It is interesting to note here a curious feature of Japanese trade unionism where female labour is generally of a temporary character. A number of young women and girls serve with the sole object of earning a marriage dowry and hence after four or five years leave their jobs. The labour thus is casual and hence "unorganisable" in a trade union sense. Indian male labourers who serve to lessen their debt and the female labourers who work to add a little more to the meagre income of their household come under the same category. After their purpose is achieved they leave work either to go to their native places or to look after their family affairs.

Strikes:

Whether strikes form an obstacle to trade unionism, or a stimulus to it, is a question rather difficult to answer. Some of the strongest unions like the N. W. Railway Union, the Bombay Girni Kamgar Union, the Bombay Tramwaymen's Union, the Mazdoor Sabha (Cawnpore) and the Madras Textile Labour Union claimed record membership during the period they conducted some of the biggest strikes in India. After the failure of the strikes these unions which once commanded thousands of members, either completely broke up or fell into a state of complete insignificance. The following table shows the changes in the membership of the Bombay Girni Kamgar Union which evolved out of the Strike Committee set up to conduct the General Strike in Bombay Textile Industry in 1928.

TABLE NO. 19

Membership of Bombay Girni Kamgar Union, Bombay

Date	Membership
October 1928 (Strike Period)	324
January 1929 (Strike Period)	55,000
June 1930	800
April 1934 (Strike Period)	6,000
November 1938..	8,000
February 1940 (Strike Period)	35,000
March 1944	17,124

Similar is the development of the Mazdoor Sabha, Cawnpore.

The Sabha was insignificant before 1937, when the Communists captured it and conducted two big strikes. The membership rose to 30,000 which fell in 1938-39 to only 6,020. The Sabha conducted another strike in 1940.

It is only when distress is acute that our workers realise the great need for having sufficient funds, adequate power of resistance to carry on a strike and the necessity of organisation. Then either new organisations like the Textile Labour Unions of Bombay (1926) and Madras (1918) are set up or some old organisations like the Mazdoor Sabha, Cawnpore (1937) and the Bombay Girni Kamgar Union (1940) are revived. A large number of our trade unions owe their origin to strike committees. Instead of unions preceding the strikes, the strikes precede the unions. Failure of strikes damps the enthusiasm of workers, especially when the union does not provide the workers with social insurance and benefits thus attracting them even in times of peace.[29] The workers, discouraged and depressed, are divided and the employers' association finds no effective organisation with which they can negotiate, with the result that better understanding and relationship with the workers become exceedingly difficult of attainment.[30]

The powers of the workers on strike cannot, however, be undermined. The Bombay Industrial Disputes Committee (1921) was surprised at "the capacity of the operatives to remain on strike for considerable periods, despite lack of any visible organisation"; a moderate trade uninionist failed to understand "how the workers can maintain themselves and their families for a long time, without anything to fall back upon, with no earnings, no supplies or credit from the usual sources viz. the small shopkeepers."[31] The strikes reveal this power on the part of the employees to hold on with extra-ordinary tenacity and for incredibly long periods: hence it is generally in the periods of industrial disputes that we notice in India the growth of trade union membership.

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[29] *Report*—Bihar Labour Enquiry Committee—Para 537.

[30] *Report*—Royal Commission on Labour, p. 319.

[31] B. Shiva Rao—"*The Labourer*," p. 41 (Vol. II of '*India Analysed*' Series).

Legal Protection:

Another serious obstacle that hampered the growth of the Indian trade union movement for a number of years was inadequacy of legal protection. The Wadia case of Madras (1920) brought clearly to light this legal inadequacy. Even after the passing of the Trade Unions Act in 1926, unregistered unions have still to face the same difficulties as before.[32]

Communalism in Labour:

One of the most happy features of Indian trade unionism is that it is compartively free from communal and religious warfare. Indian politics of to-day experiences in no small measure the evil effects of communalism and it is important to note that the persons, who unsuccessfully tried to wreck up the labour movement, were politicians who have brought communalism in politics. Two powerful unions, the N. W. Railway Union (Membership 70,000) and the Madras Textile Labour Union, broke on the communal rock in 1928 and 1923 respectively. The Trade Union Congress in its Fifth Session (1925) passed a resolution, condemning labour organisation on communal basis.[33] From that time, Indian trade unionism was free from communalism till 1928 when some communal disturbances took places among the employees of B. N. Railway at Kharagpur. Mr. Tipler of the B. N. Railway Company in his evidence before the Rogers Retrenchment Enquiry Committee stated that the communal riots at Kharagpur made it easier for the Railway to control labour for the Kharagpur workshops. Except this incident, there was nothing to charge the trade union movement with communalism and M. Daud rightly said,[34] "In the trade unions in India, philanthropic workers of all castes, creeds and religions take equal share in the management of unions without communal bias."

[32] The legal aspect of trade unionism has already been studied in detail in Ch. II *Indian Trade Union Legislation.*

[33] Similar resolution was passed by the 15th T. U. C. Session, Bombay, 1936.

[34] Presidential Address, 9th T. U. C. Session, 1928.

Communalism in Indian labour met with its greatest success during 1929-1933, partly because Indian trade unionism, divided and depressed, was at its lowest ebb at this time. Though there were some communal organisations[35] already in the field, a number of new ones were started especially among the employees of railways and textiles. The Muslim Welfare Committee, representing the Muslim employees of the B. N. Railway was started at Kharagpur in September 1929 to safeguard the interests of the Musalman employees and their children.[36]. On similar lines was started in April 1930 the Grant Road Parsee Association Textile League, confined only to Parsees employed in the cotton mill industry in Bombay City. The All-India Postal and R.M.S. Association, with much difficulty, apparently got over a similar trouble by making a compromise with a communal union started by Muslims in North India.[37] Disruptive tactics on communal lines were also adopted by certain interested persons on G. I. P. Railway, by organising unions on communal lines. The G. I. P. Railway Workers' Union in a meeting on 26th August 1932 condemned such communal unions and advised the working class not to support them under any circumstances. The All-India Railwaymen's Federation and the National Union of Railwaymen of India and Burma ever censure each other as communal organisations.

Special electorates on communal, sectarian, racial and other bases in the 1935 Act have helped to inject the communal poison deep in our body politic.[38] On February 20, 1941 an unsuccessful resolution was moved in the Central Assembly recommending an abandonment of the Government's present policy of non-recognition of communal unions of Government employees.

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[35] Like the National Union of Railwaymen of India and Burma, the Anglo-Indian and Domiciled European Association and the All-India and Burma Covenanted Non-gazetted Railway Service Association.

[36] Details about the origin of this union can be found in the *evidence* of H. S. Surhawardy (President, Muslim Welfare Committee) before Royal Commission, Vol. VIII, Pt. I, p. 546. At present, there exists a Muslim organisation, the Muslim Council of Trade Unions.

[37] *Trade Union Record* May 1931 & Mr. V. V. Giri's Presidential Address 1st Session of I.T.U.F., Madras, 1932. Even now, there exists a Muslim Railway Employees' Federation.

[38] M. K. Bose—Presidential Address—Special Session of I.T.U.F. (1933).

Lingual Differences:

Similar to these recial and communal differences is the difference created by languages. India is like a huge continent, where it is natural to have different languages and communities. The difficulties created by them viz. the divisions which run across the lines on which trade unionism is to develop, can be minimised if we properly construct the structure of Indian Trade Unionism. This can be done by dividing India into linguistic provinces and establishing provincial committees of the central federations of Indian labour.

Rivalry among Leaders:

We often find that an Indian trade union is a house divided in itself. Two distinct groups of persons, members of the same union, but holding diametrically opposite views, claim to be the real representatives of the union. Some of our foremost unions experienced this ugly feature with the result of the formation of two weak unions or of lack of organisation among the persons once organised. The Madras Labour Union, (1924),[39] the N. W. Railway Union (1922, 1924, and 1925) the Bombay Girni Kamgar Union (1931 and 1935), the Bengal Jute Workers' Union (1929) and the Bombay Dock Workers' Union (1935) were some of the unions that had to suffer the evil effects of the rivalry among labour leaders. The second split in the All-India Trade Union Congress in 1931 was over the question of representation of the Bombay Girni Kamgar Union. In 1935, the T. U. Congress had to settle internal disputes in two unions—the Bombay G. K. Union and the Bombay Dock Workers' Union. A referendum of the members of both the sections in each union, eliminated from the T. U. Congress the section that was defeated. The two groups in the Bengal Jute Workers' Union dismissed each other from the union in 1929 and questioned the constitutionality of the procedure of the other party. The N. W. Railway Employees' Union

[39] The figures in brackets show the years in which the splits in the Unions took place.

took a more drastic step in 1925, when it raided the original body (the N. W. Railway Union) and took possession of all records and furniture.

The other effect of the rivalry of leaders in trade unions is the formation of rival unions, partly helped by employers and partly by interested parties. The Indian Seamen's Union, Bombay, with about 20,000 members was broken up by some interested persons forming another union under the name, the Bombay Seamen's Union in March 1926. In 1929, the G. I. P. Railwaymen's Union, one of the strongest unions with 42,000 membership was split up and the seceders formed a new union—the G.I.P. Railway Kamgar Union. In 1932, some 500 dissentients from the Bengal Mariners' Union (Membership 6,000) started a new union—the Inland Mariners' Union. The 15th Session of T. U. Congress condemned in 1926, a loyalist procapitalist Metal Workers' Union of Jamshedpur, set up as a rival organisation to the Jamshedpur Labour Association; the 16th Session expressed regret for setting up rival trade unions in cement and sugar factories in Bihar by some Congressmen. Rival unions were also set up against the Madras Labour Union (in 1926), N. W. Railway Union (1924) and the Calcutta Electric Supply Workers' Union.

Other obstacles:

The other obstacles to Indian trade unionism are the inefficiency of our leadership, domination of the intellectual class, rivalry of jobbers, sirdars, mistries, and other overseers, attitude of the State, the employers and the general public and the difficulties in the redress of grievances of the workers. These are some of the most controversial problems of Indian labour and hence should be discussed in detail. In some later chapters,[40] it has been shown how the violent opposition of the employers, the disinterested attitude of the Government, the indifference of the public and the faint-heartedness of the politicians have hindered the growth of Indian trade unionism.

[40] See the following Chapters, VI: *Trade Unions and the State,* VII: *Trade Unions and the Employers;* VIII: *Trade Unionism and Politics in India.*

PART III: TRADE UNION RELATIONS IN INDIA

CHAPTER VI

TRADE UNIONS AND THE STATE.

The State, as the supreme sovereign authority, claims the allegiance of all its citizens. As Mr. Milne-Baily ably points out, "Multiple allegiance has been recognised only in so far as allegiance to the State in those matters, which it chose to regard as vital, remained unquestioned. If a citizen's allegiance to some other institution, whether church or family, or to his individual 'conscience' came into conflict with the State's fiat, the latter must be obeyed."[1] Herein lies the reason why the State has everywhere looked askance on the birth of voluntary associations within itself such as political parties, labour unions and even economic organisations. The State is naturally afraid that these associations would command the allegiance of citizens and thereby threaten the sovereignty of the State itself.[2] This is the edifice on which the attitude of the Government towards labour is built.

Duties of the State towards Labour:

The State, as a guardian of its citizens, has certain duties and obligations towards labour. Its duties towards labour include the establishment and maintenance of industrial peace, abolition of unemployment, protection of the wage earners, increase in labour efficiency, industrial assurance against old age, injury and sickness, improvement in the conditions of employment, in short, preserving the general welfare of the society, by keeping labour efficient and contented. Most of these matters are beyond the powers both of employers and employees. The State, as a third party, is the most suitable agency for the solution of these problems. The Unemployment Insurance and the Health Insurance Schemes in Great Britain, under the Trade Union

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[1] Milne-Bailey—*Trade Unions and the State*, p. 20.

[2] Milne-Bailey—*Trade Union Documents*—Introduction, p. 1.

control, did not attain the present form till 1911, when under the National Unemployment (and Health) Insurance Schemes the British Government took them in their own hands.

State and Capital vs. Labour:

The problems of industrial relations belong to the triangular struggle of the State, Capital and Labour. Each of these parties has its own problems that cross those of the other two. The State as the supreme authority, the employers as the investors and the workers as active partners are all interested in the problems of the nation's industries and services. The State's problems lie in the sphere of maintenance of law and order, the employers are actuated with the motive of maximum profit-making, while the workers desire to improve their working lives. It is for this reason that the workers' organisations formed for the purpose of maintaining or improving the conditions of employment naturally come in opposition, not only with the employers' associations, but many a time also with the machinery of the State.

The conflict between the State and trade unionism takes a number of forms such as political strikes, defiance of State regulations and militant trade union activities. The State is perfectly justified in intervening in such matters, if they prove an obstacle to the maintenance of law and order. However, the extent of intervention has proved to be a problem of keen controversy. Generally speaking, the intervention of the State has been regarded as an intervention by an outside party. The State itself claims that it only intervenes in the dispute, if either of the parties breaks the law. Criticism however is levelled against the inclination of the State to intervene on the employers' side.[3]

By its very nature, it is not possible for the State to remain neutral in the struggles of the employees against the

[3] Milne-Bailey, for example writes, "In actual fact, so the unions contended, the laws were so unfairly framed that it was always the unions who broke them by the most innocent and necessary form of strike activity. In this way the State nearly always appeared to intervene on the employers' side and thus it gained in the minds of the workers, the reputation of being merely a tool of the employing class." (*Trade Unions and the State*, p. 27; see also p. 22.)

employers. The State, according to Prof. Laski, is simply coercive power and therefore has to protect the system of rights and duties of one process of economic relationships from invasion by another class, which seeks to change them in the interests of another process.[4] Though eventually the State inclines to the side of the employers, there are sufficient reasons to believe that the attitude of the State towards trade unionism is not previously thought out. The attitude assumes different forms in different circumstances. It lacks both unifomity and certainty.[5] The attitude of the State in case of industrial disputes varies according to the nature of the dispute. In common cases of disputes between workers and employers, the State is not directly concerned as it is above both the contending parties. The State, however, is a direct party if the dispute occurs in some service carried on by Government or in some industry whose continued operation is considered essential to the national safety or well-being. Any attempt towards organisation of workers in Government Services and public utility concerns throws an indirect challenge to the authority of the States. This challenge assumes an organised form, when a strike is waged, especially by the trade unions. When a large number of workers in State services obey some other authority than the State, it is but perfectly natural for the latter to feel that its own prestige is undermined. Very often the trade unions have to take measures against the State especially in such cases as bad conditions of employment in Government concerns, trade union restrictions on employees in public utilities and any reactionary labour legislation sponsored by the State. Sometimes, the conflict between the State and trade unions takes place also over political issues. The protest of British workers against the Government policy of aiding Poland against Soviet Russia (1920), the anti-Simon Commission demonstrations (1927) and the Bombay Political one day Protest Strike (1940) are some of the examples to prove this statement.

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[4] *'State in Theory and Practice.'*

[5] Speaking about the general labour policy of the Bombay Government, Mr. R. R. Bakhale remarked during the debates on the Bombay Trade Disputes Conciliation Bill (1934): "When there is a strike, Government gets panicky; when there is no strike, they assume an attitude of indifference."

Attitude of the State:

(i) *General Strikes*—The conflict between the State and the trade unions shows the greatest intensity in general strikes, in stoppages of public utility concerns and in disputes wherein the police and the army rise against the State on economic causes. The General Strike of Great Britain in 1926 affords a monumental example of how the State conceives in an industrial dispute some political object to overthrow the State. The Conservative Government of that time declared the General Strike to be a challenge and appealed to the public for support.[6] In the next year (1927) the Trade Unions and Trade Disputes Act was passed specially to prohibit general strike in British Industries. The provisions of the Act declared illegal any sympathetic strike or lock-out waged to coerce the Government by inflicting hardship on the community, any person declaring or furthering such a stoppage being guilty of a criminal offence. Framed on the same lines, the Indian Trade Disputes Act of 1929 declares those strikes illegal which have any object other than or in addition to the furtherance of a trade-dispute within the trade or industry in question or those strikes which inflict hardship upon the community or are intended in the opinion of the Government to coerce the Government. The recently enacted Industrial Disputes Act, 1947, is hardly an improvement in this respect.

(ii) *Strikes in Public Utilities*—Strikes in public utility concerns are discouraged, mainly because they mean suffering and hardship to the general public. Labour legislation of every country has got some provisions whereby a strike

[6] "The Message from the Prime Minister," issued on May 6, 1926, observed, "Constitutional Government is being attacked...Stand behind the Government who are doing their part, confident that you will co-operate in the measures they have undertaken to preserve the liberties and privileges of the people of these islands. The laws of England are the people's birthright. The laws are in your keeping. You have made Parliament their guardian. The General Strike is a challenge to Parliament and is the road to anarchy and ruin." The State accepted the challenge and in order to counterbalance the activities of the organised labour, started its own newspaper (the British Gazette), used the British Broadcasting Company for disseminating news bulletins and raised a special paid force under the name, the Civil Constabulary Reserve. The total cost incurred by the Government to suppress the General Strike amounted to £ 433,000 including £ 16,000 for the British Gazette, £ 65,000 for the Civil Constabulary Reserve and £ 100,000 for miscellaneous police expenditure.

in these important branches of industry is either declared illegal or is prohibited, if waged without giving notice. The Trades Disputes Act, 1929 and the Industrial Disputes Act, 1947 of our country make it illegal to withdraw labour from the public utility services, such as railways, postal services, water and light supply and public conservancy, unless each individual going on strike gives one month's notice in writing to the administration.

(iii) *Police or Army Strike*—In India, we recently witnessed in Delhi and Bihar a serious rising of the police, that can be called a strike, similar to the rising of the British police in 1918 and of the Boston police in 1919. When the guardians of law desert the streets of a city and openly defy their government, it is but natural for the State to feel highly perturbed. The police, the army and the navy are considered so closely connected with the whole mechanism of sovereignty of the State that the organisation of employees in these branches is considered not only undesirable but harmful to the power of the State. Subsequent to the police rising of 1918 in Great Britain a law was passed whereby any union among the police was legally prohibited. In the Winnipeg (Canada) General Strike (1919) the police took sides with the strikers and as a result practically all of them were dismissed for refusing to sign a 'no strike' pledge. They were replaced by a special force recruited from ex-service men. In our country the attitude of the State towards police unions is just similar. The 'Recognition Rules' framed by the Central Government in 1919 for the recognition of associations formed by Government employees did not apply to persons subject to military law or to the Indian Army Act of 1911. More stringent conditions were laid down for the employees in the police and prison departments.[7]

Other Cases:

In all the cases referred to above, one can reasonably defend the attitude of the Government in actively partici-

[7] *Evidence* of Government of India (Department of Industries and Labour) before the Royal Commission, Vol. II, Part I, pp. 228-9.

pating in the disputes primarily because disputes of these sorts entail hardship not only to the parties concerned but to the general public as well. In such strikes or lock-outs many other interests are affected than those of the parties concerned. However, one fails to understand the justification of the intervention of Government in disputes small and sundry and often purely of an economic character. Even the Bombay Industrial Disputes Committee (1921) had to recommend that "no outside agency and in particular the agency of the State should be used until all other means have been employed or failed or unless it is invited by one or other of the parties to the dispute, or unless the situation is such that peace, order and good government are prejudiced." The attitude of the State towards trade unions has been generalised by some writers as of malevolent neutrality bordering on veiled hostility. Mr. N. M. Joshi, for example, describes the various stages in the attitude of our Government as: "At the beginning they joined the employers in ridiculing the Trade Union Movement. Even now they try to ignore it, till recognition is forced upon them."[8] This experience of Mr. Joshi is not unique. Mr. Milne-Bailey echoes the same sentiments, when he remarks, "We find in every country, despite the difference in legal systems and political traditions, a long struggle against the attempt of the State first to suppress unions, then to ignore them and treat them as non-existent..... Having failed because of economic circumstances which mould political institutions, either to suppress or ignore unions, the State finally decided to assimilate them into its own organisation and to make them part of its own administrative machine."[9] Mr. N. M. Joshi finds "some grounds for believing that the attitude of the Government towards the organised labour movement is not only that of mere neutrality but of deep suspicion."[10] Mr. B. Shiva Rao, to illustrate this attitude of the Government, gives an apt illustration. "The Registrar of Co-operative Societies is expected to facilitate the growth

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[8] & [10] *Trade Union Movement in India*, pp. 21-23.

[9] Milne-Bailey—Trade Union Documents—Introduction, pp. 1-2. Milne-Bailey cites Russia and Italy as examples to prove this statement.

of the Co-operative Movement, but the Registrar of Trade Unions has no similar responsibilities cast on him in his own sphere."[11]

Instances of State+Capital vs. Labour:

The history of Indian Labour Movement like that of any other country provides innumerable examples of an alliance between the employers and the State against the workers. In session after session, the federation of workers' organisations passed resolutions expressing their dislike for this unhappy combination of the State and the Capital. Lala Lajpat Rai, in his Presidential Address, in the first session (1920) of the All-India Trade Union Congress said, "Our past experience is that the Government of India, however well-intentioned some of its individual officers and statesmen may be, is, because of its constitution, capitalistic in its sympathies and outlook." In the same session, Mr. J. Baptista, Chairman of the Reception Committee, gave in his welcome address a number of examples of coercion and starvation and of "Pathans with 'dandas' fraternising with policemen for protecting property of Companies and breaking bones of strikers and their friends." The session passed a resolution asking the Government to issue general instructions to the Heads of Districts and the Police Department that no obstruction should be placed in the way of workers organising themselves into unions. Resolutions passed in successive sessions of the Trade Union Congress, the Indian Trades Union Federation and the National Trades Union Federation strike the same note. The charge that he Government favours the employers has been made not only by the extremists in our Labour Movement, but also by the moderate trade unionists. The Indian Trades Union Federation was formed because of the rise of extremist tendencies in the Trade Union Congress; but even in its first session (1932) the Chairman of the Reception Committee Mr. M. S. Koteeswaram criticised the policy of the Government as indirectly supporting the employers. Mr. V. V. Giri, the President, expressed the same opinion. "The

[11] *Industrial Worker in India*, p. 177.

moment a trade-dispute is apprehended the Police and the Magistracy rush to the rescue of the employer, while the workers are left to their own wits in their fight against their oppression. The intelligence department of the police has special fancy for labour leader and also, as stated by the Whitley Commission, the whole information concerning a dispute is obtained more through the police than by direct contact with the workers' organisations." The session passed a resolution condemning the 'indiscriminate' support given by the government to the capitalists to resist the legitimate demands of the workers by the use of the various sections of the Indian Penal Code and the Criminal Procedure Code. Mr. B. Shiva Rao, gives instances of employers openly rewarding the police for their services at the end of the strike, of allowing the use of the company's motor car or van for the purpose of conveying the police and of bringing pressure by the police even upon people who supply food or give accommodation to labour leaders.[12] Even a popular government like that of the Congress is not immune from this charge. Mr. Dinkar Desai in his '*Maritime Labour in India*' gives some examples to show the alliance of the police with the shipping companies. Even in 1947, this tendency manifests itself in such acts as the arrests of strike leaders and lathi charge and firing by the police. In a colliery strike in Dhanbad in June 1947, the police resorted to firing, killing 5 persons and seriously injuring 23 others. Similarly in the Buckingham and Carnatic Mills strike, the leaders were arrested, the Union was declared illegal and its funds were confiscated.

In some cases, the Government are charged of having utilised openly their force to crush a strike. Dr. Rajani Kanta Das gives an illustration, wherein the Madras Government lent in 1921, 50 members of labour corps to the Electric Supply Corporation to carry on the work and thus to starve the strikers to submission after 33 days.[14] Mr. B. Shiva Rao strongly protests against the policy of the

[12] *Industrial Worker in India*, pp. 167-78.
[13] See Chapter XI of the Book.
[14] *Labour Movement in India*, p. 85.

Government to employ convict labour to break strikes, as was done during the 1930 strikes on the G.I.P. Railway. The Sholapur Branch of the Bombay Textile Labour Union in its evidence[15] before the Royal Commission blamed the police for breaking the strike of Sholapur textile workers in 1928. The police prosecuted the picketers under Section 61 of the District Police Act, and thus made even peaceful picketing impossible.

Government and Labour Legislation:

Some of the critics observe that the attitude of the State towards Labour is seen, firstly, in the enactment of anti-labour legislation and secondly, in the objection of the State to the enactment of legislation favourable to workers. As illustrations of the first case, they cite the Masters' and Servants' Act, (1860), Act to amend the Indian Penal Code (120B) of 1913, the Madras Planters' Act (1903), the Workmen's Breach of Contract Act, the various Assam Labour and Emigration Acts and the Emergency Powers Act, (1932). It may, however, be noted that most of these legal enactments were dead letters and finally they were repealed. The illustrations, that are given to prove the second point, are Mr. N. M. Joshi's Maternity Benefit Bill, (1926) and a Bill to amend Section 120B of the Indian Penal Code, (1928), Dewan Chaman Lall's Payment of Wages Bill, (1928) in the Central Assembly and Mr. Bakhale's Shop Assistants' Bill, (1934) and Mr. Jhabwala's Trade Union Recognition Bill, (1938) in the Bombay Assembly. Most of these bills, however, were later sponsored by the Government (Central or Provincial), who got them passed. The Trade Unions Act, (1926) and the Trade Disputes Act, (1929) took a number of years before they were put on the Statute Book, though their utility was recognised as early as in 1921. All these illustrations prove that Government came rather late in the field of labour legislation. Even now, the majority of the recommendations of the Royal Commission and the Conventions of the International Labour Organisation await ratification.

[15] *Evidence*, Volume I, Part I, p. 527.

Suspicion towards Labour:

This indifference of Government towards favourable labour legislation can also be seen in its reluctance to take labour leaders into its confidence, even in matters affecting labour. The real representatives of labour are scarcely consulted while enacting labour legislation.[16] One example of this attitude has been given by Mr. R. R. Bakhale, who was one of the members of the Indian Franchise Committee (1931). Mr. Bakhale charges the Madras and C. P. Governments that they made no efforts at all to obtain the views of trade unions in their provinces on the matter of labour representation. The Madras Government was more guilty of the two. It sent confidential letters to a few employers, asking them to select some representatives of labour, to appear before the Indian Franchise Committee, who would be unconnected with trade unions.[17]

Real Attitude of the State:

The instances given hitherto are purposely selected from the views of moderate trade unionists. In spite of this fact, they reveal a picture of a powerful combination of State and Capital against Labour. However, it is unreasonable to condemn the attitude of the State merely from the views of a certain section of Labour. Innumerable extracts can also be given from the speeches and utterances of employers, who condemn the State for siding with Labour as against Capital. It is a common complaint of Indian employers that the Government has been reluctant to encourage industrial enterprise in this country. The General Strike in the Bombay Textile industry in 1925 was an indirect result of the imposition of the cotton excise duty by the Central Government. Most of the labour legislation, sponsored by the State, has been found to be inadequate and half-hearted by the representatives both of the employers and the workers.

[16] War has brought some change in this attitude; this can be seen in the various tripartite conferences.

[17] Report of the General Secretary (Bakhale)—1st National T.U. Federation.

'Uniform' Policy of Different States:[18]

A general statement, that the labour policy of any government, whether democratic or autocratic, fascist or communist is uniform, would be thought rather curious. A critic would naturally ask: How the attitude towards trade unions and strikes of a socialist government would be the same as that taken by a totalitarian State? The reason lies in the fact that this attitude is based primarily, not on different ideals of government, but on the issues arising out the relations of Capital and Labour. In the case of Communist States, the State takes the role of the employer and thus comes into conflict with Labour. Strikes were illegal and trade union membership was compulsory, not only in Italy and Germany, but also in Russia. In 1930, strikers were shot down in the Donetz Coal Basin by the Communist Militia. A classless society has been the aim not only of Communism but also of Fascism. It was for this reason that the powerful Employers' Association was dissolved by Hitler under a government decree of 24th October 1934. For a number of reasons, a brief review of the relations of trade unions and the State, under different forms of government, would prove highly instructive.

Russian Labour Policy:

The relations between the State and trade unions in Soviet Russia are worth studying, not because the State there is dominated by a particular political party, but because the trade unions there exist in a Socialist State. The trade unions in pre-Nazi Germany were also dominated by the Social Democratic Party and in England the unions are in very close association with the Labour Party.[19] The position of the trade unions in Russia is peculiar owing to the fact that the political party dominating the trade unions is at the same time the governing power of the State. The trade union representatives are found everywhere in the State and even in the Central Committee of the Communist

[18] Labour conditions in Germany and Italy are discussed here as conditions in a Fascist State. So the references to these two countries are to the time when they were under Fascism. The conditions at present may be different.

[19] *Organised Labour in Four Continents*, p. 291.

Party. Most of the trade union representatives are government appointees and owe allegiance to Stalin and not to their labour constituencies. Even Stalin admits that from trade unions are drawn "the persons best fitted to occupy the leading position in all branches of administration".[20] Trade unionism in Russia, therefore, has developed rather on quite different lines than in other countries. Mr. Maurice Dobb has explained this difference in the following words: "Whereas in all other countries trade unions exist as protective associations and bargaining bodies in relation to private capitalists who control industry, in this case they are organisations of the workers which deal not with private employers, but with the State and with a State administration, the personnel of which is elected by trade unionists in their capacity as electors and which may even contain direct representatives of the trade unions themselves. Moreover, they operate in a social system in which profit and revenue on property no longer exist as a category of income, while wages and salaries constitute the only (or at least the predominent) from of income."[21] The result, has been that the trade unions in Russia have become more or less appendages to the Government machine. We can now realise why trade unions in Russia mean more to the employers (i.e. the State in this case) than to the workers, why trade union membership is practically compulsory and why Soviet trade unions have become merely a form of labour exchange or Government Employment Bureau. Herbert Lee,[22] however, argues that the task of trade unions in countries where capital rules is different from that where the rule of capital is overthrown and a Workers' State has been built. In the latter case, the unions become the backbone of the State. According to Mr. Lee, the Soviet trade unions are the only ones in the world that can participate in production, discuss plans and criticise the administration and the director. In *'Leninism'*, Stalin also claims that the non-party organisations like trade unions and co-operative societies are not formally subordinated to Party

[20] Stalin—*Leninism*, pp. 29-30.
[21] *Organised Labour in Four Continents*—p. 292.
[22] *Twenty Years After* (1937) Ch. VI.

leadership. In the same book, however, there are statements which prove quite the opposite. For example, Stalin remarks that the Party realises the dictatorship of the proletariat, not directly, but with the help of trade unions and through the Soviets and their ramifications. These are the 'belts' without which anything like a firm dictatorship is impossible. Furthermore Stalin admits that the members of the Party, who belong to the economic organisations and who doubtless exercise influence in them are allowed to do all they can to pursuade these non-party organisations to draw nearer to the Party of the Proletariat in their work and accept its political guidance.

State vs. Labour in Russia:

The relations of the Communist State with trade unions assumed most acute controversy in the immediate post Revolution Period (1917-22). Trotsky's group wanted the unions to be a part of the Government apparatus. It advocated "a progressive amalgamation" of trade unions with other economic organisations, on the ground that the unions had lost contact with the working masses, ignored their proper duties, and failed to check incessant disputes with other economic organisations. A view diametrically opposite to Trotsky's was held by a group of persons called the Workers' Opposition, who argued that the failure of trade unions to function properly was due to their subordinate position in the State. The Third Congress had imposed on trade unions a number of duties such as constitution of wage-funds, the provision for clothing of the workers and the like. Many trade unionists asked for the abolition of the duties. Lenin struck the golden mean and advocated partial independence of trade unions from the State machinery, so that they might devote their attention to guarding the interests of workers.

The attitude of the State towards trade unions in Russia has been apparently different under different circumstances. The State dominated the trade unions at all times. Under the

Czarist regime trade unions were entirely illegal upto 1900.[23] Sergius Zubetov, Chief of the Moscow Secret Police started the first legal trade union in Moscow in Febuary 1901. A similar union was started in January 1905 by a priest, Gapon, with the connivance of St. Petersburg Secret Police. In 1907, the Czarist police closed down 107 unions for a number of reasons.[24] Durings war communism (1917-21) when everything was subordinated to military necessity the influence of the trade unions over factory administration declined. The entire trade union machinery was overhauled and reorganised under the New Economic Policy (NEP) in 1921. The NEP revived private trade and organisation, made the unions economic collaborators and advisers (though without any direct control over industry), placed union membership on a voluntary basis, introduced the system of voluntary collective bargaining, shifted considerable burden of trade union activities to the branches, denationalised the unions making them independent of the State machinery and gave the Commissariat of Labour the power of labour legislation, labour protection and of the Chief Arbiter.[25] The NEP had evil effects too. Individual management and responsibility in industry along with the introduction of piece rates, premiums, bonuses and scientific management revived the relationship between employers and the workers in capitalist countries—and deprived the unions of independence. An alternative system known as "collective responsibility" to be shared jointly by the factory committee and the trade union for a minimum programme of production was proposed. In 1933, the Commissariat of Labour was abolished and the powers were transferred to trade unions, giving them complete control over all social insurance activities and the State funds allocated for social services. The T. U. democracy was broadened in 1937, when all committees from the Presidium of the A.U.C.C.T.U. down to the local factory committee were re-elected by secret ballot.[26]

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[23] J. Freeman concisely describes the labour conditions of that time: "Trade Unions were forbidden, strikes were illegal, factory inspectors were police agents, courts were entirely on the side of the employers." (*The Soviet Worker*, p. 17.)

[24] Robert Dunn gives 13 reasons; see *Soviet Trade Unions*, p. 16.

[25] Summarised from Robert Dunn's *'Soviet Trade Unions,'* p. 23.

[26] Lee—*Twenty Years After*, p. 101.

From the brief criticism of the relations of the State and the trade unions in Russia, it will be realised that the Soviet trade unions are completely dominated by the Communist Party, in the political sphere. What little freedom they have got is in economic and social matters. The 'fabkom' (factory committee of trade union) is consulted on questions of plan and labour by the management. The Soviet Labour Code asks the government bodies to assist the trade unions in every possible way, particularly with regard to buildings, transportation, posts and telegraphs and the like.

Labour under Fascism:

(i) *Italy*—Judged from the same point of view, the attitude of a Fascist State towards trade unions is found to be similar to that of a Socialist State. Fascism aims at destroying class-consciousness among the employers and workers and hence strikes and lockouts are declared illegal, an elaborate machinery being set up instead of compulsory arbitration.[27] The weapon of Fascism was used, in its early stage, more against workers than against employers. J. P. Van Aartsen enumerates a number of law decrees enacted soon after Mussolini's coming to power, to illustrate this statement.[28]

(ii) *Germany*—Similar steps, but on a more systematized form, were taken in Germany, when Hitler attained power. By an Act of 1st May 1934 strikes and

[27] Law No. 563 of 3rd April 1926 in Italy is important in this respect.

"Employers who close their factories, enterprises and offices without justifiable reasons and for the sole object of compelling their employees to modify existing labour contracts are punishable by a fine from 10,000 to 100,000 lire.

"Employees and labourers, who in groups of three or more cease work in such a manner as to disturb its continuity or regularity in order to compel the employers to change the existing contracts are punishable by a fine from 100 to 1000 lire."

[28] *Organised Labour in Four Continents*, pp. 208-211. Royal Decree No. 3158 of 30th December 1923 abolished the funds amounting to 32 million lire under the supervision of trade unions and handed them over to the national insurance fund. Decree—Law No. 64 of 24th January 1924 brought all labour organisations which intended to give economic or moral aid to their members under the supervision of the provincial political authority—the prefect. This authority acquired the right to annul the actions of the organisation, to dissolve its Council and to nominate a Commissar in charge of the funds of the organisation and even to take over these funds completely. Decree—Law No. 2311 of 19th October 1923 created Committees of Arbiters before whom all disputes must be brought and against whose awards no appeal is possible. Any action for preventing their execution was deemed to be an offence against law. Decree—Law No. 2686 of 2nd December 1923 set up similar Committees for the solution of individual disputes concerning rights resulting from labour contracts of private employees.

lockouts were virtually prohibited and the maintenance of social peace was placed in the hands of 13 Labour Trustees, who were political appointees of the Reich and whose authority to regulate labour questions was supreme. A chronological survey of the attempts of Fascist Germany to suppress trade unions will be found in Dr. Erich Roll's article on Germany in *'Organised Labour in Four Continents'*. Hitler became Chancellor in January 1933. On May 2nd, all trade union buildings were occupied and leaders arrested. Dr. Robert Ley, head of the Political Organisation, Office of the Nazi Party, took control of 169 trade unions and constituted in their place the Labour Front (May 1933), a purely Party organisation. On May 13, 1933 all trade union property was confiscated. On June 23, the Social Democratic Party was prohibited and its few remaining extreme right wing leaders were arrested. In July the formation of all new parties was forbidden and the way to the consolidation of the totalitarian regime was open. Dr. Erich Roll thinks that from this time "the German Labour Movement ceased to exist, at any rate, legally. Germany no longer has any working class organisation in the accepted meaning of the term."[29]

Labour Front in Germany:

The Labour Front, which claimed a membership of 25 million between employers and workers, was created as a substitute for the suppressed trade unions, whose funds it took over. The Organisation, which was purely a Party one, had a complicated structure and worked in close conjunction with the Reich ministers of Labour and Economics, putting before them proposals considered by the Nazi experts as of value to the country. Membership was voluntary only in theory and not in practice and was open both to employers and workers. A movement known as the 'Kraft durch Freude' (Strength through Happiness) was closely allied with the Labour Front. It provided the workers with facilities for travel and amusement by organising orchestras

[29] *Organised Labour in Four Continents*, p. 106. After the defeat of Hitlerism, however, the conditions are changing. For example, in the latter half of 1945, the Social Democratic Party was revived by some labour leaders.

in factories, theatre parties, concert and film shows, cheap travel facilities, lectures and sport of every kind at extremely cheap prices.

Reasons for State-Labour Struggles:

The Labour conditions in Russia, Italy and Germany, thus make one fact clear—that the workers have to come in conflict with the State, whatever might be the form of government. It is necessary to examine the reasons that lead to such a conflict. Modern trade unionism has been the result of capitalist production. With the development of industry, a new class of workers is created. The massing of these workers in industrial centres brings to light a number of social and economic problems. If these problems are not properly solved, the workers resort to strikes. The State can scarcely remain neutral in the disputes between the employers and the workers. If it fails to solve the problems of the workers, the economic demands naturally turn into political protests and the strikes assume political significance. The employers also come into conflict with the State, if the latter places restrictions on management of industries. Mr. Murphy believes that the pressure exerted by the employers on the State brings the co-operation of the two against workers. Pressed by the effects of competition the employers insist on wage reductions and other concessions. The Government, reluctant to socialize the industries, yields to these demands of employers.[30]

Ineffective strength of the workers due to lack of strong organisation and the indifference of the general public in politics and especially in labour problems are also the reasons of the State Capital axis. One of the major reasons, however, lies in the fact that the State itself is the biggest employer of labour. The Directory of Trade unions estimated that about 50,000 Government servants, had organised themselves into trade unions in 1924. The 1931 Census reveals that there are 367,154 actual workers in Government Administration Services, and 83,568 in Postal, Telegraph and Telephone Services. Besides, there are

[30] Murphy—*Modern Trade Unionism*, p. 160.

government employees in railways, ports and even in some industries. Labour in these concerns comes in direct conflict with the State, which itself is an employer in this case.

Simultaneous Repression and furtherance of Trade Unions by Government:

One of the characteristics of the attitude of the State towards trade unions is that the State grants some facilities to the trade unions yet at the same time obstructs their progress, by two divergent measures brought in action simultaneously. The Japanese Government drafted a Factory Bill in 1898 for liberal social legislation, while in 1900 it passed the Public Peace Police Regulations ('Chian Keisatsuho') to check the Labour Movement. Similarly in 1924 the same government passed the Peace Preservation Act ('Chian Ijiho') to suppress the radical Left Wing Party, as also an Act regarding conciliation in industrial disputes and introduced a Trade Union Bill. In England, the Government passed in 1874 two measures—the Master and Servants Act to legalise strike and Criminal Law Amendment Act to make illegal all efforts to make strike a success. The Taff-Vale Case judgment (1901) which was an attack on the right of the unions to exist and function and the Trade Union and Trade Disputes Act of 1906, the Osborne Judgment (1909) and the 1913 Trade Union Act are some other examples from the British Trade Union Movement. Similarly the Government of India also adopted a dual policy in 1929. It instituted the famous 'Meerut Trial' and passed the Trade Disputes Act, giving promise at the same time of labour reform through the appointment of the Royal Commission on Labour.

We have so far seen the nature and reasons for the conflict between the State and the trade unions. What are the methods to avoid, or at least to minimise, this conflict? Mr. Murphy suggests nationalisation of industries, when the trade unions can play the role of general political support to the Government.[31] He thinks that the machinery of controlled capitalism of the war-period can be reconstituted

[31] *Modern Trade Unionism*, Ch. VIII.

towards socialisation of industry. We have, however, seen that the conflict cannot be avoided altogether even under a Socialist State. The conflict usually takes the form of strikes and demonstrations. Strikes can be avoided if the workers' economic demands are met.

Repression of Labour in Post-war Period:

For some reason or other, there seems to be an uneasy feeling in the mind of the trade unionists that ever since the end of the Second World War, certain interventions tend, in various countries, to destroy the very foundations of trade union rights. In a Draft Resolution submitted to the Economic and Social Council of the United Nations, the World Federation of Trade Unions, while demanding guarantees for the exercise and development of trade union rights, says that the means employed to hinder the progress of the trade union movement are as follows: "the large scale dismissal of the trade unionist workers, the arrest of active trade unionist and trade union leaders, the occupation of trade union premises, the revocation by the Government of bodies democratically chosen by the trade unions, the nomination of trade union leaders by the Government, the prohibition of all coloured or native workers against forming occupational organizations etc." The foregoing discussion on the attitude of the State towards trade unions may reveal how far these charges are valid in India.

PART III: TRADE UNION RELATIONS IN INDIA

CHAPTER VII

TRADE UNIONS AND THE EMPLOYERS

Attitude of the Employers:

The attitude of the employers towards workers is far more clear than that of the State. In the opinion of Mr. N. M. Joshi it varies according to the individual nature of the employer. "But it may be said generally, that they first try to scoff at it (the Trade Union Movement), then try to put it down and lastly if the Movement persists to exist, they recognise it."[1] Just similar are the views in the following remark, "The employers at the beginning were apathetic, later hostile and lastly made a show of recognition."[2] According to Professor Pigou, the employers regard the unions with dislike and hence seek to destroy them with the political weapon.[3]

The anti-union activities of an employer take a variety of forms such as victimisation, setting up of rival unions, dividing the workers, refusal to recognise their organisation, lock-out and blacklist. The Indian Labour Movement provides a number of examples to illustrate the attempts of the employing class towards suppression of the workers' organisations. We shall take a few of them to show how the employer, as a prominent trade unionist rather harshly remarked, "regards a trade union as an anathema, a strike as an unspeakable presumption and trade union workers as the devil's associates deserving to be shot at if possible."[4] For the sake of convenience and propriety, the State, which itself engages a mass of labour, is included in the category of employers.

Means to suppress Trade Unionism:

(i) *Victimisation*—The easiest weapon to utilise for the suppression of a trade union is victimisation. Writing about

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[1] *Trade Union Movement in India*, pp. 17-19.
[2] Evidence of R. V. N. Nayudu, Ex-President, S. I. Rly. Employees' Association, before Royal Commission. Evidence Vol. VIII, Pt. I, p. 594.
[3] *Problems and Methods of Industrial Peace*, p. 12.
[4] Presidential Address by Jamnadas Mehta, 2nd Session, N.T.U.F. (1935).

the difficulties in labour organisation, Mr. R. R. Bakhale gipes an example of a fairly strong union of the G.I.P. Railway Staff, which gradually disintegrated because of the hostile attitude of the Railway authorities.[5] The B. N. Railway Indian Labour Union in its evidence[6] before the Royal Commission has the same complaint against the Railway authorities. The unfriendly attitude of the Company was manifested in the withdrawal of recognition given to the union, encouragement given to rival unions formed by blacklegs, withdrawal of card passes and concession tickets granted to union workers and victimisation of certain important officials of the unions. The extent of victimisation can be realised from the fact that the largest percentage of cases that come before the Labour Officers in Bombay, Madras and U.P. relate to wrongful dismissals, re-instatements and re-engagements. In India, there was for a long time no adequate law that could prevent an employer from victimsing his workers. Recently, however, the Industrial Employment (Standing Orders) Act, 1946, has changed the position to a great extent. For this reason, the Bihar Labour Enquiry Committee (1939) recommend that "provisions similar to those of the National Labour Disputes Act of the U.S.A. should be incorporated in the Indian Trade Unions Act in order to allow trade unionism to follow its development without unjust interference by the employers."[7] It is doubtful whether any legal enactment on these lines would be successful in India. The trouble to execute the legal provisions would be immense and still the employer can dismiss a worker on some pretext or another. A Standing Order under the Bombay Industrial Disputes Act (1938) refers to any reduction intended by the employer in the number of persons employed. Though an employer, desiring to have a change in the Standing Order, must give previous notice, actual working of the

[5] *Social Service Quarterly*, Jan. 1927.

[6] Vol. VIII, Part I, p. 546.

[7] *Report* of the Bihar Committee—Para 553. By a similar Act of Nova Scotia (1937) if an employer by threatening or imposing any pecuniary penalty prevents or attempts to prevent an employee from joining or belonging to a trade union, he is liable to a fine not exceeding $100 for each such offence and in default 30 days' imprisonment. (*Industrial and Labour Information*, Aug. 23, 1937.)

Act shows that there is no appreciable reduction in cases of victimisation that come before the Bombay Labour Officer.

Instances of Victimisation:

The instances of victimisation have been reported, even before the Indian Trade Union Movement was born. The Kamgar Hitwardhak Sabha, a very moderate organisation, could not even publish the names of its members because of the fear of victimisation.[8] It had also to deal with a number of workers who crowded the mill gates every day to get the arrears of their wages. Its ten years' Report (1909-19) tells a pathetic tale to the effect that after several days, the manager called the workers on a particular date and when they assembled, got them assaulted by roughs in his service. In the early years of the Trade Union Movement the fear grew more. Mr. B. Shiva Rao gives examples of some unions, with which he was connected, where every member of the executive was victimised. His description of meetings of trade union members sounds curious today.[9] The same author, in his article on 'Trade Unionism in India' in the *Indian Textile Journal* (Jan. 1941), gives another example where the employer published a notice, calling upon the members to dissolve their registered union or to face a lock-out. The workers accepted the ultimatum, went through the grim ordeal of starvation for seven weeks and succeeded in getting the order withdrawn. Mr. Shiva Rao specially notes that the Provincial Government refused to intervene, in spite of repeated requests by the Union for the application of the Trade Disputes Act. One of the favourite devices of the employer, who wants to victimise, is to transfer active trade union workers from their work-centre to some out of the way branches of his industry. Such attempts were made by the authorities of the E.I. Railway and S.I. Railway.[10]

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[8] *Report* of the work of K. H. Sabha for 1909-19 (10 years).

[9] "We hold the public meetings of our workers in such places after dark, so as to make the task of identification of the members of the audience as difficult as possible for the agents of the employers. The only light is the dim lantern of the official police reporter, without whom no workers' meeting in India ever takes place." (India Analysed, Vol. II: *The Labourer*, p. 44.)

[10] Royal Commission *Evidence*, Vol. III, Pt. I, pp. 472-73 and *Trade Union Record*, Aug.-September, 1933.

The promoters of both the Madras Labour Union and the Indian Colliery Employees' Association assert that these unions were started as a result of high-handedness by European Officials to some employees.[11] A prominent Congressman of Sind gives his own experience of the failure of a Tramwaymen's Union, because immediately after his attempt to form it, 37 conductors were dismissed straightaway by the proprietors.[12]

(ii) *Division of Workers*—Another method to minimise the strength of organised labour is to divide the workers by granting promotions to some of them or by starting 'company unions' rival to the already existing ones. An instance of this policy has been given by Mr. Jamnadas Mehta in the course of the debate on the Bombay Industrial Trade Disputes Act (1938). He charges the Bombay Tramways Company of systematically trying to divide the tramway workers into two or three different water-tight compartments. By paying somewhat little better wages, the drivers and conductors were isolated from the workshop people and both these from the rest of the staff. *The Directory of Trade Unions* (1924) gives the example of the Jamshedpur Labour Association. The Management sought to make a division between the workmen and their leaders by giving the latter fat promotions. This action resulted in disputes between the Management and the workers, many discharges and dismissals and restlessness and uneasiness. The Jobbers who are charged with the recruitment of labour to the factory, naturally dislike the formation of a trade union as that means an encroachment upon their rights in cases of promotion, recruitment, grant of leave, bribery and corruption. This class of workers, therefore, helps the employers to start rival unions in opposition to the recalcitrant ones. The Madras Labour Union alleged that the Management of the Buckingham and Carnatic Mills made attempts to start a union in opposition to it. On the N. W. Railway, a second union was organised and the Railway authorities patronised

[11] Royal Commission *Evidence*, Vol. VII, Pt. I, p. 178 and Vol. IV, Pt. I, p. 186.

[12] *Evidence* of R. K. Sidhwa before Royal Commission, Vol. I, Pt. II, p. 44.

it by granting recognition to it. An ex-Minister of Bengal had his own union among the employees of the Calcutta Electric Supply Corporation in opposition to a stronger one. Though the latter claimed 2,250 members out of the total 2,500 employees of the Company, the former had been recognised.[13] Complaints about the attempts of the employers to start rival unions to the existing ones were made also by the Jamshedpur Labour Association,[14] Mr. M. A. Khan,[15] B. N. Railway Indian Labour Union,[16] Mr. R. R. Bakhale[17] and many others in their evidence before the Royal Commission.

(iii) *Company Unions*—Selig Perlman in his article on American Unions in the *'Organised Labour in Four Continents'* (pp. 342-44) gives a detailed description of the 'Company Unions'[18] in the United States. The main characteristics of the Company Union can be summarised as: jurisdiction limited to a particular concern, spiritual isolation, full co-operation of the management, inclusion of all classes of employees in the plant, low or free membership fees and absence of mass meetings and of referendum.[19] Such unions confine their membership only to the employees of a particular company and have no outside affiliations. The Management formulates the membership rules and constitution. The union funds are used for welfare and recreational purposes, but never for the services of an outside agent or representative. Meetings of the members, held invariably on company property and in company time, are infrequent and irregular. There is usually no collective agreement, which lays down the rights and duties of the union. All the action of the union must be submitted for the final approval of the employers. The Indian Labour Movement can afford to illustrate this type of unions, recognised, patronised and sometimes even founded and organised by the employers themselves. Messrs. Sassoon and Company, for example,

[13] Presidential Address T.U.C. 18th Session (Sept. 1940) by Dr. S. C. Bannerji.

[14] Royal Commission on Labour *Evidence*: Vol. IV, Pt. I, p. 123.

[15] Vol. VIII, Pt. I, p. 398.

[16] Vol. VIII.

[17] Vol. I, Pt. II, p. 466.

[18] See also *Labour and the Government* (by 20th Century Fund), Ch. IV.

[19] *Ibid, pp.* 66-69.

sought the services of Mr. Baptista to form a trade union on sound lines among their employees. A union was accordingly formed in 1922, but fell into bad odour owing to 'lack of trained and experienced officials.'[20]

Another method to divide workers is to win over the moderate section of labour leaders. Dewan Chaman Lall complained that in almost every strike in India, with which he had had personal dealings, the employers had invariably tried to buy up the best organisers and tried to sow the seed of dissensions in the ranks of the workers themselves. Employers do not hesitate to offer inducements even to the outsiders, who lead the Labour Movement.[21] One of the illustrations of this tendency is the attitude of the Bombay Millowners' Association at the time of the Textile General Strike of 1928. The Association showed its readiness to negotiate with any registered union. In its *evidence*[22] before the Royal Commission the Association admitted that this move was intended to strengthen the hands of the executive of the Bombay Textile Labour Union, which was the first registered trade union in Bombay.

(iv) *Refusal to Recognition*—There has been widespread controversy over the question of 'recognition' of trade unions by employers. Recognition, according to the Royal Commission should mean that the employer recognised the right of the union to negotiate with him in respect of matters affecting either the common or individual interests of its members.[23] The Bihar Labour Enquiry Committee defines it as willingness of the employer to negotiate with a trade union about the conditions affecting the workers in his establishment.[24] The right of recognition means the privilege of joint representation, which, because of its organised form is more effective than individual representation. Recognition, in short, means the formal acknowledgment by the employer, of the existence of an association. The union by this right gets a recognised status and position in the eyes of the employer.

[20] Sassoon & Co.'s *Evidence* before Royal Commission, Vol. I, Pt. I, p. 482.
[21] D. Chaman Lall—Presidential Address, 8th Session, T.U.C. (1927).
[22] Vol. I, Pt. I, p. 406.
[23] *Report*, p. 324.
[24] *Report*, Paras 547-550.

Facilities given to a Recognised Union:

A 'recognised' union can have a number of facilities from the employers. In their *evidence*[25] before the Royal Commission, the members of the Railway Board explain the facilities they had given to the N. W. Railway Union, which they recognised soon after its formation in 1921. Special passes and leave were given to its officials and delegates to enable them to attend Council meetings, while certain executive officials of the union who were railway employees were lent as whole time servants to the union for a year. Further assistance was given in the shape of a loan of Rs. 500 and the administration undertook to collect subscription for the Union from its members through the men's salary bills. Similar facilities of collection of subscriptions by the employers, financial help and accessibility to mill officials were given to the Ahmedabad Labour Association. The Agent of the B. N. Railway Company, used to attend and speak at the annual meetings of the Labour Union. The All-India Railwaymen's Federation has the right to meet, every six months, the members of the Railway Board for discussions on labour questions.

States' Attitude to Recognition:

The term 'recognition' owes its origin in India to the 'Recognition Rules' framed by the Government. Until 1920, Government servants were prohibited from submitting collective memorials and petitions. In 1920 this right was granted only to those combinations which conformed with certain rules, known as 'Recognition Rules'. The Government Service Conduct Rules allowed Government Servants to form their own associations provided they did not involve a breach of the Conduct Rules. Article 427 of the Peace Treaty recognised the right of association by the employees for all lawful purposes. The Government of India therefore framed and issued in 1921 a set of rules for the recognition, by Government, of associations formed by their employees. Some difficulty arose when the Trade Unions Act of 1926 was passed, because many of the provisions of the Act proved to

[25] Vol. VIII, Pt. I, p. 161.

be inconsistent with those of Government Service Conduct Rules and of Recognition Rules. Section 16 of the Trade Unions Act, for example, allowed the payment of expenses of a political candidate, holding of a meeting and the distribution of literature or decuments in support of a candidate, the maintenance of a member of a legislative body, registration of electors or selection of a candidate. These are the things tabooed under the Conduct or Recognition Rules. The Conduct Rules are confirmed under Section 96-B (2) of the Government of India Act of 1919 and in so far as they are inconsistent with the Trade Unions Act, they override them. The Recognition Rules enforced the principle of homogeneity, while the Trade Unions Act contains no such restriction. The position is somewhat anamalous. Government servants are allowed to form their own registered associations (according to Recognition Rules), which can indulge (according to Trade Unions Act) in activities forbidden to Government servants under the Recognition Rules. The Trade Unions Act allows associations to include different classes of government servants; the Recognition Rules prohibit them. The Recognition Rules had stipulated that recognised unions should apply for registration as soon as legislation made it possible to do so. However, when the Act was passed, the Government of India and several Provincial Governments advised the unions of their employees not to apply for registration. The Royal Commission give the example of one local government, which forbade all its servants from becoming, or continuing to be, members of any union which had applied for or secured registration.[26] The Government of Bombay, in the same fashion, stated by a resolution, in 1922, that the Government would not consider resolutions passed by associations of government servants other than recognised associations.[27] The attitude of the Government regarding 'recognition' problem is open to criticism, especially in case of employees engaged in key industries. The General Secretary of the Trade Union Congress in his report at the

[26] *Report*, p. 326.
[27] *Labour Gazette*, Dec. 1922, p. 27.

9th Session tells us that the Cordite Factory Labour Union, Aruvakadu and the Bombay Presidency Telegraph Workmen's Union had to sever their connection with the Congress under government orders. Sir E. Atkinson, Master-General of the Ordanance in India, defending the government's attitude regarding the Cordite Union, told the Royal Commission that the association was asked by the Government to disaffiliate from the Trade Union Congress, because they had outsiders in the union.[28] The General Secretary of the 1928 Session of the Trade Union Congress thinks that the Government of India seem to have made up their mind to force the trade unions of State employees to keep themselves aloof from the general Trade Union Movement of the country.

Employers' Attitude to Recognition:

The employers' attitude to recognition is not so difficult to understand. As a rule they are reluctant to grant recognition to a trade union, especially when it is led by 'outsiders'. The reasons given by them are numerous.[29] Recognition has been frequently withheld on the ground that the union embraces a minority of the class concerned, or because of the prior existence of another union, the refusal of the union to dispense with the services of a particular official, the inclusion of outsiders in the executive and the failure of the union to register under the Trade Unions Act. Employers frequently announce their readiness to negotiate with a *bone fide* trade union, though they are not all unanimous as to the meaning of a bona fide trade union. The Bihar Labour Enquiry Committee received diversity of opinions from the employers on this point. Some of the employers demanded the exclusion of outsiders; others wanted previous approval by themselves of the constitution of the union and modification of the constitution in the light of their suggestions; still others expected that trade union membership would be restricted to their own industrial concerns. The Bihar Committee discusses all these objections

[28] *Royal Commission Report: Evidence*, Vol. II, Part II, p. 231.

[29] For these reasons see Dr. Das—*Indian Labour Legislation*, p. 119. Royal Commission *Report*, p. 323 and Shiva Ram—*State in relation to Labour in India*, Ch. VI.

in detail and finds them futile. The history of Indian Trade Unionism furnishes innumerable examples of the demands made by the employers to unions, in case recognition is to be granted.[30] The authorities of the G. I. P. Railway, following in the foot steps of the Government, framed certain 'Recognition Rules,' i.e. terms and conditions of recognition of the unions of employees of the G. I. P. Railway.[31] According to these terms, the Agent would not take individual complaints; the union has to supply to the Agent information about its rules and constitution; the Agent is to supply to the union, service and leave rules; the activities of the union should not interfere with duties of railway servants; and passes and leave to union workers might be granted, not as a right, but as a concession, at the convenience of the Management. Passes were not to be granted to union workers who were not railway employees.

That recognition should be granted to every genuine trade union is a fact admitted by all. The Bombay Industrial Disputes Committee (1921) recommend that as soon as a genuine trade union organisation emerges it should be officially recognised as the channel of communication between the employers and the workers. The Royal Commission observe that the fact that a union consists only of a minority of employees or the existence of rival unions are not sufficient grounds for refusing recognition. The

[30] In 1921 the Jamshedpur Labour Association was duly recognised by the Tata Iron and Steel Company on the following conditions:

(1) No outsider can be a member of the Association.
(2) Matters of industrial disputes are to be referred to a committee of six, three each of the Union and the Management.
(3) The committee will not deal with individual cases until such cases are first brought to the attention of the Management by the individual.

In 1922, at the time of the Bombay Tramwaymen's strike, the Company published a statement as to its relations with its employees. It declared that it had never opposed the formation of a *bona fide* trade union amongst its employees. Its idea of a *bona fide* trade union was made clear by the following conditions it laid down for recognition:

(i) Membership of the union should be restricted to the company's own employees.
(ii) More than half of all the company's employees should be members of the union.
(iii) The rules of the union should be submitted to and approved by the Board, and
(iv) If the union desires to submit any representation to the Board, it is to send a deputation of three of its members (employees of the company) for the purpose of their discussion.

[31] These are given in the Evidence of the Railway Board before Royal Commission, Vol. VIII, Pt. I, Appendix N.

Bihar Committee go further to recommend that all unions which are registered and have been in existence for at least six months and command a minimum membership of five per cent. should be recognised by that establishment for purposes of negotiation.[32]

During the regime of the Congress Government (1937-'39), a private Member of the Bombay Assembly brought forth a Trade Union Recognition Bill. Section 4 of the Bill read, "Every registered Trade Union shall be acknowledged by every employer to be a representative organisation of the workers expressing an organised opinion of the worker in the trade in which the union is formed." The Bill aimed at the right to recognition of every union that had been registered under the Indian Trade Unions Act of 1926. The Bill was thrown out on the ground that it was unnecessary and also prejudicial to the interests of labour. In opposing it, the Parliamentary Secretary for labour revealed that a circular had been issued to the employers in which certain conditions for recognition of trade unions had been suggested to them. In the view of the Government, recognition of trade unions implies the granting of facilities for carrying normal trade union work, including permission to collect trade union subscriptions at the time of the payment of wages, lattitude for communication between trade union officials and representatives of workers inside the factory, circulating of notices regarding union activities, acceptance of letters and answers thereto, granting interviews to union officials, joint investigation of complaints and permission to hold meetings inside the mill compound.[33]

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[32] It is interesting to note the various legal provisions that are laid down for a union to be 'representative' of workers, so that it may be recognised by the employers. The Bombay Industrial Disputes Act fixes this minimum at 25 per cent, though 'qualified' unions need a minimum of only 5 per cent. Both Madras and Sind had drafted Bills on similar lines, which provide for representative unions a minimum membership of 15 per cent of the total workers in a particular industry. The same percentage has been recommended by th C.P. and Berar Textile Labour Enquiry Committee (1945). One of the conditions laid down by the Trade Union Amendment Act (1947) for recognition of a trade union is that it should be a "representative trade union." However, the Act has not defined 'a representative union.'

[33] It may be stated that 'recognition' was one of the recommendations of the Labour Committee of the All-India Congress Committee and was partially included in the Congress Election Manifesto (1937). (*Memorandum* submitted to the first conference of Labour Ministers by the Government of C.P. and Berar. Proceedings, p. 76.)

Compulsory Recognition:

A number of trade unionists advocate compulsory recognition. The Trade Union Recognition Bill, referred to above, was a step in this direction. Compulsory recognition, however, has never been popular anywhere in the world except in a few places. The National Labour Relations Act (1935) of the United States prohibits the employers to refuse "to bargain collectively with duly elected employees' representatives." Another Act, passed in 1937, in Nova Scotia (Canada) compels every employer to recognise and bargain collectively with the members of a trade union which represents the majority choice of the employees who are eligible for membership in such union.[34] According to Articles 152 and 153 of the Soviet Labour Code, a trade union can secure legal recognition by registration with the Central Committee of Trade Unions (CCTU). In Italy the law of July 1, 1926 (Decree No. 1130) deals with legal recognition of trade associations and collective agreements. Generally for each branch of industry, only one organisation of employers and one of workers can be recognised. The recognition gives the union a legal personality.

The Royal Commission on Indian Labour are against compulsory recognition. In their view, no low can secure that genuine and full recognition which is so essential now-a-days. Legal enactment would be a mere formality. The Commission plead that recognition in letter must be followed by recognition in the spirit, by a readiness to discuss sympathetically points put forward by the Union, by accessibility to its officers and by willingness to let them have credit where credit is due. The Bihar Labour Enquiry Committee differentiates the attitude of the workers from that of the employers with regard to the question of recognition.[35] The workers would like to make recognition compulsory by law as recognition opens out channels of communications with the management in the absence of which misunderstanding and therefore friction are bound to occur. Employers on the other hand, contend that

[34] Industrial and Labour Information, 23rd August 1937.
[35] *Report*, Paras 547-550.

recognition of a union which wields no sufficient influence among their workers is neither of any consequence to themselves nor to their workers. According to them, a strong union can compel the management to recognise it through its sheer strength and hence the matter should be left entirely to the discretion of the management or to the strength of the trade unions concerned.

Trade Union Recognition Act:

The Central Legislative Assembly adopted in November 1943 the motion for circulation of the Indian Trade Union (Amendment) Bill, 1943, for eliciting public opinion.[36] The purpose of the Bill is to compel an employer to recognise a trade union which fulfils certain prescribed conditions and is approved by the Board of Recognition, non-recognition under those circumstances being made an offence punishable by law. These proposals to secure compulsory recognition of trade unions and the constitution of boards of recognition were further discussed in 1944 by the Fifth Meeting of the Standing Labour Committee. The Bill, in a modified form, was passed into Act in the early months of 1947.

Prerequisites to Recognition:

It is important to examine the conditions put by the employers to trade unions, before they grant recognition to them.[37] Some of the demands such as keeping of proper audit and accounts, and resort to proper methods in the conduct of trade disputes can be easily justified. A majority of the demands such as previous approval by the employers of the constitution of the union and its modification in the light of suggestions by the employers cannot be approved by any independent workers' organisation. A few others such as

[36] This Bill has been reproduced at pages 115-119 of the November issue of the *Indian Labour Gazette*. For additional information see also the following issues: December 1943 (pp. 137-138) and July 1944 (p. 12). The views of the All-India Trade Union Congress on this Bill are stated in the *Trade Union Record* (June 1942 and Aprpil 1944); those of the Indian Federation of Labour are given in its *Bulletin* (December 1943 and March 1944). The complaint of these Labour Organisations is that compared to the rigid conditions laid down for a trade union that seeks recognition, the rights granted are inadequate.

[37] A number of conditions laid down by the employers in C.P. and Berar can be found in the *Proceedings of the Conference of Labour Ministers*, pp. 77-9. They are political, industrial and economic.

the exclusion of outsiders, sufficient degree of popularity of the union and restriction of trade union membership to a particular concern are matters of controversy. A union, if it is to function properly, must have its machinery smooth. The Trade Unions Act (1926) imposes some obligations on a registered union such as regulations for expenditure of general and political funds, keeping of proper audit and accounts, and maintenance of a proper constitution. The registration of a union, which thus gives a legal and constitutional value to a trade union should be an adequate reason for recognition by the employers. That was the object, as we have seen before, of Mr. Jhabvala's Trade Union Recognition Bill, introduced in the Bombay Assembly in 1938. If another demand, that of the previous approval of a union's constitution is granted, the organisation of the workers becomes in fact a company union. A trade union has to perform a variety of duties, social, economic and political. In cases of strikes and lockouts, in attempts to raise labour representation and to bring pressure on the State and the public to pass favourable labour legislation, a trade union may not see eye to eye with an employer. A constitution that depends upon the approval of the employer and a trade union promise to modify the constitution in light of the employer's suggestions make a trade union dependent on the employer. This dependence of the union upon the employers, kills the spirit of unionism and saps the vigour of the trade union officials. Besides, if the union hands over to the employer a list of its members, along with the constitution, it gives a handle to him to pick and choose the workers whom he considers to be active trade unionists. In times of disputes they are victimised.

Restriction of Trade Union Membership to a Particular Concern:

It is not always possible or desirable for the membership of a trade union to be restricted to the workers in a given factory. The Bihar Labour Enquiry Committee defend this proposition on three grounds—that the Trade Unions Act permits members outside the industry, that the restriction would increase the difficulties of labour organisers and lastly

that some unions would be too small to conduct their business within the finance at their disposal. Besides, if the scope of the union is restricted to a particular branch of the industry, it becomes easy for the employer to bring it under his influence by threats of intimidation and victimisation.

Right of a Union to represent even Non-unionists:

About the right of a trade union to speak on behalf of non-unionists also, Mr. and Mrs. Webb are of the opinion that the influence of trade unionism on working class life cannot be measured by the members actually contributing to the union funds. A majority of workers though they may not be members of the union follow the lead of the union and are mostly ready, on the slightest encouragement from its members, for improvement in their own position to rejoin an organisation, to which, in spirit, they still belong.[38]

Uniting as they do the best elements of the working classes, the trade unions cannot confine themselves to defending the interest of their members only. Still the distinction between the unionists and the non-unionists remains. A unionist naturally feels that a person who does not pay to the union has no right to get the advantages won by the union after a hard struggle. It is for this reason that a union sometimes insists that collective agreements should give preferential rights of employment to trade unionists.[39]

'Outsider' Problem:

The most common, at the same time, the most controversial demand of the employers relates to the exclusion of non-workers or 'outsiders' from trade unions. The Royal Commission observe that employers frequently announce their readiness to treat with union led by their own workmen but refuse to recognise any outsiders. Instances of this tendency can be found in abundance in the history of our labour movement. The Madras Labour Union was, for

[38] The Bombay Girni Kamgar Union (Red Flag), for example, never claimed a membership of more than 55,000; still, in its history of the last twenty years, it conducted four general strikes in the Bombay textile industry, when each time about a lakh and half workers struck work. At the time of the 1934 strike, the Union had only 8,000 members.

[39] A resolution to this effect was passed by the Fifth Congress of Russian Trade Unions.

many years, not recognised, because its executive was partly composed of outsiders. One of the conditions that was laid down by the B.E.S. & T. Co. of Bombay, in 1922, to be complied with by the Union before it could be recognised was "the elimination of outside advisors." In their evidence[40] before the Royal Commission, the Bihar and Orissa Government gave the example of the Jamshedpur Labour Association, which was offered recognition by the Company in 1920 on certain conditions, the chief of which was that membership must be confined to the Company's employees. Another instance is of J. Kirk, Superintendent of Jamadoba Colliery Ltd., who told the Royal Commission, "So long as the leaders come from the ranks and stand up for their own labour, it is all right. I do not want lawyers or politicians as trade union leaders."[41]

State's Attitude to Outsiders:

The policy of the employers seems to have been based on that of the State. Till 1920, outsiders were legally prohibited to be members of a union of government employees. The Bombay Government refused to recognise the Government Peons' and Menial Service Union on the ground that it contained some outsiders as office-bearers. Although the Indian Government conceded in 1920 the right to employ outsiders[42] and recognised in 1926 their position in the union,[43] it is rather difficult to say that the attitude of the Government has changed. Objection was taken to the inclusion of an outsider in a delegation of the G. I. P. Railwaymen at the times of the Strike of 1930. The organisers of the district branches of a railway union in South India were transferred to some out of the way stations in order to prevent the branches being developed.[44]

The presence of outsiders, working for the Labour Movement is not a feature only in our Trade Union Movement. The Royal Commission observe that in every

[40] Vol. IV, Pt. I, p. 77.
[41] *Evidence* Vol. IV, Pt. II. Question D 2554 (Oral Evidence).
[42] See Recognition Rules.
[43] The T.U. Act (1926) allows 50 per cent. outsiders in the executive of a union.
[44] *T.U. Record*—August-September, 1932.

country much of the active work of trade unions, particularly in their relations with the employers, is carried on by persons whose livelihood does not depend on the employers' will. Mr. Harada points out that the Japanese Labour Movement is not the outcome of the experiences of the rank and file of the working class in industrial strife, but a movement started by intellectuals who adopted foreign ideals.[45]

Why 'Outsiders' are essential?

In India the presence of outsiders in our Labour Movement can be justified on various grounds. Due to poverty and illiteracy very little working class organisation can either come into existence or be maintained in an efficient manner unless some educated people take interest in the work.[46] In the absence of primary education and in view of the practice of victimisation, unions would be but powerless and ineffective, if there is to be no guidance and support from outsiders. We have already seen the extent of victimisation.[47] No employee likes to meet his employer, as the representative of an organisation which has to do sometimes things disagreeable to the employer, for fear, real or imaginary, of losing favour with him or on some occasion being victimised.

The conduct of registered trade unions involves a good deal of clerical, accounting and correspondence work. This renders the workers greatly dependent on outside help.[48] The workers can question: If the employers can appoint outsiders for technical advice and such other matters, why should the employees be denied suitable help from outsiders, paid or unpaid? The Trade Union Congress, in a represen-

[45] Harada: *Labour Conditions in Japan*, Ch. X.

[46] N. M. Joshi—*Trade Union Movement in India.*

[47] One more example may be given. Mr. C. Basudev, President of the Madras Government Press Labour Union, in his *evidence* (Vol. VII, Pt. I, p. 293) before the Royal Commission, complains of victimisation in the Government Press, because of the attempts to form a union. One thousand men were dismissed during 1923-28. The newly formed association naturally felt the necessity for an outsider as President. On 5th May 1928, the secretary of the Union was dismissed on the sole ground of convening meetings. The treasurer of the Union, who had put in nearly 30 years of service, shared the same fate. Similar reasons necessitated the Jamshedpur Labour Association, the E. I. Railway Union and the O. and R. Railway Union to bring outsiders in their executives. (*Directory of Trade Unions*, 1925.)

[48] *Evidence* before Royal Commission of Social Service League, Bombay, Vol. I, Pt. I, p. 445.

tation to Government on Trade Union Legislation in 1922, favoured the inclusion of outsiders on the grounds that the unions would get the honorary services of treasurers above the temptation of embezzlement and if outsiders cannot be responsible officers, they can easily control the unions without holding any office. This state of irresponsibility would be more vicious and demoralising.

Objections to Outsiders:

Objection to outsiders is based mainly on the assumptions that they are superfluous, not conversant with mill affairs and that they 'dabble' in politics. We have so far discussed the necessity of outsiders, especially in the infant stage of our Labour Movement. As for their ignorance in mill matters, the outsiders cannot be blamed. A man, even whose economic activities in labour matters are disliked by the employers, cannot be expected to be a technical expert, when he has no chance to be conversant with the labour management of the mill. Some of our unions, like the Girni Kamgar Mahamandal,[49] the Bombay Press Workers' Union and the Buckingham and Carnatic Mills Employees' Union, had laid down in their constitution that there should be no place for outsiders in the management of the union. Another objection is also raised. The ignorance with actual working class conditions leads to indifference and irresponsibility on the part of the outsiders. The outsider, it is alleged, has not to suffer anything even if the workers go on strike and starve. To this objection it can only be said that industrial workers in India, though illiterate, are intelligent enough to know their own interest and they would certainly not tolerate an irresponsible official who exploits them for his own personal ends. Even an illiterate worker, connected with the working class, sensing its troubles and knowing its needs and sufferings is better than an educated person who looks upon the trade union as a commercial enterprise. The main question in connection with a leader, as Dr. Das[50] points out, is not, whether he comes from outside, or grows from inside, but what his attitude is towards

[49] Evidence before Royal Commission, Vol. I, Pt. I, p. 459.
[50] *Labour Movement in India*, p. 91.

the rank and file of the workers. The utmost attention should be paid to the danger of the trade unions being controlled by members of the liberal professions, who might utilise the union for their personal benefit. Besides, there is also the danger of the domination of the working class by the intellectual in which case the workers are liable to forget the real issue of the problem. The aristocracy in trade unionism may consciously or unconsciously mislead the workers.[51]

'Outsiders' and Politics:

The most vehement objection of the employers to outsiders relates to the fact that "some political busy bodies import into every question connected with workers, the idea that capital and labour are hostile to each other and the interests of the one are necessarily opposed to those of the other."[52] The objection of the employers is not against all outsiders. The Chairman of the Bombay Millowners' Association at the annual General Meeting in February 1925 declared that his class realises that the workmen are incapable of forming unions unaided and hence require the guiding hand of disinterested outsiders. Instances of this attitude are not infrequent. The Currimbhoy Group and the Tata Group of Bombay Mills entrusted in 1919 the carrying on of the welfare work in their mills to an outside body —The Social Service League. The Sassoon Group at the same time sought the services of an outsider (Mr. J. Baptista) to form a trade union on sound lines.[53]

Employer's General Attitude to Outsiders:

The attitude of the employers towards outsiders varies according to the individual nature of the employer and also according to circumstances. In some cases, no objection is taken to an outsider being a paid secretary, but the same person is not acceptable when he works without payment. In some other cases, objection is taken to certain individuals being officers of a union.

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[51] The same view has been supported by Mr. H. N. Brailsford in his preface to Murphy's *'Modern Trade Unionism.'*

[52] *Evidence* before Royal Commission, Vol. I, Pt. I, p. 482.

[53] See the Company's *Evidence* before Royal Commission, Vol. I, Pt. I, p. 482.

The attitude of the employers towards outsiders is seen in the recommendations they make to the Government. The Bombay Millowners' Association, in a memorandum submitted to the Government of India on Trade Union Legislation (1921) advised the Government to prevent exploitation of the great mass of ignorant and illiterate work people by self-constituted leaders, to encourage the promotion of properly constituted labour unions upon an entirely and fundamentally different basis from that upon which the few so-called trade unions were founded. The Bombay Chamber of Commerce, in their memorandum for the same purpose, went still further and suggested some methods to discourage outsiders. One of their methods was the election to the managing body of a registered union by ballot of all the working members, with a statutory provision to the effect that a majority of that body is to consist of past and present working members of that union. Another method suggested was giving a right to the employers to interview the whole of such managing body, when collective bargaining would be in progress. The Indian Government, in spite of these recommendations, took a sound view and justified the presence of the outsiders in a trade union on the grounds of lack of education and fear of victimisation.[54]

Proportion of Outsiders:

Though the Trade Union Act allows half of the members of the Executive Committee to be outsiders, the limit is scarcely reached. A trade union, if it is to be a true representative of the workers should not have a dominant majority of outsiders. It is for this reason that most of the unions have a large majority of actual workers in their executives. However, it is possible even for a few outsiders to control a union by holding the key-positions. The Press Employees' Association, Calcutta, established in 1905, has made a rule whereby "the Association may have only four members in its executive who may not belong to the category of press-workers and those four are the President, the Secretary, the Organising Secretary and one out of the nine

[54] Letter No. L—925 of 30-8-1924 of Government of India to Local Governments.

vice-Presidents."[55] As a rule, in any union, where an outsider is in the Executive the post of the President or the Secretary usually goes to him. The percentage of the outsiders to workers in the Executive has been unnecessarily made a controversial problem. The Trade Unions Act lays down fifty per cent. proportion of outsiders. The Royal Commission urged its reduction from one-half to one-third, so as to encourage active participation of actual workers in trade union activities. The Bombay Textile Labour Enquiry Committee agreed to the existing level of 50 per cent. and finds no case made out by the employers to a further reduction to 10 per cent. Their recommendation was based on the right of the members of a union alone to judge the extent of outside assistance. The employers are hardly justified in dictating to them how many and who should be the outsiders to guide and help them in carrying out the activities of the union.[56] In practice, however, the proportion of outsiders to workers in the Executive of a union hardly reaches 50 per cent. The following table, prepared from the information given by the C.P. Government in their evidence before the Royal Commission, proves the statement.[57]

TABLE NO. 20.

'Outsiders' in the Executive of a Union

Name of the Union	Total No. of members of Executive	Actual workers in the Executive	Outsiders
1. Nagpur Textile Labour Union ..	51	39	12
2. Model Mills Labour Union ..	17	9	8
3. Press Employees' Association, Nagpur ..	17	12	5
4. Scavengers' Union ..	15	10	5

Trained, Paid Officials of Trade Unions:

Our discussion on this 'outsider' problem may be concluded with a remark from the Bombay Industrial Disputes

[55] *Evidence* of the Association before the Royal Commission, Vol. V, Pt. I, p. 127.
[56] *Report*, p. 377.
[57] *Evidence*, Vol. III, Pt. I. p. 48.

Committee (1921): "With the present widespread illiteracy, the lack of homogeneity, the migratory character of the working classes and the suspiciousness which these conditions must endanger, it is often necessary that outside sympathisers should be entertained if the movement is to have any life whatsoever." However at an advanced stage of the Labour Movement the outsiders must be eliminated. The trade unions must aim at the gradual building of a body of trade union officials, drawn from the ranks of actual workers. Whether they should be paid officials or honorary workers is another matter. Both the Industrial Disputes Committee and the Royal Commission advocate union officials paid from union funds and therefore independent of factory labour for their means of livelihood. To the charge that the present income of many unions is too low to bear such a burden, the Royal Commission answer: "The organising official, if he is even moderately competent, will secure a substantial increase in that income."[58] Attempts to train individual workers as trade union organisers are very few.[59] The present 'Bevin Scheme' to train skilled Indian workers in English factories and surroundings is praiseworthy from this point of view. We have much to learn from trade unions of industrially advanced countries.

Field for Trade Union Leaders:

The path of leadership should not be restricted to the field of workers alone. Our Trade Unionism is an example where outsiders have shone as brilliant trade unionists. Mr.

[58] *Report*, p. 329.

[59] In 1937, with the consent of the British Trades Union Congress, the National Trades Union Federation sent one of its trade unionists to England to be trained in labour organisation. Unfortunately he fell ill and returned to India. We have already referred to the All-India Trade Union Workers' Study Camp, conducted by the Indian Federation of Labour in September, 1943. The Engineering Association of Calcutta in a Representation to the Government of India on *Post-War Industrial Development* (1944) suggests an organisation of 'a Labour Academy for the training of labour leaders and Trade Union officials, where suitable candidates can be trained in Economics, Accounts, Industrial Administration, Labour Laws and Labour Movements of this and other countries, industrial psychology, vernaculars of workers etc., and.....later on when a sufficient number is trained, the T.U. Act may be amended so as to require that at least one of the office-holders of Trade Unions should be a certified graduate of the Labour Academy.' At present, some organisations like the Sir Dorabji Tata Graduate School of Social Work, Bombay and the Calcutta University give some such training to labour welfare officers. The Bevin Training Scheme for the training of Indian workers in Great Britain in war-time was to be utilised also for the study of British trade unionism. However, the results at least in this respect have not proved to be so successful.

M. K. Bose in his Presidential Address to the 1st Session of National Trades Union Federation reveals one more field from which leaders can be chosen. In his opinion the right type of the union-workers can be found from the vast body of the educated unemployed. One more field for the selection of trade union leaders can be found in the jobbers, who practically control the labour in mills. Mr. B. Shiva Rao thinks that these jobbers, if given the opportunity, would make fine leaders of trade unions. The jobbers or the Muccadam wields immense influence over workers, because of the powers given to him. It would, however, be risking too much for a person with a wage of Rs. 60 to Rs. 100 or more a month to come into the open and associate himself with a union.[60] In some of the unions of textile workers the executive posts are held by jobbers or muccadams, either discharged or retired from service.

Rivalry amongst Trade Union Leaders:

The greatest defect of Indian trade union leaders is the rivalry amongst themselves. What impressed the Bihar Labour Enquiry Committee in the coal-fields of Bihar was "the competition among the leaders rather than the strength of organisation."[61] This element of rivalry is further accentuated by the existence of political groups and absence of common loyalty. The result is weakening of the primary trade union organisations, giving of high promises difficult of attainment and hampering of the general progress of labour. According to the Bihar Committee, the rivalry among the leaders results either in the formation of rival unions, weakening of the existing unions or no unions at all.[62]

Conclusion:

The attitude both of the State and the employing class is not so encouraging to the Trade Union Movement in India. Both desire to restrict the activities of the unions to econo-

[60] Shiva Rao—*Industrial Worker in India*, p. 92

[61] *Report*—Para 535.

[62] The evil effects of the rivalry amongst trade union leaders has been already discussed in Ch. V: *'Indian Trade Unionism Today,'* pp. 131-2.

mic and social fields. The way before the workers is clear. Formation of strong, sound organisations of the workers easily solves the complex problems of victimisation, anti-labour legislation, non-recognition of unions, exclusion of outsiders and the like. The history of Trade Union Movement in other countries proves that the trade unions had to go through a long, arduous path, before they were recognised, though reluctantly, by the State and employers. The Trade Unions, which enclose within their folds a majority of actual workers, become a force which the employers and the State cannot ignore.

PART III: TRADE UNION RELATIONS IN INDIA

CHAPTER VIII

TRADE UNIONISM AND POLITICS IN INDIA

Reformist vs. Militant Trade Unionism:

Generally, among the trade unionists of any country there is always a struggle between two opposite tendencies —the Reformist and the Militant. In America, the American Federation of Labour stands for reformism and has been opposed by the Knights of Labour, later by the Industrial Workers of the World and now by the Committee of Industrial Organisation. The General Confederation du Travail of France split at Tours into the dissident socialists and the communists. In England, the disruptive movement dates back from the period of New Unionism (1889) and more distinctly from the time when Shop Steward Committees (1914-1918) sprang up as a menace to the Reformist Trade Unionism. In Germany, just before the Great War (1914-1918) there were three different parties in labour: the Revisionists led by Edward Bernstein, who were prepared openly to jettison Marxism; the 'Left' led by Fraz Mehring, Roza Luxemburg and Karl Liebknecht, who, though not entirely correct in their interpretation, were nearest to Marxism; and the centre led by Kautsky, who claimed to preserve Marxism intact, but whose practice supported reformism.[1] Since 1918 to 1933, the German working class was divided into two sections—the Communist Party (K.P.D.) and the old Social Democratic Party (S.P.D.). Nippon Rodo Sodomei, Nippon Rodo Hiogihai and the Nippon Rodo Kumiai Domei were the labour federations of Japan in 1928 that represented three schools of thought—the Rightist, the Leftist and the Centrist respectively.[2]

Indian labour conditions offer a striking similarity to the conditions mentioned above. For a time, Indian trade unionism was divided into three groups each having a sepa-

[1] *Organised Labour in Four Continents*—'Germany' by Erich Roll, p. 99.
[2] Harada—*Labour Conditions in Japan*, Ch. X.

rate national federation. Later on they organised into two groups till at last in 1938, the Trade Union Congress united them all. Still, even at present, a careful observer can see in Indian trade unionism, three different groups, each being differentiated from the other two, by a different line of action and of policy. The communists with a conception of revolutionary trade unionism are for the overthrow of the present system of Society and hence favour mass political strikes as a weapon against the capitalist system and the conquest of political rights of the workers. The 'Federationists' or the moderates, though they accept the principle of class-struggle, follow the constitutional and evolutionary methods. While a significant number of trade unionists, who can be called 'Reformists' give preference to economic over political methods. To this class belong the Ahmedabad Textile Labour Association, the unions that have been modelled on that line, the Indian Federation of Labour and the newly-formed Indian National Trade Union Congress.

The distinction between these classes is not always clear. The second class, for example, had been often dubbed as 'reformists' and as such had to fight with the first. Again, in between the first and the second, stand a number of socialists such as those who remained in the Trade Union Congress, even after the two splits, which drove out the second (1929) and the first (1931) classes out of the Congress.

The struggle between the reformist and militant tendencies in India dates back from 1924, when communism in an organised form made its appearance on the horizon of the Indian labour world. We have seen how the Trade Union Congress was twice split giving birth to the Indian T.U. Federation and Red T.U. Congress. But the opposition went still further and was even personal. Mr. B. Shiva Rao complains that for years he was kept out of an important textile centre by men who treated his 'moderation' or 'reformism' with contempt, but never themselves made any efforts to improve the wages or living conditions of the workers.[3]

[3] *Industrial Worker in India*, p. 165.

Similarly at the time of the General Strike in Bombay Textiles in 1934, though Messrs. Joshi and Bakhale, the moderate leaders, expressed their willingness to serve on the Joint Strike Committee, their offer was rejected. The differences were more marked at the time of the general Provincial elections in 1937, when the National T.U. Federation opposed the Trade Union Congress.

The Principle of Class-Struggle:

The three tendencies in our Labour Movement would be more clear if we examine their attitude towards the principle of class-struggle. Both the Communists and the Federationists[4] accept the statement that a trade union is an organ of class-struggle. The Communists and the Socialists base their whole edifice on the basis of this principle, while the Federationists give their assent with a slight hesitation. The first clause of the Report of the Trade Union Unity Committee (1932) runs: "A trade union is an organ of class-struggle; its basic task, therefore, is to organise the workers for advancing and defending their rights and interests; and although labour and capital cannot be reconciled in the capitalist system, collective bargaining is the necessary implication of a trade union and in the transitional period to socialism, negotiations, representations and other methods of collective bargaining must remain an integral part of trade union activities." It must be noted that this clause was very much modified from the original one in the 'Platform of Unity' referred to the Trade Union Unity Committee for report. The latter expressly declared that "under no circumstances can the object of any trade union be to reconcile the interests of capital and labour or to foster friendly relations between the employers and the employees."[5]

[4] The term 'Federationists' is used for the members of Indian T.U. Federation and later of National T.U. Federation and not for the members of the Indian Federation of Labour.

[5] Even in spite of the mederation of the Clause two members of the Unity Committee vehemently opposed the 'setting out of class-struggle as one of the aims of the Trade Union.' Mr. B. Shiva Rao, advocated co-operation between employers and workers especially when the movement was in its infancy and deprecated that outsiders should force upon the workers a policy, the implications of which could not be understood by at least 99 per cent. among them. Mr. C. Sambsiva Rao, the other dissentient, liked to modify the clause as: "The Trade Union is an organ for the improvement and advancement of the interests of workers: it aims to promote its objects by

Difficulty to distinguish Political from Economic Matters:

It is neither possible nor desirable for modern trade unions to abstain altogether from political action. The difficulty arises when we demarcate economic and political activities of the workers. The economic activities of an individual if carried on by the working class as a whole, turn into political activities. For example the attempt to obtain from individual capitalists a shortening of working hours in some individual factory or in some individual trade by means of strike etc. is a purely economic movement. On the other hand a movement to obtain an eight-hour legislation etc. is a political movement. It becomes convenient for a labour organisation to pursue in common all the activities, social, economic and political, that affect labour. The first constitution of the All-India Trade Union Congress in 1920 (when the Congress was established) lays down as one of its objects: "to further the interests of labour in matters, social, political and economic." The Indian T.U. Federation, the National T.U. Federation, the National Federation of Labour and the revised All-India Trade Union Congress, though differing from one another in their lines of action had the same objects in their constitution, some of which are:

(1) To establish Socialist State in India.
(2) To socialise and nationalise the means of production, distribution and exchange as far as possible.
(3) To support and actively participate in the struggle for India's political freedom from the point of view of the working-class, and
(4) To abolish political or economic advantages based on caste, creed, community, race or religion.

These political objects of our national labour federations compare favourably with those of the British T.U. Congress

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negotiations, representation, collective bargaining and all other lawful and legitimate means." The idea of class-collaboration against that of class-struggle is found also in the views of Mr. N. M. Joshi. Referring to the Trade Union Unity Commmittee Report he remarked, "Although a trade union is generally engaged in carrying on a struggle with the employing class, still the possibility of co-operating with that class need not necessarily be ruled out. In Great Britain, the Trade Union Congress has for some years formed a joint committee with the Federation of British Industries for advancing the interests of the industries."

which aims at "public ownership and control of natural resources and of services." A resolution in favour of complete socialism was carried as far back as 1894 at the British T.U. Congress.

Methods and Functions of Trade Unions:

The differences of opinion are the result of the different views taken by the trade unionists as to the functions, aims and methods of trade unions. According to Professor A. C. Pigou, the weapons available for trade unions are violence, political action and economic action. "The employed, like all other classes, are at once brigands, citizens and workers. To gain their ends they have three appeals, to violence, to the Government and to strike."[6] In England and America, the economic action has generally the chief importance and was partly responsible for the suppression of organisation on the basis of localities, by organisation according to trades. The economic, social, moral and intellectual objects of trade unionism are universally recognised.[7] All agree to the role of the trade union as an organisation to maintain and improve the conditions of labour.

Before we discuss the relations of labour and politics, it is necessary first to examine the extent of the legitimate functions of a trade union. The functions are varied and numerous. Mr. Milne-Bailey, aptly remarks, "To attempt to illustrate even a tithe of the multifarous activities of trade unions in the space available, is an impossible task. Nor would it be easy, if it were unlimited space, for many of the most important functions and methods of trade unions are not recorded in documentary form."[8] The chief object of a trade union is to maintain and improve the working conditions of its members and hence every action, that has been directed to this end, whether social, economic or political, can be taken as a legitimate trade union function. Such diverse functions as collective bargaining and collective agreements, moral and cultural education, workers' repre-

[6] *Principles and Methods of Industrial Peace* by A. C. Pigou, p. 9.

[7] For a detailed discussion of these objects, see: I.L.O.; *Freedom of Association*, Vol. I, pp. 39-43.

[8] Milne-Bailey—*Trade Union Documents*, p. 211.

sentation in industrial peace, conciliation and arbitration, parliamentary activities, political propaganda, enforcement of statutory legislation, mutual insurance and even a share in the management of the industry—all these can come under the category of trade union functions.

Broadly the functions may be divided into three groups, social, industrial and political. We shall study all these functions when we shall examine critically the three methods of trade unionism[9]—Mutual Insurance, Collective Bargaining and Legal Enactment—to the extent followed by our trade unions. For the present we shall briefly review the three divisions to find out why it is essential for a trade union to pursue the political activities along with purely industrial and social ones. To be a real trade union an organisation of the workers must take up all the three functions—political, social and industrial. If it concentrates only on the political activities, it becomes merely a political party; while if it takes up only to the other two kinds it is no more than either a social welfare centre or a friendly (insurance) society.

Social Functions:

The social activities of a trade union include moral, educational and all other cultural functions. The pursuit of these social activities is not prohibited by the legislation of any country; on the contrary it has been encouraged by grants of subsidies and other means and what is more a number of employers and some labour leaders expect the trade unions to confine their activities to this field alone.

Industrial or 'Trade' Functions:

As the term 'trade union' implies, the most important activities of a trade union relate to the trade or industrial field. A combination, in order to be recognised as a trade union, must necessarily have trade or industrial objects. A trade union has to look after the interests of the workers and hence it is its duty to see that labour legislation, passed in favour of the workers. is strictly enforced. The maintenance

[9] Webb—*Industrial Democracy*: Part II, Ch. I, II and III. The methods given by the Webbs shall be studied with reference to Indian conditions in Part IV *'Trade Union Methods'*, (Chapters X to XII).

of conditions relating to employment is one of the most important duties of a trade union and this can be done not only by looking after the enforcement of the legal enactments but also by trying for the redress of the grievances over which the worker has no legal control. The trade union, bereft of the legal weapon, has still to fight for the workers' rights and thus look after even the unwritten rules and customs. The union may also serve as an employment bureau, informing members of the vacancies in the industry, as a training ground for apprentices and as an information bureau, where the members can obtain all the information as to the conditions of employment. The Madura Labour Union is an example of such a union.

Collective Bargaining:

However, the most important function of a trade union is collective bargaining, since it is the primary object of such organisations to conclude agreements with employers in order to regulate the conditions of labour.[10] The main object in concluding the collective agreements is to bring industrial peace by avoiding industrial disputes. In the case of an imminent dispute the union may act itself as a conciliator between the two parties or may represent the workers to the employers. Before waging a strike, the workers place their grievances before the Union officials, who after negotiations with the employers attempt to settle the case. The Union represents the workers in all forms of collective bargaining, such as a permanent Arbitration Board (as was the case in Ahmedabad), collective agreements, conciliation proceedings and the last but the most important, the industrial disputes (strikes and lockouts).

Political Functions:

In following the T. U. Method of Legal Enactment, the union comes in direct contact with the State and thence arises the question of the political activities of a trade union. In tracing the history of our labour movement, we have seen how Indian labour legislation is mostly the product of

[10] Mr. Milne-Bailey, in his *'Trade Union Documents'* (p. 212) gives some extracts to show that even the employers desire to maintain the system of collective bargaining and agreements.

constant pressure applied by the workers themselves by waging intensive strikes and by the general public when they saw the pitiable conditions of labour. The strikes were waged in a number of cases by trade unions on behalf of the workers. However, the more effective method to pass favourable labour legislation is to capture the legislative bodies, to form the labour cabinets and then to pass the laws.[11]

Labour and Politics:

The charge of labour dabbling in politics was seriously made in about 1921, when during the political turmoil of the first Civil Disobedience Movement, a number of politicians turned their attention to the Labour Movement. The Trade Union Movement, which was just born out of the industrial unrest was given a political colour, because of its leaders. In reply to the Deputation of the British T. U. Congress, which waited upon the Secretary of State, for Indian trade union legislation, Mr. E. Montague, the Secretary said, "There are many bogus political associations in India—bodies which are spontaneously brought together under the name of trade unions and then proceed, because they understand that strikes are things associated with trade unions, to organise strikes very often for mixed motives and sometimes for purely or mainly political motives." A similar remark has been made by Sir Valentine Chirol, "There is unhappily very abundant evidence to show that strikes would not have been so frequent, so precipitate and so tumultuous, had not political agitation at least contributed to foment them as part of a scheme for promoting a general upheaval."[12]

These are rather prejudicial remarks, by persons who could not or did not care to analyse the factors that led to the industrial unrest in the immediate post-war period. Both the Industrial Disputes Committees (1921) of Bombay and Bengal as well as the Government of India[13] consider the post-war strikes to be economic in character. Criticism

[11] The necessity of a Labour Party in India and the attempts in that direction have been discussed in Ch. XII: *The Method of Legal Enactment.*

[12] Sir V. Chirol—*'India Old and New'*, p. 273.

[13] *Evidence before Royal Commission*, Vol. II, Part I, p. 226.

to the proposition, which questioned the right of labour to take part in politics came from all quarters. Mr. S. Satyamurti declared that it was neither possible nor desirable for labour to remain undefiled by politics.[14] This is especially important in India where the bulk of our population are workers, agricultural or industrial. Mr. Baptista modified the relations of labour and politics by declaring, "Trade unions should not dabble in politics *individually*. They might discuss the industrial aspects of politics and formulate their proposals for concerted action by the Trade Union Congress. But the Trade Union Congress cannot dispense with politics."

The question of the relations of labour and politics has been discussed by nearly every President of the Trade Union Congress in his Presidential Address. The question was hotly discussed since 1927, when for the first time, serious political discussions took place in the Trade Union Congress in its 8th session at Cawnpore, when a resolution boycotting the Simon Commission was unanimously passed.

That labour organisations should not dabble in politics is a vague statement. Carried to its extreme it may mean that the labour associations should confine themselves to nothing else but labour work without giving any thought whatsoever to the interests of the country. This view is erroneous as it is neither desirable nor possible for the labour organisations to be completely immune from political influences. Mr. V. V. Giri explained this view in detail in his Presidential Address at the Sixth Session of Trade Union Congress, when he declared, "The interests of agricultural and other labourers are inextricably connected with the moral and material prosperity of the country. 95 per cent. of the people will have to be excluded from taking part in politics and this means the substitution of a brown for white bureaucracy to rule the country." The same Speaker in his Presidential Address to the 1st Session of the Indian T. U. Federation (1932) said, "The weapons that Trade Unions have got cannot by their very nature be confined to economic field alone, since economic line of action is very limited in

[14] *'Swadharma'* of 20-11-1921.

its scope." Mr. M. Daud, in his Presidential Address at the 9th Session of the Trade Union Congress (1928) thinks on similar lines, "The slogan that labour should not dabble in politics is properly and conveniently preached by interested bodies and far more by the unsympathetic, bureaucratic Government of the country." The right of labour to represent itself peacefully and constitutionally in political matters had been recognised by the Government when it nominated some labourites to the legislatures, reserved a few seats for labour in the Provincial Assemblies and appointed three Indian delegates to represent labour in the Round Table Conferences. The inadequacy of labour representation in our legislatures will be discussed in a later Chapter,[15] when we shall examine how far the Method of Legal Enactment is being followed in our country. Here we may only note that till 1937, there was not a single reserved seat for labour to be filled by election either in the Central or Provincial legislatures.

Limitations to Labour's Part in Politics:

The real objection comes in when labour organisations try to go into a whirlpool of politics at the expense of their legitimate, peaceful work. Here comes the struggle between the Reformists and the Militants, as also between the Militants and the State. We have seen how the communist and other militant elements in our trade unionism assign an ultra-political role to the labour associations. A resolution on the trade union organisation passed by the 9th Session of the Trade Union Congress (1929) shows the militant ideal of the Congress of that time:

> "Whereas the organised movement of the Indian working Class has now reached a militant stage and whereas the present economic, social and political condition of the Indian workers is a menace of national importance, the Congress hereby draws the attention of all organised unions to the necessity of concentrating upon the programme of:

[15] Chapter XII, *'The Method of Legal Enactment'.*

(1) Cent per cent. organisation,

(2) Collection of a fund of ten lakhs and

(3) Intensification of resistance to capitalism by all means in the power of the workers with the object of establishing at the earliest opportunity a Workers' Co-operative Commonwealth of India based upon the nationalisation of land and all means and sources of production of wealth."

It is futile to expect from the Government to give its consent to such militant ideas. It is also a highly problematic issue whether the trade union should take to such extreme politics, even when granted the Marxist proposition that in the militant state of the working class its economic movement and its political action are indissolubly united.

It is not, however, possible for Government to prevent our trade unions from accepting the principle of class struggle and the ideal of socialism. In other countries, the position has been the same. The All-Australian Trade Union Congress in 1921 adopted the following resolution, to retain unity amidst the clash of theories and to keep the militant unions and leaders in the Labour Movement: "We hold that there is a class struggle in society and that the struggle is caused by the capitalist class owning the means of production to which the working class must have access in order to live. The working class produces all value... The interest of the two classes are in constant conflict." The British Trade Union Movement by decisions at various union conferences and through resolutions of the Trade Union Congress and the Labour Party is definitely committed to a policy of socialisation. The recognition of the need for fundamental social change has been forced upon the Movement by its industrial experience.[16] A resolution in favour of complete socialism was carried as far back as 1894 at the British T. U. Congress. Mr. J. Clayton tries to find out the reasons of the socialistic attitude of trade unions: "If today the trade unions appear socialistic in their doctrine, it is partly because their leaders are inclined to socialism, but

[16] Clay—*Trade Unions: Some Problems and Proposals*, p. 2.

much more because the old individualism of the XIXth century, with its dogmas of free competition and anti-State interference, no longer has any considerable number of advocates."[17] The class struggle and socialism have now become articles of faith of our national labour federations also. Pandit Jawaharlal Nehru, in his Presidential Address to the 10th Session of the Trade Union Congress (Nagpur 1929) declared the ideal of the Trade Union Congress as 'a socialistic order of society in which the interests of workers would be supreme, in which every one was a worker and no one a drone or a parasite.' The same ideal was repeated even by a moderate trade unionist, "We cannot rest satisfied until we have established the socialist state. If we remain satisfied with anything short of it we deserve to be called as 'reformists'. If we do anything to prevent or impede securing of our legitimate demands, no matter, what our professed creed might be, we deserve to be called as 'agents of capitalism.' "[18]

[17] J. Clayton—*Trade Unions*, p. 34.
[18] V. V. Giri—Presidential Address, 1st Session of I.T.U. Federation (1932).

PART III: TRADE UNION RELATIONS IN INDIA

CHAPTER IX

INDIAN LABOUR AND INTERNATIONALISM

Labour and Internationalism:

The socialists advocate social revolutionary internationalism i.e. a violent social reorganization on a world scale as the *sine qua non* for the establishment of peace, freedom and equality. Marx and Engels ended the Communist Manifesto with the oft-quoted slogan, "Workingmen of all countries, unite." For the last twenty eight years, Indian labour is being invited to join the international organisations of labour. It would not be out of place here, if we discuss the relations of Indian labour with the labour of other countries. Mr. Lewis L. Lorwin has made a comprehensive survey of social radicalism in its world-aspects in his *'Labour and Internationalism'*. Therein he gives the history of the three Internationals and of the International Labour Secretariat, of the Internationl Labour Unions (2nd International), of the Red International of Labour Unions (3rd International) and such other organisations of international character. We shall necessarily limit our discussions only to the relations of Indian labour with these international bodies, without going into the details of their policies, methods and constitution. The extensive bibliography attached to Lorwin's volume provides a wider field for a student of international labour. Comprehensive as the work is, there is not a single reference individually to Indian labour, i.e. India has been referred only as one of the four or five countries like China, Japan, Iraq and Syria that were faintly affected by international conditions.

Question of Affiliation—Moscow vs. *Amsterdam:*

In most of the international contacts of Indian labour, the national labour federations (especially the All-India Trade Union Congress) form a link between Indian trade unionism and European labour politics. The question of affiliation to the international organisations had been always

the stumbling-block in the trade union unity. Both the Red International of Labour Unions (Moscow) and the International Federation of Trade Unions (Amsterdam) began to take a lively interest in the Indian labour right from the establishment of the Trade Union Congress in 1920. The battle between Moscow and Amsterdam had its counterpart in almost all the industrial countries and to this India has not been an exception. The problem of affiliation to an international organisation was one of the main causes in the dispute between the Moderates and the Communists in the Indian Trade Union Movement. The communist element, that was growing strong in the Trade Union Congress, passed two resolutions in the 1928 Session (Jharia) affiliating the Congress to the League against Imperialism for one year and resolving against any affiliation to the International Federation of Trade Unions, Amsterdam. To the same Session, Mr. C. F. Andrews, who had been twice elected as President of the Trade Union Congress sent a message, wherein he expressed his opinion in favour of non-affiliation of the Trade Union Congress with either European Internationals, "when the fight between the two Internationals in Europe is so bitter and when it is impossible to learn the truth about either side."[1] The tenth Session of the Trade Union Congress passed a resolution in favour of affiliation to the League against Imperialism and to the Pan Pacific Secretariat in spite of the advice of its President. Mr. Subhash Bose also in his Presidential Address to the next Session (1931) advised the workers not to surrender to the dictates either of Moscow or of Amsterdam. The general opinion of the time was against the I. F. T. U. as can be seen from clause IX of the 'Platform of Unity'. The clause runs, "The Trade Union Congress shall not affiliate itself with the I. F. T. U. (Amsterdam International) because it supports or connives at the system of colonial exploitation." This clause was amended by the Trade Union Unity Committee and the Congress was asked

[1] Mr. Andrews' argument, however, sounds rather curious, when he says, "If the Indian Labour Movement is to become truly Swadeshi and to grow stronger, in a way that will suit it to the conditions of India, then it is necessary at this early stage to avoid entangling engagements."

to consider, "whether an experiment should not be made for three years or more by affiliating the Congress to the I.F.T.U. at Amsterdam."

I. F. T. U. and Indian Labour:

There has been for the last twenty years a definite section of the Indian trade unionists, who have always sided with the I.F.T.U. The I.F.T.U., on the other hand, has shown a very keen interest in Indian trade unionism. When the Trade Union Congress was established in 1920, the I.F.T.U., a year later, extended an invitation to that newly formed organisation to affiliate. Again in its half yearly meeting in 1921, the Amsterdam International resolved to hold an International Congress of Workingmen at Geneva in October 1922 to carry out an energetic propaganda in British India and if possible to send a representation to this country. For the strikes waged in India during 1925-32, the I.F.T.U. has contributed about Rs. 30,000; while in India, the Trade Union Congress and other federations partially repaid the debt by contributing $3,151 for the British miners at the time of the 1926 General Strike of Great Britain, through the Amsterdam International.[2] In 1925 alone, the I.F.T.U. collected from different countries a sum of $12,929 for the Indian textile workers, who were on strike.[3] When the split occurred in 1929, the inclinations of the I.F.T.U. were clearly on the side of the Moderates and the Indian T.U. Federation, that was formed by the Moderates in 1930, passed a resolution in its first session (1932) conveying "its grateful thanks to the British T.U. Congress and the I.F.T.U. for the generous contributions made by them to the funds of the Federation."[3] The Indian T.U. Federation, however, did not affiliate itself to any international organisation, possibly because of its lack of stability. Later the National T.U. Federation, that evolved out of the amalgamation of Indian T.U. Federation and National Federation of Labour, passed a resolution in the first session, affiliating itself to the I.F.T.U. provisionally for two years.

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[2] Lorwin—*Labour and Internationalism*, Table No. II Appendix, p. 622.

[3] For the establishment of the Indian Trade Union Federation, the British Trades Union Congress contributed Rs. 673-11-0 and the I.F.T.U. Rs. 3,520-3-7.

Moscow International and Indian Labour:

The Moscow International also was not indifferent to Indian labour during this period. Soon after the formation of the T.U. Congress in 1920, it was invited by the Red International to affiliate with it. The growth of communism in Indian labour saw a number of world famous communists visiting the T.U. Congress. Just like the I.F.T.U., the R.I.L.U. also helped financially the Indian strikes and workers' organisations.[4] Moscow also played a good deal in the decisions of our Communist Party. The breaks and reunions both from the Trade Union Congress and the National Congress were brought about at the instructions of Moscow.

The Clash of Two Internationals:

The difference between the two Internationals is not between individuals, but between theories. This point was clearly brought out by A. Lozovasky, when he rejected the collaboration of the I.F.T.U.[5] The I.F.T.U., in retaliation, passed a resolution declaring that all organisations which would adhere to the political T.U. International of Moscow, automatically excluded themselves from administration of the I.F.T.U. The breach was complete; it was impossible for the moderate I.F.T.U. to carry on with an organisation that invited the trade unions "to co-operate in a really revolutionary attempt to liberate the workers from the capitalist yoke and to establish the dictatorship of the proletariat, to close their ranks against the International league of robbers, to break with international union of conciliators and to endeavour to organise a real international conference of socialist and revolutionary trade unions."

The attempts to bring the two organisations together proved abortive. Moscow had already set up the Comintern against the Second International and the Profintern against the I.F.T.U., with the object of taking action against reformists in general and against all attempts at a friendly

[4] The fraternal greetings and messages and financial contributions to Indian Labour from foreign organisations have been discussed in detail at the end of this Chapter.

[5] Lozovasky declared, "We are not fighting individuals, but a theory, and therefore the hand held out to us will be ignored. There can be no compromise, no agreement with those who seek a solution of the social question in a friendly understanding with the middle classes."

understanding with the middle classes, more especially against the I.L.O. and Amsterdam. The Profintern carries on extensive propaganda and correspondence with all sorts of communist organisations in the different countries (including India) giving detailed "directives" as to how these bodies ought to proceed. These instructions have been occasionally accompanied by substantial remittances under various disguises, usually in aid of strikes.[6] The Communist Party in India is one of the organisations aided by the Profintern and claimed to be "a section of the Communist International." Some of the necessary conditions that were to be fulfilled by an organisation, wishing to be a member of the Red International are: The recognition of revolutionary class-war, its application in the daily struggle against capital and the bourgeois state, attempts to overthrow capitalism by social revolution and to set up the dictatorship of the proletariat in the transitional period, observance of international proletarian discipline and of the orders of the Red T.U. International, break with the I.F.T.U. and complete agreement between the revolutionary organisations and the Communist Party in each country. The history of the Indian section of the Communist International would show how the Indian Communist Party has carried out to the letter the "directives" of Moscow, making it impossible for other sections to collaborate with it. In England, too, the British T.U. Congress deemed it fit to severe its connections and doubt the *bona fides* of the Communist organisations as the National Minority Movement and the National Unemployment Workers' Committee Movement.

The Second World War, however, brought a change in the relations of the two Internationals, especially when Russia became an ally of Great Britain. One of the events was the formation of a Joint Committee of trade unionists of England and Soviet Russia. Another was the dissolution of the Comintern. A third was the World Trade Union Congress, for which invitation was sent to both the All-India labour organisations and the setting up of the World Trade Union Federation.

[6] See Webb—*Soviet Communism*, Vol. 1, pp. 214-17, for information on Profintern.

The International Labour Organisation:

The international organisation which has affected the Indian labour most, has been neither the I.F.T.U. nor the R.I.L.U. but the International Labour Organisation of Geneva.[7] Part XIII of the Treaty of Versailles established the I.L.O. for improving labour conditions throughout the world and for establishing a better relationship between employers and employees, as well as among different nations through common understanding in which the representatives of States, employers and employees could take an active part.[8] A portion of the Preamble to Part XIII of the Treaty runs, "The High Contracting Parties moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to establish a permanent organisation to be called the International Labour Organisation, as a part of the League of Nations." India as a signatory to the Treaty of Versailles automatically became a member both of the League and the I.L.O. Since 1922, India, recognised as one of the eight important industrial countries of the world, has been given a permanent seat on the Governing Body, which seat has been occupied by the delegate of the Government. The employers and the workers of India have also been represented on the Governing Body—Mr. D. Erulkar and Mr. N. M. Joshi were appointed as Deputy Members in 1931 and 1928 respectively and full members in 1934.

Influence of the I.L.O. on India Labour:

The influence of the I.L.O. on Indian Labour Movement and the Labour Legislation cannot be denied, though it has been often exaggerated. Dr. P. P. Pillai, the Director of the Indian Branch of the I.L.O., for example, goes so far to declare that the Indian Labour Movement failed to furnish the initiative for even a single legal enactment during 1930-33, in which time the Government of India passed about a dozen labour Acts, all calculated in one way or other to improve working conditions. "The incentive to labour re-

[7] The Headquarters of the I.L.O. were shifted to Montreal (in Canada) in war time.

[8] Dr. R. K. Das—*Problems and Methods of Indian Labour Legislation*, Ch. III, Section 4.

form has come from external source—from Lancashire, or the India Office or Geneva."[9] In a previous chapter we saw how the menace created by the extremist tendencies in our Labour Movement was responsible for the number of legal enactments passed by the Government. The Draft-Conventions and Recommendations passed by the annual conferences of the I.L.O. might have given an impetus to the development of labour legislation, though we cannot endorse Dr. Pillai's statement that of the thirteen ratifications of the draft-Conventions by the Indian Government, none was the outcome of the endeavour of the Indian Labour Movement. Is it a proud record either of the Indian Government or of Geneva that up to 1947, out of the total of 80 draft-Conventions, India could ratify only 15, even taking into consideration that some of the Conventions have no reference to Indian conditions?[10] The policy of the Government of India towards Indian Labour Legislation is open to criticism; it has been neither uniform nor generous. Under Article 19(405) of the I.L.O. each member-State must submit the draft Convention, within 18 months of its adoption by 2/3rds majority of the Conference, to the Legislature or the Executive authority of the country, for ratification, even though it may be finally rejected. Under Art. 22(408) each member-State must send to the Governing Body an annual report in specified form on the measures taken by that State to give effect to the provisions of the Conventions. These Articles show that though the decisions of the I.L. Conferences are not mandatory, they still carry an obligation with them that both the Provincial and Central Governments should submit those decisions for rejection or adoption by their legislative bodies within a specified time. Herein lies the importance of the I.L.O. Many of the labour laws passed in India since 1920 have derived their motive force from discussions at Geneva Conferences. The creation of the I.L. Organisation and the adoption by that body of

[9] Speech of Dr. Pillai—1st Session of N.T.U.F. (1933).

[10] The Labour Member of the Government of India once complained that the procedure laid down by the I.L.O. does not allow the ratification by stages. The Convention or the Recommendation must be accepted in toto, which is often not possible.

the Draft-Conventions and Recommendations appeared to have given an impetus to the development of Labour Legislation in India.[11]

Effects of the I.L.O. on Labour Movement:

In addition to the influence on our labour legislation, the I.L.O. has done much in other spheres of our Labour Movement. We have already noted how the Washington Conference was responsible for the birth of the T.U. Congress and of a number of unions; since then the I.L.O. has proved to be a uniting factor, bringing together persons of diverse opinions. A number of trade unionists rally under the T.U.C. Flag, urged by the desire to be selected either as delegates or advisers to the annual I.L. Conference. The T.U.C., the I.T.U.F., the N.T.U.F., the I.F.L. the Railwaymen's Federation, the Seamen's Unions and some other individual unions have represented their cases on various occasions in the Conferences held under the auspices of the I.L.O. Even in the international field, the I.L.O. serves as a common meeting ground for working class representatives coming from different countries, thus leading to international solidarity. Exchange of views, realisation of the conditions of other countries, discussion on common international grievances, necessity of the union of working men of the world and opportunity to place before the world the grievances of the workers of one's own country are some of the benefits of the I.L.O. According to Dr. R. K. Das, the close contact of the Indian delegates, especially those representing labour, with their colleagues in other countries, at the annual I.L. Conference has proved to be a great source of inspiration for international solidarity and social justice.[12]

The active interest of India in the I.L.O. has not only helped the development of international solidarity, but has also profoundly influenced her own national labour legislation, her Trade Union Movement and her working-class conditions. The I.L.O. gave a new impetus and speed to all

[11] I.L.O.: *Industrial Labour in India*, p. 323.
[12] *Problems and Methods of Indian Labour Legislation*, pp. 162-163.

these factors of our Labour Movement.[13] The discussions and debates in the I.L. Conferences have been mainly responsible for setting up new ideals for further labour legislation. Dr. R. K. Das goes so far as to believe that even the appointment of the Royal Commission on Indian Labour was partly influenced by the fact that the Government of India was not in a position to give effect to the principles of international Conventions and Recommendations without knowing the actual conditions in organised industry.[14]

The I.L.O. serves also as an important international research institute.[15] A resolution moved by the Workers' Delegate of India (Mr. N. M. Joshi) and passed by the Seventh (1925) Session of the I.L. Conference asked the I.L. Office to continue to collect and publish available information regarding the conditions of labour in Asiatic countries. In pursuance of this resolution, the I.L. Office has regularly published in the weekly *Industrial and Labour Information* (now incorporated in *I.L. Review*) and the monthly *International Labour Review* information on conditions of labour in India and on the development of labour legislation, while the more important laws and orders have been published verbatim in the 'Legislative Series.' The most notable effort in this direction, is the publication of a well-documented volume, *Industrial Labour in India*,[16] which admirably sums up labour conditions in India, and which serves as a fitting supplement to the incomparable Report of the Royal Commission on Indian Labour (1931).

I.L.O. and Freedom of Association:

"Freedom of Association and Industrial Relations" was an item on the agenda of the 30th Session of the Inter-

[13] Mr. Jamnadas Mehta, for example, says in his Presidential Address, 2nd Session of the N.T.U. Federation (1935), "What little of trade unionism exists or is tolerated in this country is largely due to the existence of Geneva, casting its halo over the Government of India".

[14] Dr. Das—*'Indian Labour Legislation,* pp. 162-163.

[15] Volumes in 'Studies and Reports', as also the articles in *'The International Labour Review'* are important from this point of view. Dr. P. P. Pillai remarks, "By ascertaining the facts of industrial life and progress and by disseminating this knowledge by means of its numerous publications, the I.L.O. is attempting to create public opinion, both national and international, which will stand for social justice in all its forms." (*Asiatic Review,* October 1933).

[16] Studies and Reports: Series A. (Industrial Relations) No. 41, published in 1938.

national Labour Conference, held in Geneva in June 1947. The I.L.O., however, claims that this problem, which is vital to the very existence and functioning of that Organisation, has been in the forefront of its activities ever since the foundation. The Preamble to the Constitution of the I.L.O. expressly declares "recognition of the principle of freedom of asociation" to be one of the means of improving the conditions of the workers and of securing peace; besides, Article 41, paragraph 2 includes among the principles of special and urgent importance "the right of association for all lawful purposes by the employed as well as by the employers. The 'Declaration of Philadelphia' (1944), which defined the aims and purposes of the I.L.O., declared in its first Article that "freedom of expression and of association are essential to sustained progress."

In the interval between the two world wars, the I.L.O. concerned itself continuously with the various aspects of the problem of freedom of association and made some unsuccessful attempts to ensure international regulation of this matter; the attempts failed due solely to political reasons. After the Second World War, these political difficulties considerably diminished as the result of the defeat of the totalitarian countries and hence the I.L.O. thought it fit to adopt a Resolution, the relevent part of which is reproduced below:

1. Employers and workers, without distinction whatsoever, should have the inviolable right to establish or join organisations of their own choosing without previous authorisation.

2. Employers' and workers' organisations should have the right to draw up their constitutions and rules, to organise their administration and activities and to formulate their programmes; there should be no interference on the part of the public authorities which would restrict this right or impede the organisations in the lawful exercise of this right.

3. Employers' and workers' organisations should not be liable to be dissolved or have their activities suspended by administrative authority.

4. Employers' and workers' organisations should have the right to establish federations and confederations as well as the right of affiliation with international organisations of employers and workers.

5. The guarantees defined in paragraphs 1, 2 and 3 herein, with regard to the establishment, functining, dissolution and suspension of employers' and workers' organisations should apply to federations and confederations of such organisations.

6. The acquisition of legal personality by employers' and workers' organisations should not be made subject to conditions of such a character as to restrict freedom of association as hereinbefore defined.

7. The acquisition and exercise of the rights as outlined in this part should not exempt the employers' and workers' organisations from their full share of responsibilities and obligations.

Defects of I.L.O.:

The I.L.O. has also its anomalies, its weaknesses and its limitations. Mr. Jamnadas Mehta charges the I.L.O. with having the same defects as those of the League of Nations.[17] The latter body had a large degree of make-believe. It assumed that every participating country is a free country —which is not a fact. It was dominated by big imperialist countries, who were not sincere in their allegiance and who used the League as a weapon for perpetuating their colonial empires. All the weaknesses of the League are naturally reflected in the I.L.O. Both the League and the I.L.O. have no legal sanction behind their recommendations; when a powerful nation does feel it convenient, it repudiates these international organisations and has its own way.

Clause XI of the 'Platform of Unity' referred to the objection of the T.U. Congress to send delegates "to the so-called I.L. Conference, as the Indian workers can expect no good out of these conferences held expressly with the purpose of reconciling the interests of labour and capital." The

[17] Presidential Address, 2nd Session N.T.U.F. (Nagpur 1935).

T.U. Unity Committee negatived this clause as it thought that the Conference offered to the workers a real opportunity of keeping themselves informed of the trend of world-opinion and Indian labour should not loose so important a platform for world propaganda, although there were limitations to the work that the Conference was carrying on from year to year.

European Influence over the I.L.O.:

Even the moderate section of Indian trade unionists began to feel, as early as 1925, the dominating position of the Europeans in the I.L.O. In 1921, out of 24 members of the Governing Body of the I.L.O., 20 came from European countries. Out of 350 members at present on the staff of the I.L.O., not more than 20 are Indians, though India is third in the list of contributors to the I.L.O. funds. This factor led to the neglect of the problems of the Asiatic countries. In a memorandum on the proposed organisation of an Advisory Tripartite Conference of Asiatic Countries (1937), the Government of India observed that Europe has a dominant voice in the I.L.O., because of its voting power, the situation of the headquarters of the Organisation, composition of the staff of the Office which is mainly European and its more advanced social legislation. Mr. Harold Butler, the Director of the I.L.O. in his speech at the 3rd Session of the N.T.U.F. (Calcutta 1937) denied the charge that I.L.O. was a European organisation. Giving illustrations to refute the charge, he said that even at the first Conference at Washington there was a Special Committee to consider the conditions in India, China and Japan and ever since then the I.L.O. had done everything in its power to make the links between Geneva and the East closer and more intimate. Mr. Butler, however, was of the opinion that there were certain questions which would be discussed in a much better way, if they were dealt with in Eastern surroundings by Eastern people.

Asiatic Labour Congress:

Out of the necessity of protecting the interests of the Asiatic workers arose the idea of holding an Asiatic Labour

Conference. The I.L.O. because of its constitution, position and policy could not pay as much attention to the Asiatic Labour as it paid to the European. The idea of holding an Asiatic Labour Congress was conceived as far back as 1925, when the Indian and Japanese Workers' Delegations, led by Mr. N. M. Joshi and Mr. Bunji Suzuki compared their experiences at Geneva and came to the conclusion that in order to protect the interests of the Asiatic workers and to enable the latter to influence the I.L.O., in a decisive manner, it was necessary to organise an Asiatic Labour Conference.[18] In 1928, a memorandum was signed jointly by Messrs. Yunekobo and Diwan Chaman Lall, the Japanese and Indian Workers' Delegates to the I.L. Conferences and was approved by the 9th Session of the T.U. Congress. The Memorandum directed the Indian and Japanese workers to hold an Asiatic Labour Congress to create international working class solidarity, to prevent exploitation of Asiatic Labour and to help the progress of all countries. The idea remained unfulfilled, when in 1929, the T.U. Congress, under communist command, rejected outright the proposal to hold the Congress, along with its refusal to send delegates to Geneva. The possibility and necessity of holding the Asiatic Labour Congress was, however, stressed by the moderate trade unionists, year after year both in Geneva and in this country. In 1930, Mr. S. C. Joshi, the Indian Workers' Delegate brought a resolution proposing that an Asiatic Labour Conference should be held under the aegis of the I.L.O., as a corrective to the impression that Geneva was occupying itself exclusively with European questions. The motion, however, was not adopted by the Conference. Next year, Mr. R. R. Bakhale, as the Indian Delegate, brought a similar proposal, calling for the convocation of an advisory conference of Asiatic countries and this proposal was adopted by the I.L.O. in its 1931 Session. In the same year in October, in a meeting of the Governing Body of the I.L.O. Mr. N. M. Joshi brought forth the question of holding an Asiatic Labour Conference as recommended by the 1931 annual session.

[18] The information regarding the Asiatic Labour Congress has been mainly culled from the *Reports of the General Secretary* of the Annual T.U.C. and N.T.U.F. Sessions.

After a good deal of discussion, the matter was referred for opinion to the Governments of the countries concerned. A meeting of the overseas' representatives of the Governing Body of the I.L.O. in January 1932 considered how the non-European countries could derive the largest possible benefit from the I.L.O., firstly as regards bringing on the agenda those subjects in which they were specially interested, secondly as regards their full representation in the Conference, on the Governing Body and on the Committees, and thirdly as regards the representation of these countries on the Staff of the Secretariat of the Organisation. During the 17th Session of the I.L. Conference (June 1933) the Workers' Delegates of China, Japan and India met informally and discussed certain maters of common interest. The discussion centred mainly round the proposed Asiatic Labour Conference.

Owing largely to the opposition or luke-worm policy of some of the Asiatic Countries and owing also to the unsettled political conditions in a few of such countries, the I.L.O. could not find it possible to hold, as was decided in its annual conference in 1931, an Asiatic Labour Conference, under its auspices. The first session of the N.T.U.F., therefore, proposed to appeal to the I.L.O. to make a fresh effort in the direction of holding such a conference in 1934. The Labour Delegations of Japan, China and India desired to hold the Conference, even without the patronage of the I.L.O., as the necessity was imminent. A resolution to this effect was passed by the Japanese T.U. Congress and was endorsed by the first Session of the I.F.T.U. (1932).

First Asiatic Labour Conference:

The long-awaited first Session of the Asiatic Labour Congress was ultimately held in the hall of the All-Ceylonese T.U. Congress on the 10th of May 1934. Only three countries, Japan, India and Ceylon were represented at the Congress—India being represented by four trade unionists.[19]

[19] The Conference was not held under the official protection of the I.L.O., and as the General Secretary of the National T. U. Federation in his Report at the 2nd Session (1935) observes, "The non-official efforts have succeeded over official efforts and the first link in the chain of international co-operation in Asia was successfully forged."

The Conference approved a constitution which laid down the following objects to be pursued by the Congress:—

> (1) to bring about unity among the working classes of Asia by developing closer relations between affiliated countries, (2) to promote the interests and activities of the T. U. Movement in Asia, nationally and internationally; (3) to carry on activities of general interest to the Trade Unions in Asia; (4) to remove the disabilities of a discriminatory character imposed upon Asiatic workers and bring about equality of treatment in working conditions; (5) to remove the exploitation of workers in Asiatic countries under foreign domination; (6) to improve the conditions of life and work of the Asiatic workers; (7) to promote the development of international social legislation, and (8) to avert war, establish international peace and combat Imperialism and Capitalism.

The methods to be used by the Congress were to be democratic and reorganised trade union methods such as co-operation with other organisations, support to T.U. activities, compilation of statistical information relating to working-class conditions and the publication of periodicals and reports.

Second Asiatic Labour Conference:

The second Session of the Congress was held in Tokyo (17-19th May 1937) under the Presidentship of Bunji Suzuki. The number of countries represented were only two, India and Japan,—the Indian delegation consisting of five trade unionists. In one of the resolutions the Congress recognised the fact that the industrial workers in Asia are backward as regards their economic and social conditions as compared with those of their comrades in the European and American countries, and that the Asiatic countries offer a vast potential field for increasing the purchasing power of the world. The Congress, therefore, resolved to make special efforts to improve the economic and social conditions and the purchasing power of the masses in Asia. A step in that direction was to be the organisation of the Tripartite Asiatic Labour Conference under the auspices of the I.L.O. and the setting up of a special Asiatic Committee within the framework of the I.L.O.[20]

The co-operation that was promised by the I.L.O. in its 1931 and 1936 sessions to convene the Tripartite Asiatic

[20] Some labour leaders have made a demand for a separate 'Asiatic I.L.O.'

Labour Conference has not been fulfilled till 1947 and the few non-official attempts noted above seem to have slackened since 1937. The Third Congress was to be held in 1939 in India, but partly due to T.U. Unity, partly by the changed political and economic conditions precipitated by the present world-war and partly due to the lack of interest shown by the member states, the third session of the Asiatic Labour Congress has not yet been convened. The indifference of the Asiatic countries has grown year after year. The first session was represented by India, Japan and Ceylon. Immediately after, Palestine got itself affiliated but the second session was represented only by Japan and India. China was always expected to be a member but unfortunately she never joined. It is futile to expect a Chinese delegation to a Congress dominated by Japan, especially in times of war between the two countries. Mr. Matsuoke, while welcoming the Indian delegation to the Second Congress, regretted the absence of delegations from China and other Asiatic countries but hoped that at no distant date they would find it possible to join the Congress.

Asian Regional Labour Conference, 1947:

In 1930, at a meeting of the Governing Body of the I.L.O., Mr. N. M. Joshi first made the proposal that the I.L.O. should convene a Regional Conference for Asia. Such a conference seems necessary to see that the special social and economic problems of Asian countries are adequately considered in their proper background by the I.L.O. The first Asian Regional Labour Conference was held in India in October-November 1947 and the countries represented included China, Siam, Afganistan, Australia, New Zealand, the Phillipines, Burma, Ceylon, Malayan Union, Singapore, French Union including Indo-China, Netherlands East Indies including Indonesia, United Kingdom, France and Netherlands. The items on the agenda of the Conference were as follows:

1. Problems of social security;
2. Labour policy in general, including the enforcement of labour measures;
3. Programme of action over a period of years for the enforcement of social standards embodied in the Conventions and

Recommendations adopted by the International Labour Conference, but not yet ratified or accepted by the countries concerned;

4 The general economic background of social policy including problems of industrialisation; and

5. Report of the Director-General of the I.L.O.

Fraternal Greetings and Messages:

A careful observer of our Trade Union Movement will see that in the years 1925-1930, there was feverish activity on the part of a number of foreign organisations, especially the extremists, to win over Indian labour to their side. Indian labour, during this period was heading towards communist ideals and it was perfectly natural that a number of socialist organisations abroad tried their utmost to influence the Indian T.U. Movement, by sending and inviting fraternal delegates, by contributing to the Indian strikes and to the attempts at organisation and by making political propaganda through various means. To counter-balance the communist influence, the moderate section of the world trade unionists used the same means. Very briefly shall we see the fraternal greetings and messages, financial contributions, visits of fraternal delegates from the foreign countries and Indian labour's reply to these attempts. The account given hereafter will not only be brief but also incomplete, as it is difficult to get all the details of the relations between India and her foreign friends. But the material collected from the various sources would show the direction, methods and policy, though not the extent, of the international relations of India. The period selected is from 1926 to 1932, because it was in this period that the relations were the closest. In its infant stage (1920-26) the Indian T.U. Movement was not much interested in the labour activities abroad. The period of Left-Wing Unionism gave ample scope for the foreign organisations to play a part in the Indian Labour Movement. Later, however, with the fall of communism the international relations lost their flush and the period since 1932 is one wherein Indian labour did not look beyond the boundaries, except for some constitional activities such as the Geneva Conferences.

TABLE NO. 21

Fraternal Delegates to India

Year	*Delegate.*	*Sent by*	*Purpose for which sent*
1920	J. C. Wedgewood ..	British T. U. Congress.	To attend first T. U. C. Session.
1925	T. Johnson, M. P. Sime	Dundee (Jute) Union.	To study jute conditions in India.
1926	Tom Show, Hindle, Brothers Schrader, Furtwaengler, Miss Shaw.	Delegation sent by International Textile Workers' Federation.	To study textile conditions in India.
1927	Shapurji Saklatwala, M.P.	Workers Welfare League of India (London).	To attend seventh Session, T. U. C.
1928	Mardy Jones	Workers Welfare League of India (London).	To attend eighth Session, T. U. C.
	Purcell and Hallsworth.	British T. U. Congress.	To attend eighth Session, T. U. C.
	Lepse, Amossov and Voronove.	U. S. S. R.	To attend eighth Session, T. U. C.
	A. Fenner Brockway.	Independent Labour Party (England).	To attend eighth Session, T. U. C.
1929	J. W. Johnston, J. Ryan.	League against Imperialism, Berlin and Pan-Pacific Secretariat (Australia).	To attend ninth Session T. U. C.
1937	Harold Butler—Director of I.L.O.		To study Indian Labour conditions.

TABLE No. 22

Indian Delegates to Foreign Labour Congresses

Year.	*Delegate*	*Particulars.*	*Attended the Session as Indian Delegate to*
1924	J. Baptista.	Indian Delegate to I.L.O.	International Workers' Educational Conference, Oxford.
1927	D. R. Thengadi.	Administrative and Assistant.	Pacific T. U. Conference, Canton.
	S. V. Ghate.	Secretaries of the T.U.C.	
	G. Sethi.	Adviser to Delegation to I.L.O.	Br. T. U. Congress, Edinburgh and International T. U. Congress, Paris.
1928	C. Andrews, Bakhale, Huq, Bose, Chaman Lall, Thengadi and Joglekar.	The last four from Indian Workers' Delegation to I.L.O.	Commonwealth Labour Conference.
			World Congress of League against Imperialism, Paris.
	Bakhale.	Secretary to Labour Delegation to I.L.O. (with Chaman Lall).	International Textile Workers' Congress—Ghent;
			Labour and Socialist International Congress, Brussels.
			British T. U. Congress, Swansea.
	B. Shiva Rao.	Workers' Delegate to Geneva.	Ceylon T. U. Congress.
1930	N. M. Joshi. and	R. T. C. Delegates.	British T. U. Congress Annual Sessions.
1931	B. Shiva Rao.		
1933	Aftab Ali.	Workers' Delegate to Geneva.	I. F. T. U. Congress, Brussels.
	B. Shiva Rao.	Workers' Delegate to Geneva.	Annual Session Br. T. U. Congress.
1935	J. Mehta.	Workers' Delegate to Geneva.	Annual Session Br. T. U. Congress.
1937	Bakhale.	General Secretary, N. T. U. F.	I. L. O. Conference on the Textile Industry, Washington.
	Dange, Joshi.	T. U. C. Delegates for World Trade Union Congress, London.	The Congress was postponed and was held in 1945.
1944	Karnik, Kara, Khan.	I. F. L. Delegates for World Trade Union Congress, London.	

The international relations were made closer and more personal by the visit of foreign delegates to the sessions of the Indian T.U.C. and of the Indian delegates to the sessions of foreign associations. Table No. 21 epitomises the activities of some foreign delegates to Indian Labour Federations. Prominent Indian Trade Unionists reciprocated the fraternal greetings by sending greetings and delegates to the International Congresses. Table No. 22 gives a rough idea as to the representation of Indian labour to labour congresses in foreign countries.

The list does not include Indian labour leaders who attended the foreign congresses unofficially or who attended the meeting of the executives of the I.L.O. or of I.F.T.U. Since 1920, annually a delegation of Indian workers attends the I.L.O. Session and though they come under Indian delegates to foreign congresses, they are not included in the above table. The distance between the places where the congresses were held and India, and the heavy costs of the journey, must have made the attendance of Indian fraternal delegates difficult. The T.U.C. and the N.T.U.F., therefore, found it convenient to choose those delegates to the foreign congresses, who would have been already there as delegates to Geneva, or to the R.T. Conference or some such important purpose.

Financial Contributions:

A more vital factor in the international relations is the foreign contribution to Indian Labour. Table No. 23. incomplete and sketchy though it is, gives in a short space the extent of such contribution during 1925-32. Some of the features of the table are worth noting. The British T.U. Congress helped financially the industrial disputes in India to the extent of £750 in 1928, at a time when its own affiliated societies were actually feeling the effects of some years of industrial depression, when 200,000 British coal miners were almost destitute and when 1,300,000 British workers were unemployed.[21] The Russian unions sent their

[21] Fraternal Message of the British T. U. Congress to the 1928 Session (Jharia) of the Indian T. U. Congress.

TABLE NO. 23
Foreign Contributions to Indian Labour 1925-1932

Year.	*Contributor*	*Amount contributed.*	*Purpose*	*Remarks*
1925	British T. U. Congress	£ 342-10-0	N. W. Railway Strike	The amount was used for the Bombay General Strike as it came too late.
		£ 150-0-0		
	I. F. T. U.—Amsterdam	£ 1,885-0-0	General Strike in Bombay.	Sent in 7 instalments.
	I. F. of Textile Workers Association	£ 630-0-0	Textiles.	Sent in 3 instalments.
1927	U.S.S.R. Council of T. Unions	Rs. 13,625-0-0	Purpose was not intimated, though twice cables were sent to know the purpose.	
1928	I. F. T. U.—Amsterdam	Rs. 1,331-2-1	Organisation of workers.	....
		Rs. 1,331-0-0		....
	International Transport Workers' Federation, Amsterdam	Rs. 665-8-1	E. I. Railway Workers'	....
	Workers' Welfare League	Rs. 250-0-0	....	....
	British T. U. Congress	Rs. 3,327-9-0	Strike, Lillooah.	....
		£ 500-0-0		
	Workers' Welfare League	Rs. 147-8-0	....	....
	Sympathisers through Br. T. U. C.	Rs. 7-0-0	....	....
	T. U. Congress, Cambridge	Rs. 29-0-0	....	....
	M. Voronoff—U.S.S.R.	Rs. 21,000-0-0	General Strike in Bombay.	Sent directly to N. M. Joshi.
	Russian Workers	Rs. 11,000-0-0	Textiles.	
	International Conference of Textile Workers—Ghent	£ 1,000-0-0	....	.....
	I. F. T. U.	£ 500-0-0		Sent to the Strike Committee.
	Communist Party of Gr. Britain	Rs. 132-8-0	....	.....
	German National T. U. Centre through I. F. T. U.	Rs. 668-15-9	For Jamshedpur Strike.	.....
	Transport Workers' Federation, Amsterdam	Rs. 667-13-3	Organisation of Railwaymen, Kharagpore.	.....
		Rs. 667-13-3		
	British T. U. Congress	Rs. 3,302-1-5	B. N. Railway Strike.	
	Anonymous through Fenner Brockway	Rs. 19-13-1	For T. U. Work.	....
	T. Unions in Russia	Roubles 25,000-0-0	Kharagpur Strike, B. N. Rly.	Sent directly to V. V. Giri.
	Tashent Workers	£ 20-0-0	Class-War prisoners.	Sent directly to S. A. Dange.
1932	Miners' Federation, England	Rs. 1,319-9-4	Organisation of Indian miners.	Sent by John Cliff.
	Br. T. U. Congress	Rs. 673-11-0	Establishment of the Indian T. U. Federation.	....
	I. T. U. C.	Rs. 2,520-3-7		
	Foreign comrades	£ 800-0-0	M. S. M. Railway Strike.	Sent to T. V. K. Mudliar.

Note.—The amount was sent to T.U.C. (up to 1930) and to I.T.U.F. (1932) except stated specifically in the column.

sums mostly anonymously.[22] The Bombay General Strike (1928) was financed by the foreign countries to the extent of Rs. 75,000 out of which the Russians alone were responsible for Rs. 32,516.[23] From the table given below one more fact is evident that a large fund of the contributions came from a few foreign organisations. Table No. 24, compiled from the previous one, will show how most of the money came from only five associations.

TABLE No. 24

Financial Help to Indian Labour, 1925-32

Name of the contributor	Amount contributed
1. British Trades Union Congress	Rs. 21,384
2. International Federation of T. Unions	Rs. 41,113
3. International Textile Workers' Federation	Rs. 22,761
4. International Transport Workers' Federation	Rs. 7,994
5. U.S.S.R. Workers	Rs. 46,408 (plus 25,000 roubles).
6. Others	Rs. 13,205

The moderate section of the world trade unionists represented by the British T.U. Congress and the three (Amsterdam) international organisations noted above helped the moderate wing of our trade unionism, while the U.S.S.R. workers helped the communists.

Acceptence of 'Moscow Money':

A somewhat curious controversy was waged over the acceptance of 'Moscow Money' by our labour leaders. When Mr. N. M. Joshi accepted Rs. 21,000 from M. Voronoff of Moscow, he was severely criticized by some persons. Mr. Joshi's reply to the unwarranted criticism is worth noting: "This is not the first time we have received money from Moscow for the support of a strike: this is the third time. All the sums received were acknowledged in the newspapers and were not asked for...There is no harm in receiving money from Moscow or any where else for the support of a

[22] A passage in the *Report* of the General Secretary of the T. U. Congress (8th Session, 1927) makes an interesting reading: "On the 18th October instructions were received from the National City Bank of New York, Bombay, that they have received cable instructions from Deutsche Bank, Berlin, to pay the Congress an amount equivalent to $5,000 on account of the Central Committee of Trade Unions, U.S.S.R. Two cablegrams were sent to Moscow enquiring what this amount was intended for; but no reply has yet been received."

[23] *'Kranti'*, 9th August 1928.

strike...Only a few months ago a large sum of money was received from Russia for the Gujrat Flood Relief Fund."[24] In his speech[25] at the time of the Indian T.U. Bill (1926) Mr. Joshi goes still further, when he declares that it is in her own benefit that England finances Indian strikes; "it paid English labour to help us in our strikes. If the wages of textile workers of Bombay had gone down, wages in Lancashire would also have gone down." Mr. Bakhale, another moderate trade unionist, also favoured the acceptance of foreign money for Indian strikes. In his oral evidence before the Royal Commission he complained that some of the provisions of the Trade Disputes Act (1929) militate against getting funds for the strike and hence they ought to go.

There appears to be some truth in the charge that Indian labour when it goes on strike looks for financial help more to foreigners than to its own countrymen.[26] This attitude of Indian labour arose partly out of the keen interest taken in it by foreigners, partly out of the realisation of the poverty of our country and partly out of the growing disinterestedness shown by some public bodies in the country. The last point can be proved by taking the example of the General Strikes in the Bombay Textile Industry. In the 1925 strike, the Bombay Corporation donated a lakh of rupees for the strikers. The same body refused to give any relief to the starving men, in spite of repeated appeals, in the 1928 and 1929 general strikes. The Bombay Provincial Congress Committee, however, voted some grant for the strikes. In the 1934 and 1940 general strikes, both these bodies kept themselves aloof from the strikers.

We have so far noted some of the methods adopted by the foreign labour organisations to influence Indian labour. It is not possible here to study all the methods used for this purpose. The relations of the British Trades Union Congress with the Indian labour reveal a variety of such methods. The British T.U. Congress sent its delegations to India in 1920 and 1928, invited the Indian delegates to its sessions,

[24] *Indian Textile Journal*, May 1928, p. 258.
[25] On 25th January 1926.
[26] B. Shiva Rao—*Industrial Worker in India*, p. 161.

financed abundantly the Indian strikes and came into so much confidence of Indian Labour that in 1933, the National T.U. Federation appointed it as its agent in Great Britain.[27] The British T.U. Congress helped the N.T.U.F. and its representatives during their stay in England. It pressed before the authorities and Parliament the claim of Indian labour, during the passage of the Government of India Bill. It also interviewed the Secretary of State for India and other officials at the India Office.[28] In 1938, the British T.U. Congress took the responsibility of training at its own expense an Indian trade unionist in England.[29]

Financial Contributions of Indian Labour:

Poor as Indian labour is, it did not fail to help even financially their comrades in other countries. When the General Strike of 1926 in Great Britain was declared, the A.I.T.U. Congress sent £600 to the British T.U. Congress through the I.F.T.U. Individual unions sent their contributions directly as follows.

TABLE No. 25

Contribution of Indian Labour to General Strike (1926) *in Gr. Britain*

Contributors	Amount
A.I.T.U. Congress . . .	£ 600
G.I.P. Rly. Workmen's Union . .	£ 5
Telegraph Workmen's Union . .	£ 1
A.I. Railwaymen's Federation . .	£ 35
Girni Kamgar Mahamandal . .	£ 10
Total	£ 651

Comparing the poverty of Indian Labour, it must be admitted that this was a laudable effort on its part.

[27] In this respect it may be noted here that the Indian Federation of Labour in its Bombay Session (1943) passed a resolution authorising one of its members to open an office of the Federation in London to carry on general propaganda about Indian Labour. Accordingly a branch of the Federation was opened in London.

[28] The extent of the help can be seen from the 'Message' sent by William Citrine, General Secretary of the British Trades Union Congress, to the 9th Session of our Trade Union Congress: "Scarcely a year has passed during the last ten or twelve years without a deputation from the British Trades Union Congress attending the India Office on some question of Indian Labour affairs."

[29] A similar proposal was brought forth in 1927, when Mr. Tarini Prasad Sinha, a member of the Independent Labour Party (England), forwarded to the Trade Union Congress a scheme about the training of a few Indian students in the work of labour organisation in the Ruskin College.

PART IV: TRADE UNION METHODS

INTRODUCTION: THREE METHODS OF TRADE UNIONISM

Three Methods:

In the course of its activities, the trade union has to deal with a variety of problems, such as hours of work, wage rates and regulations, sanitation and safety, new processes and machinery, recruitment in industries, continuity of employment—in general, improvement in the conditions of the workers. The fundamental purpose of a trade union is the pursuit of the interests of wage earners. All trade unionists agree on this point. The difference arises as to the methods of trade unionism to achieve this aim. The methods differ because of the diversity of opinions on the connotation of the term 'welfare of workers'. The term may mean the solution of immediate economic problems relating to conditions of employment, or an improvement in social and political conditions of workers, or the attainment of educational and cultural purposes, or the establishment of a Socialist State or of a classless society. The methods. used to attain these different ideals, must naturally be different. Some unions resort to social insurance and social welfare; others encourage collective bargaining and on its failure resort to strikes; while a few follow the Parliamentary method of bringing pressure upon the Government and the public to pass favourable labour legislation. Mr. and Mrs. Webb[1] describe in detail three distinct instruments or levers which are practised by British trade unions to enforce their regulations and which the Webbs distinguish as the Method of Mutual Insurance, the Method of Collective Bargaining and the Method of Legal Enactment. The purpose of the following three chapters is to see how far these British motheds can be, and are, applied by Indian trade unions.

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[1] Webb—*Industrial Democracy*, p. 150.

Inter-dependence of Trade Union Methods:

Before we consider these methods, it is necessary to note that they are interdependent. The Method of Mutual Insurance, in its economic aspect is hardly distinguishable from imperfact collective bargaining. In fact, mutual insurance may cover all the activities of trade unions, because broadly whatever these unions do, it is in return for the contribution paid by their members. Strict lines of demarcation are difficult to be drawn. The learned authors of 'Industrial Democracy' deal with victimisation benefits and strike pay under the method of collective bargaining and legal aid under the method of legal enactment.[2] These activities rather come under the first method, that of mutual insurance, and we shall discuss them as such. Similarly arbitration, which we shall study as a method of collective bargaining, cannot properly be included under that head, because there is no bargaining between the parties to arbitration. Neither can it come under the method of legal enactment, because the award may not be obligatory and hence cannot be legally enforced.

Some of the trade union methods lie outside the three divisions made by the Webbs. An instance is the 'administrative' method followed by some unions, which try to administer an industry by themselves. During the third lockout in Buckingham Mills in 1920-21, Mr. B. P. Wadia, the President of the Madras Labour Union, brought a few looms from Bombay and started work in the Union premises.[3] This action easily captured the fancy of the workers and in a public meeting held on 30th April 1921 in Madras a resolution was passed, welcoming the proposal of the Madras Central Labour Board to start a labour workshop. It was thought that this workshop would be a training centre for apprentices and also an industrial concern on a small scale.[4]

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[2] *Ibid*, p. 153.

[3] *Evidence* before Royal Commission on Labour by Government of Madras, Vol. VII, Pt. I, p. 40.

[4] An interesting example in this direction of trade union control over industry is of the Miners' Union of the Asturias (Spain), which took over the actual running of the mine from the employers who failed to pay two months' wages to the workers. (*Industrial and Labour Information*, June, 1925).

PART IV: TRADE UNION METHODS

CHAPTER X

THE METHOD OF MUTUAL INSURANCE.

Mutual Insurance:

The Method of Mutual Insurance reveals the friendly society side of trade unionism. The union makes provision for compensation against certain cases where the member is deprived of his livelihood by causes over which neither he nor the union has any control. The union raises a fund by subscriptions from its members and then grants a number of benefits to these subscribers in case of casualties. A worker is insured against sickness, old age, injury, accident or unemployment. This form of insurance, which is known as mutual insurance, should be distinguished from the other forms of insurance.[1]

Extent of Social Insurance in India:

Germany under Bismark, was the first country to introduce social insurance (1883). France in 1897, Italy in 1910, Great Britain in 1911, Russia in 1912 and Japan in 1922 followed the example of Germany. As for India, all that we can group under the term 'social insurance' amounts to Workmen's Compensation Act (passed in 1923, amended in 1933), some Provincial Maternity Benefit Acts, Provident Fund system and some private sickness assistance schemes.[2] Even discussion on social insurance had been so far scanty, the subject being never a burning topic in India. The Royal Commission on Indian Labour did not think any system of unemployment insurance feasible in India because of great labour turnover and of an absence of any permanent and regular industrial population. The recommendations of the Commission, regarding sickness insurance refer only to the preparatory work such as collection of statistics and other preliminary enquiries. As for the Maternity Benefit

[1] In a detailed table, Prof. B. K. Sircar enumerates the different forms of insurance (See *Social Insurance*, p. 3).

[2] I.L.O.—*Industrial Labour in India*, p. 205.

legislation, the Commission recommended its enactment throughout India on the lines of the schemes operating in Bombay and the Central Provinces. Lastly, the scope of the Workmen's Compensation Act was recommended to be extended to cover as completely as possible the workers in organised industries. The action taken by the Central and Provincial Governments on these recommendations is inadequate. The Central Legislative Assembly agreed in February 1935 with the Royal Commission that Indian labour conditions do not yet necessitate any system of unemployment insurance. As for the preparatory work for Sickness Insurance, the Department of Industries and Labour published a bulletin[3] and revealed the difficulties in the way of passing a measure of sickness insurance.[4] Some action was taken with reference to the other two recommendations of the Royal Commission. The Workmen's Compensation Act was amended in 1933 to extend its scope. The Maternity Benefit System was introduced in the Madras Presidency (1934) in Ajmer-Merwara (1932) in Delhi (1937), in U.P. (1938), in Bengal (1939), in the Punjab (1943) in Assam (1944) and in Bihar (1945).[5] Maternity Benefit Acts have also been passed in some of the Indian States, e.g.,

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[3] Bulletin No. 63—*Sickness Insurance.*

[4] In March 1943, the Government of India appointed Professor B. P. Adarkar of Allahabad University as an Officer on Special Duty to draft a scheme for sickness insurance for Indian industrial workers. He submitted his '*Report on Health Insurance for Industrial Workers*' in August 1944. The scheme embodied in this Report, however, has been modified in light of the advice of two specially invited I.L.O. experts, Messers. Stack (Chief of the I.L.O. Social Insurance Service) and Rao (Chief of the I.L.O.—Asiatic Service). Later on, another I.L.O. expert, Dr. Miss Laura Bodmer, had been in India to assist the framing of a Social Insurance Scheme for Indian Seamen. The Workmen's State Insurance Bill (for factory workers) was introduced in the Assembly in November 1946. It may be mentioned that valuable data in this respect is available in the Reports of the Labour Investigation Committee, which was appointed by the Government of India to collect facts and figures about the working and living conditions of labour in all the important industries in India. For details about the development of Social Insurance proposals, see the following issues of *Indian Labour Gazette*: (i) December 1944, pp. 171-182, for summary of Professor Adarkar's Report; (ii) April 1945, pp. 329-339, for suggestions of Messrs. Stack and Rao and (iii) June 1945, pp. 395-401, for 'A Unified Scheme of Social Security to cover Health Insurance, Maternity Benefit and Employment Injury. See also the issue of March 1944, pp. 218-9 for the terms of reference of Labour Investigation Committee, of December 1946, (pp. 226-7) for Workmen's State Insurance Bill, and of May 1947, (pp. 506-9) for Adarkar —Bodmer Report on social insurance for Indian seamen.

[5] There is also an Indian Mines Maternity Benefit Act (1941). For a tabular summary of maternity benefit legislation in India, see *Indian Labour Gazette*, May 1944, p. 287.

Baroda (1932), Indore (1936), Mysore (1937), Cochin (1938), Hyderabad (1942), Gwalior (1942) and Travancore (1943).

A brief study of the schemes that go under the name of social insurance in India will show that this form of insurance is practically absent in our country. The Compensation Act and the Maternity Benefit Legislation exempt the workers from any contribution and hence cannot be strictly called social insurance Acts. The Royal Commission on Indian Labour seem to be aware of this fact, as they recommend the sharing of the cost of the maternity benefits between the State, the employer and the worker, in case the scheme of social insurance is introduced.[6] The scope of the measure referred to above, is also very limited. The provisions of the Workmen's Compensation Act apply, in theory, even for certain occupational diseases. In practice, the Act embraces only the cases of accidents. The scope of the Maternity Benefit Acts goes to include female factory workers only of some Provinces, though voluntary maternity benefit schemes have been also set up in the Assam and Bengal Plantations and in a majority of the Bengal Jute Mills. As for the scope of this legislation, it is regrettable that the compensation and benefits granted under the Acts are very inadequate. In 1935, for example, the deaths of four minors were compensated for by a paltry sum of Rs. 200. The amount of maternity benefit is only 8 annas a day in the Madras Presidency and in cities of Bombay, Ahmedabad and Karachi; while in other places it is at the average rate of the woman's daily earnings, or at the rate of eight annas a day whichever is less. The conditions are still worse in the case of voluntary benefits. The Royal Commission on Labour observe that in certain cases allowances are considerably below the average while in some they are non-existent.[7] The fact that the rates of the benefits are far lower than those of the wages, results in the tendency on the part of the women-workers to work as long as possible.[8]

[6] *Report*, p. 264.
[7] *Report*, p. 412.
[8] I.L.O.—*Industrial Labour in India*, p. 210.

The need of a systematized Maternity Benefit Scheme is far greater in India than in other countries, not only because the problem is more acute due to comparative poverty, but also because most female workers in our country are married.

Provident Funds and Gratuities:

The Provident Fund Systems are generally found in the railways, in the Government and Municipal Services and in large enterprises such as the Empress Mills of Nagpur and the Tata Iron and Steel Company of Jamshedpur. The funds are contributory and voluntary, though the monthly rate of subscription differs from industry to industry. Generally the employee, who subscribes to the Fund, has to contribute a certain fraction (usually one-twelfth) of his monthly income, while the Management contributes an equal amount, placing the whole sum to the credit of the employee, who also gets the benefit of the interest on the total amount. In the railways, curiously enough the lower grade servants are not allowed to subscribe to the Provident Fund. In fact, they really form a class which would be benefitted by the system of Provident Fund. Sometimes lack of other conditions, such as a certain duration of service and permanency of employment, prevents employees from contributing to the Provident Fund. The Royal Commission recommend that on completion of one year's continuous service, all railway employees should be eligible to join a Provident Fund, membership being optional for those whose emoluments are less than Rs. 20 but compulsory for all, drawing Rs. 20 or over.[9] The system of Provident Fund has not been wide-spread in the Textile industry of Bombay. To improve the conditions it has been suggested that the Funds should be open to all classes of workers and that the Government should apply the provisions of the Provident Funds Act of 1925 to such funds.[10] As for the gratuities, the position is still worse. The Bombay Textile Labour Enquiry Committee reports that a few mills in the Province give pensions to some of their employees with long and

[9] *Report*, pp.152-3.
[10] *Report* of the Bombay Textile Labour Enquiry Committee, Vol. II, p. 319.

continuous service, but the number of workers actually in receipt of such pensions is negligible.[11] There are no rules regarding the grant of such gratuities and the decision of the Mill Management is final. The worker cannot claim gratuity as of right.

Besides the Bombay Textile Labour Enquiry Committee, the problem of Provident Fund for industrial workers in India was discussed by the C.P. and Berar Textile Labour Enquiry Committee, the Bihar Labour Enquiry Committee. the Cawnpore Labour Enquiry Committee, the Labour Investigation Committee and the Third Conference of Labour Ministers (1942).

Sickness Insurance:[12]

Sickness insurance is completely absent in India, though some important discussion has taken place about the scheme. The Government of India took the question in its hand in 1935 and addressed a circular letter to Provincial Governments requesting them to report as to the necessity of a statistical enquiry into the incidence of sickness as recommended by the Royal Commission or as an alternative the utility of formulating a scheme on the basis of actual experience gained through small experimental schemes. The latter alternative was accepted, though the Provincial Governments failed to furnish any substantial scheme on which the sickness insurance scheme can be built.[13] . The details of the fourteen small schemes submitted by the Provincial Governments show that there is a variety in the provision of benefits—from the mere provision of medical aid and medicine to payment of a proportion of wages for an indefinite period during sickness. The Government of India, however, refused to take any action under the pretext of unfavourable industrial conditions, reluctance of the Provincial Governments to take any responsibility and limitations to the legislative powers of the Central Government.

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[11] *Ibid*, pp. 320-1.

[12] In footnote No. 4 above the development in this respect has already been noted.

[13] This and subsequent information in this para is from Bulletin No. 63 on *'Sickness Insurance'* issued by the Department of India, Industries and Labour. For the history of health insurance proposals in India, see Professor Adarkar's *'Report on Health Insurance for Industrial Workers'* (Appendices VII to XI).

The Congress Government of Bombay expressed in a communique of 17th August 1937 its desire to develop a comprehensive scheme of social insurance. According to this scheme, the worker is to get 3 or 4 weeks sick leave with pay during each year. The balance of leave left unutilised is to be turned into cash, at average scales of wages and the amount thus ascertained is to be handed over to the fund maintained by the Government. The worker is to contribute ten days' wages every year to this fund. The amount thus accumulated can be drawn by each worker upon his retirement from service or attainment of a certain age. The scheme thus includes sickness and retirement, old-age and death benefits. The defects of the scheme are apparent. Firstly it discourages the workers to take leave, even when it would be necessary. Secondly it groups a number of diverse schemes into one and lastly it does not give sickness insurance any priority over other social benefits.[14]

Sickness Benefits:

What was meant by the term 'sickness insurance' in India so far was some provision for medical and financial relief in cases of sickness. It is curious that the Royal Commission include under sickness benefits such matters as leave with pay on medical grounds, free food supplied to worker when ill in hospital and gratuity paid to a relation acting as sick attendant.[15] These 'sick benefits' were never popular nor permanent. Dr. Broughton gives the example of a Voluntary Sick Benefit Fund open to all employees of the Empress Mills Nagpur. Not a single worker joined this fund.[16]

Need of Social Insurance in India:

The subject of social insurance, though complicated, deserves attention. In India, social risk was formerly minimised by the systems of caste and joint family and by feel-

[14] The scheme outlined by Professor Adarkar (Officer on Special Duty—Sickness Insurance) has been already referred to. There had been some schemes before, for example, see *Report of the Royal Commission on Indian Labour*, (Ch. XIV), *Report of the Bombay Textile Labour Enquiry Committee*, (Vol. II, pp. 321-331), and *Proceedings of the Third Conference of Labour Ministers* (Bulletin No. 73 of Indian Industries and Labour, pp. 49-50).

[15] *Report*, pp.267-8 and 412.

[16] *Labour in Indian Industries*, p. 183.

ings of neighbourliness. With the growth of individualism, these institutions and virtues are fast decaying. Indian labour conditions have at present reached to such a stage that only some such schemes as of social insurance and welfare work can minimise the evil effects of the growing industrial unrest. Social insurance is practically absent in India; while welfare-work has just been started. Compared to other countries, India's need of social insurance is greater. The female worker wants maternity benefits because due to poverty she cannot take rest even when she wants it. The male worker wants some assurance against old age because his labour power, which is utilised from the tender age of twelve, gets exhausted prematurely, leaving to him the only alternative of starvation. The workers, both male and female, will be very much benefited by a scheme of social insurance, because inadequacy of wages and indebtedness make it difficult for them to get medical facilities. Malnutrition, bad conditions of employment and absence of recreation make matters still worse.

The subject of social insurance has recently come into limelight and has been an important topic in Labour Conferences, convened by the Government of India. Introduction of social security measures raises a number of problems, regarding scope, rates of contributions and of benefits, administration, financial and actuarial aspects, medical organisation and the participation of the various parties. Moreover, before planning a policy of social security, a thorough knowledge of the working and living conditions of the workers to be covered is essential. With this end in view and in pursuance of a resolution passed by the Tripartite Labour Conference (September 1943), the Government of India appointed in 1944 a Labour Investigation Committee to collect data relating to wages and earnings, employment, housing and social conditions of labour.[17]

Part of Trade Unions in Social Insurance:

From the trade unions' point of view the scheme of social insurance has got a special value. In England a trade

[17] For terms of reference of this Committee, see *Indian Labour Gazette*, March 1944, pp. 218-19. The Report of the Committee was published in 1946.

union could assume the role of an 'approved society'[18] for the purposes of health insurance and of an employment exchange for the execution of unemployment insurance. The British Health Insurance Act of 1911 lays down certain conditions for an approved society. The society must not be carried on for profit; its constitution must provide for its affairs to be subject to the absolute control of its members and on matters pertaining to health insurance honorary members are not to vote. The social insurance system in Great Britain gave a status and value to British trade unionism. Even before the introduction of state insurance, the trade unions in England paid sickness and unemployment benefits out of their own funds. In consequence, an elaborate system with a judicial and administrative machinery was already in existence for the determination of claims to such benefits, designed to prevent abuses and safeguard the funds of the society while helping genuine cases. The State when it took to social insurance in 1911 naturally adopted the method of trade unions.[19] Miss Evelyn Martelli thinks that in 1911 many of the friendly societies and trade unions in Great Britain, which were providing sickness and unemployment benefits, had fallen into financial difficulties. The State recognised these once important organisations as 'approved societies,' because of their valuable pioneer work and thus preserved the forms of voluntary organisation.[20] In case of unemployment insurance, the trade unions are expected to take the duties of unemployment benefit and of employment bureau. In Soviet Russia with the abolition of the People's Commissariat of Labour in 1933, the trade unions got complete control over all social insurance activities and the State funds allocated for social services. The extent of these funds can be seen from the fact that in 1933 they amounted to 4,500 million roubles, which had increased in 1937 to 6,750 million roubles. On the same lines it would not be wrong to suppose that Indian trade unionism will get a status

[18] For the rules and regulations of these *'Approved Societies,'* see P. Cohen's *'British System of Social Insurance,'* pp. 47-9. The British National Insurance Act, 1946 has, however, changed the position.
[19] Milne-Bailey—*Trade Unions and the State*, p. 100.
[20] E. Martelli—*Social Insurance*, p. 3.

and stability if in a scheme of social insurance the State seeks the active co-operation of trade unions as an agency for insurance.

Defects of Social Insurance:

While modelling the Indian social insurance on the lines of the British system, the utmost care should be taken not to copy the defects of the British Approved Societies.[21] There is an unconscious opposition on the part of these societies to State insurance because of the fear of competition between the benefits provided by the State and those given by the Societies. Secondly due to financial instability, the unions show a tendency to lessen their expenses on benefits. The income of a number of Indian trade unions is very little and hence even if they would be recognised as approved societies, it is doubtful whether they will be able to provide even the normal statutory benefits. An amalgamation of small Societies on the lines of the insurance companies would minimise the difficulties. But then again care should be taken that the amalgamated body due to its increased revenue and importance, is not utilised as a commercial concern and that the members do not lose real control over this large Society. Democracy should not be sacrificed for the sake of efficiency through amalgamation. Some provisions are therefore necessary to prohibit the societies from competing among themselves for members. Such competition leads to overlapping of work and consequent waste.

Prerequisites of Social Insurance:

Objection is taken to the control of social insurance by workers. It was alleged that in Germany due to major representation of labour on social insurance, political power was misused by trade unions.[22] Untrained or unqualified staff, backed up by the trade unions, ruled the system of

[21] Sir William Beveridge in his Report on Social Insurance and Allied Services recommends the supersession of the present system of Approved Societies giving unequal benefits for equal compulsory contributions (with retention of Friendly Societies and Trade Unions giving sickness benefit as responsible agents for the administration of State benefit as well as voluntary benefit for their members)—(Paras 48-76).

[22] C. A. Kulp—*Social Insurance Co-ordination*, p. 221.

social insurance. A compulsory and contributory scheme of social insurance presupposes minimum wage legislation.[23] Other prerequisites are sound trade unionism, permanent character of labour, co-operation of the workers, employers and the State, provision of medical and other facilities and legislation of an all-India character.[24]

Social Insurance Benefits:

Problems regarding social insurance benefits are also important, though complicated. The events covered by insurance are divided by Prof. Manes into determinate and indeterminate.[25] In the case of determinate events such as death and accident a definite period is known for the grant of benefits; while in other cases, such as old age, invalidity, sickness and unemployment, conditions last for a longer or shorter period. A scheme of social insurance must make provisions for the indefinite character of periods. According to the British Act of Health Insurance the benefits are halved after a period of 26 weeks, when a person may need more assistance because of his growing illness. The problem, that arises in such cases, is whether the rates of sickness benefits should go on decreasing as in England or increasing as in Hungary after a certain specified time. The problem of the insurable age also needs attention, especially in India, where poverty and child labour exhaust the power of children even before they attain an age which may be chosen as insurable. The British Act of 1911 makes no provision either for dependents or for children from fourteen to sixteen years of age.

Social Insurance Co-ordination:

The experience in Social Insurance gained by other countries will not only help us to formulate a good scheme but it will also reveal a number of defects which we may take care to avoid. The best time to co-ordinate social insurance system is at the time of its creation.[26] Social insurance co-

[23] S. V. Parulekar—*Social Insurance for Industrial Workers*, p. 22.

[24] Social Science Intelligence Series, No. 3, *Sickness Insurance*, p. 16.

[25] See the article on Social Insurance Benefits by Professor Alfred Manes in *International Labour Review*, May 1925.

[26] C. A. Kulp—*Social Insurance Co-ordination*, p. 305.

ordination has been advocated on the grounds of economy increased benefits, feeling of more security on the part of the workers and consequent relief from worry for the employers and the State.[27] On the other hand the lack of co-ordination leads to duplicate organisations, failure of these bodies to co-operate, overlapping of work, financial and administrative waste and competition among two or more institutions for the same members in the same area. It may be mentioned here that the Workmen's State Insurance Bill coordinates the three risks—sickness, maternity and employment injury.

Qualifications for Benefits:

Most of the complications arise about the rates of contributions and of benefits and about the qualifications for them. The usual qualifications refer to age, nationality, profession and remuneration. Problems like payment of a certain number of contributions before the member is qualified to take advantage of insurance, nature, extent and duration of the need, relationship of the person insured to his dependents, machinery for the establishment of the claims and the payments of benefits in kind naturally follow. It is the duty of all concerned, particularly of trade unions, to see that through all these problems, a well-evolved system of social insurance arises. The trade unions, as organisations of workers, have to play a major role in the functioning of social insurance. In Germany, the workers enjoyed a two-thirds representation on all committees of Health Insurance and of one-half in other systems of social insurance. This representation was made necessary by the strength of German trade unions. The smaller influence on social insurance of British trade unions led to an appeal by labour for more State protection instead of for more representation.[29]

Parties to Social Insurance and Rates of Contributions:

From the point of view of industrial relations, it is important to examine the share of the State, the employers

[27] T. T. Broad—*An All-In National Insurance Scheme* (Pamphlet published in July 1924).

[29] Kulp—*Social Insurance Co-ordination*, p. 164n.

and the workers in social insurance system. The extent to which all the three powers co-operate in the social insurance system varies considerably in different kinds of insurance. Employers have never shared in the administration of social insurance in Great Britain, while in Germany they delegated their powers to salaried representatives. In Soviet Russia, the trade unions opposed the tendency of the State to amalgamate the social insurance scheme with the general administration of welfare work carried out by the Commissariat and they were successful in 1933 when social insurance was placed under their control.[30] On the same lines many socialists in England advocate the exclusion of State control over social insurance.[31] Mr. Kulp also comes to the conclusion that the separation of powers between the government and the social insurance bodies appear to produce real and considerable advantage.

The parties contributing to social insurance are not always the same. The following table, prepared from the information of the social insurance systems of Great Britain, Germany and India, shows the parties which share the cost of insurance.

TABLE No. 26

Parties sharing the Cost of Insurance

Employers only	Financed by Employers & Workers	Employers, Workers & State
Industrial Accident Insurance (Great Britain & Germany).	Unemployment Insurance (Germany).	Old Age Insurance (Britain and Germany).
Workmen's Compensation (India).	Health Insurance (Germany).	Unemployment Insurance (Britain).
Maternity Benefit (India).	Provident Fund Schemes (India).	Health Insurance (Britain).

As a rule, the contribution of the insured person is never less than half and is often as much as two-thirds of the total contribution. The employer's contribution is

[30] I.L.O.—*Trade Union Movement in Soviet Russia*, p. 185.

[31] Murphy—*Modern Trade Unions*, pp. 184-5.

usually fixed at a third or a half of the total contribution. The State's contribution is either insignificant or nothing. The rates of contribution of British Social Insurance have been shown in the following table.

TABLE No. 27

Rates of Contribution in Great Britain in 1942[32]

(Compiled from figures of social insurance systems).

Kind of Insurance	Employer's contribution		Worker's contribution		Govermnent contribution		Total	
	Men	Women	Men	Women	Men	Women	Men	Women
	d.	d.	d.	d.	d.	d.	s.d.	s.d.
Joint (Health (Insurance (Pension (Scheme	4½	4½	4½	4	—	—	0–9	0–8½
	4½	2½	4½	2	—	—	0–9	0–4½
Unemployment Insurance								
1. Persons under 18 yrs.	5	4½	5	4½	5	4½	1–3	1–1½
2. Persons under 18-21 yrs.	8	7	8	7	8	7	2–0	1–9
3. Persons under 21-65 yrs.	9	8	9	8	9	8	2–3	2–0

In India the Second Labour Ministers' Conference (1941) resolved that no contribution to any sickness insurance should be paid by any Provincial or State Government. The reason given was that there was no justification for the contribution by the State in view of the fact that various governments have already provided medical benefits on a good scale. Besides sickness insurance scheme is for the benefit of only one section of the working population. The establishment of industrial peace and industrial welfare of a section of the public are two of the benefits of social insurance. It is the duty of the government, which is immensely benefitted by these results, to contribute liberally for the system that gives these benefits.[33]

[32] These rates have been changed, especially in light of the recommendations of Sir William Beveridge.

[33] The financial participation of the State in Social Insurance is still a debatable point in India, and perhaps no decision may be final till a Social Insurance Scheme is put into actual practice. The latest position regarding the monthly contributions of various parties can be summariesd as follows:

Payment of Benefits:

Prof. Manes in his article, referred to above, advocates that from the viewpoint of national economy, benefits in kind should be granted on an extensive scale, while money benefits should be treated as of secondary importance. The order of importance should be firstly prevention, secondly restoration of the power to work and only in the last place the grant of monetary help. The limits of cash benefits should also be fixed. If they fall below the minimum subsistence level, then they are nothing but a kind of poor relief; if they are more than the needs, the insured person is in a better position than otherwise when he is working It is clear that it is preferable to fix the minimum rather than the maximum level of benefits. In the system of Health Insurance, it is necessary to see that the insured persons get proper specialised treatment. There has been a tendency on the part of the 'panel' doctors, especially when they have private practice, to neglect 'panel' patients.[34]

Workmen's State Insurance Bill:

On 6th November 1946, the Workmen's State Insurance Bill was introduced in the Central Legislative Assembly.

Financial Resources Suggested in the Workmen's State Insurance Bill,* 1946

Class	Range of Daily Earnings	Assumed Basic Earnings		Weekly Contributions (in stamps)		
		Daily	Monthly	Empoyer	Worker	Total
		Rs.	Rs.	Rs.	Rs.	Rs.
I	up to 10 as.	0- 8-0	13-0-0	0- 5-6	...	0- 5-6
II	10 as. to Re. 1	0-13-0	21-2-0	0- 6-0	0- 1-0	0- 7-0
III	Re. 1. to Rs. 1-8	1- 4-0	32-8-0	0- 7-0	0- 2-0	0- 9-0
IV	Rs. 1-8 to Rs. 2-0	1-12-0	45-8-0	0- 8-0	0- 4-0	0-12-0
V	Rs. 2-0 to Rs. 3-0	1- 8-0	65-0-0	0-12-0	0- 6-0	1- 2-0
VI	Rs. 3-0 and over	2- 8-0	91-0-0	1- 0-0	0- 8-0	1- 8-0

* (i) Two-thirds of the cost of administration will be met by an *ex-gratia* payment by the Central Government for the first five years in the first instance.

(ii) One-third of the cost of medical care of standard quality will be met by Provincial Governments in the form of services rendered.

[34] Martelli—*Social Insurance*, p. 52.

The scheme envisaged in the Bill is of compulsory state insurance providing for certain cash and medical benefits in the event of sickness, maternity and employment injury to workmen employed in or in connection with work in factories other than seasonal factories. The administration of the scheme is to be entrusted to a Corporation constituted by central legislation. The functions of the Corporation will be performed by a Central Board constituted of representatves of various interests. A Standing Committee of the Board will act as the Executive of the Board and a Medical Benefit Council will also be set up to advise on matters relating to the administration of medical benefit. The representation given to various parties on these three bodies is as follow:

TABLE No. 28

Representation to various Parties in the Administration of Workmen's State Insurance in India.

Administrative Organisation	Rrepresentation (No. of persons) given to						
	Central Govt.	Provincial Govts.	Employers*	Workers*	Medical profession*	Legislators	To
1 Central Board ...	7	12	3	3	2	2	29
2 Standing Committee	4	3	1	1	1	1	11
3 Medical Benefit Council ...	3	3	1	3	3	...	13

Social Insurance different from Welfare Work. Definition of 'Welfare Work':

The terms 'social insurance,' 'welfare work' and 'social work' are not clearly distinguished in India. Books on Indian labour include all the three under one category—the welfare work. This is partly because of the absence of social insurance and partly due to the confused interpretation of the word, welfare work. Maternity benefits, schemes of sickness insurance, provision against accidents and unemployment, gratuities and provident funds are matters of

* These representatives are to be nominated by the Central Government in consultation with such organizations of employers, workers or of medical practitioners, as may be prescribed by the Central Government.

social insurance. In India these are, however, included in 'welfare work.' Besides, the term 'welfare work' has been diversely defined and controversy has been raged over this question both in England and India. Miss E. T. Kelly, President of the Welfare Workers' Institute of England meant by welfare work the adoption by a firm of a certain principle of conduct and action in its relations with its employees.[35] Sir Edward Penton, an employer, after consulting the Oxford Dictionary, defined the term as anything that makes the conditions in the factory conducive to happiness, health and prosperity of the workers.[36] Mr. Arthur James Todd, in his 'Industry and Society' gives a number of divergent opinions over the meaning of welfare work.[37] The United States Bureau of Labour Statistics (in Bulletin, 250) defines welfare work as anything for the comfort and improvement, intellectual and social, of the employees, over and above wages paid, which is not a necessity of the industry. Similar is the interpretation of the term given by the National Civic Federation. The definition in the *Encyclopedia of Social Sciences* is more exhaustive. It refers to the voluntary efforts of the employers to establish, within the existing industrial system, working and sometimes living and cultural conditions of the employees beyond what is required by law, the customs of industry and the conditions of the market. The legal limit has been omitted by E. S. Proud.[38] when he defines welfare work as voluntary efforts on the part of the employers to improve with the existing industrial system, the conditions of employment in their own factories.

Minimum Standards laid down by Legislation:

All these definitions reveal the points of conflict in respect to the term 'welfare work.' We are still left in doubt whether the work is confined only to the employers, whether it excludes the work inside the factory, whether it covers

[35] *'Welfare Work'* (Monthly of the W. W. Institute) July 1920, p. 101.
[36] *Ibid*, March 1920, p. 37.
[37] These are quoted by the Bombay Textile Labour Enquiry Committee, (*Report*, pp. 264-5).
[38] *Welfare Work.*

the minimum standard fixed by legislation and whether it relates to moral and intellectual improvement of the workers. Various suggestions on this point have been given and in consequence welfare work has been subdivided in the light thereof. These divisions would be more clear, if we study the different agencies of the workers' welfare. Dr. P. S. Lokanathan in his *'Industrial Welfare in India'* makes a critical study of three agencies—The State, the employers and the organised labour. Dr. Broughton's *'Labour in Indian Industries'* deals with one more agency—the public and the semi-public social welfare societies. It will be, therefore, incorrect to confine the welfare work to employers alone as has been done by most of the definitions given above. Labour legislation of any country would not have been enacted, if the State would have found that welfare work, on the part of the employers makes legislation superfluous. Labour legislation usually fixes the minimum standards of working conditions and hence its very existence means the failure of the employers to come up to this standard. Dr. Marshall, for this reason, considers the British Factory Acts as a standing disgrace to the country. The same statement holds good in the case of the various Factory Acts and other labour legislation enacted for the welfare of the Indian industrial workers. The Indian Factories Act of 1934 lays down certain standards for space, light, ventilation, suitable temperature, water supply for various purposes, safety, rest shelters, first aid appliances and such other conveniences. The Workmen's Compensation Act, the Payment of Wages Act and the Maternity Benefit Acts are similar measures enacted to secure improvement in the conditions of work and remuneration of the workers. It is compulsory for the employers to make provisions laid down by these measures and hence any action in this direction cannot be called welfare work. Dr. Lokanathan curiously gives the name of 'statutory welfare,'[39] to the attempts of employers to comply with the minimum standards laid down by labour legislation. There are a number of activities that are not touched by legal enactments and that relate mainly

[39] *Industrial Welfare in India*, p. 113.

to welfare work outside the factory, including such schemes as housing, recreational, educational and physical facilities, and co-operative societies. The voluntary work done by the Employers in this field comes under welfare work. The definition of welfare work given by Mr. N. M. Joshi, though it wrongly confines the activities to employers alone, sums up the above argument. "Welfare work covers all the efforts which employers make for the benefit of their employees over and above the minimum standard of working conditions fixed by the Factory Act and over and above the provisions of the social legislation providing against accident, old age, unemployment and sickness."[40] Dr. Clifford Manshardt, also observes that welfare work as commonly understood in India today refers to steps taken by the management, within and without the place of work, to increase the efficiency and happiness of the labour staff. Such activities include the measures enforced by factory legislation, but go beyond legislation in providing for the health, safety and comfort of the workers.[41]

'Welfare Work' and 'Social Work':

Welfare work has been distinguished from social work. According to Miss Hariet L. Herring,[42] welfare work is limited to employers alone, while social work implies no relation between employer and employee, though it rather suggests the activities of a State department or a volunteer organisation. According to this test, the Bombay Textile Enquiry Committee observes, the work of the Social Service League, Bombay, the Textile Labour Association, Ahmedabad, and the Labour Welfare Department of the Government of Bombay would come within the sphere of social work and not of welfare work. Miss J. H. Kelman[43] takes exception to the term 'welfare work' on quite a different ground. The name carries with it the suggestion of efforts for definite groups of workers rather than that of social co-operation towards better relationships throughout the com-

[40] *Trade Union Movement in India*, p. 26.
[41] Article on 'Welfare Work in the Textile Industry'—*Indian Textile Journal*, January 1941, p. 99.
[42] *Welfare Work in Mill Villages*, pp. 9-10.
[43] *Labour in India.*

munity. Miss Kelman, however, does not suggest any alternative term to remove the suspicion of paternalism and even rejects the word 'personnel' which was adopted at the International Welfare Conference in France in July 1922. The Bombay Industrial Disputes Committee (1921) also reports that some of the witnesses declined to accept the term 'welfare' as accurately defining these energies and classed them as "efficiency" work, because they had such a direct reaction on physical contentment and efficiency.

Welfare Work Inside and Outside the Factory:

There was a time when Indian welfare workers confined their activities towards the welfare of the workers outside the factory. Dr. G. M. Broughton[44] concluded, from the papers submitted to the First All-India Welfare Conference (1922) that in the minds of people of India, welfare work was primarily associated with the well-being of employees outside the factory. Only one firm gave to the Conference any detailed account of the work that is being done inside the factory. Rather different is the view of Dr. Vera Anstey who thinks that the term 'welfare work' is used in a more general and less technical sense in India than in England.[45] In England, it is confined to work carried on actually in the factories, as an integral part of the internal organisation of any business, aiming primarily at dealing with the human factor in industry, considered as one of the factors of production. In India, the term includes all attempts to ameliorate the general conditions of life of the workers.[46] In short, Dr. Anstey observes that in India welfare work includes the activities inside the factory also. This division of welfare work into the work done inside the factory and that done outside the factory, has been distinguished by Dr. Broughton by the terms intramural and extramural welfare work.[47] Intramural welfare work consists of welfare schemes within the factory and includes medical aid, compensation for accidents, creches and provident and pension

[44] Articles in *Journal of Indian Industries and Labour* (Aug. 1922) and *Social Service Quarterly* (Jan. 1923), also *Labour in Indian Industries*, p. 181.
[45] *Economic Development in India*, p. 325.
[46] *Economic Development in India*, p. 325n.
[47] *Labour in Indian Industries*, pp. 181-9.

funds. Extramural welfare work deals with conditions outside the factory such as housing, amenities of life and education. A similar distinction can be made between welfare work relating to conditions of employment and that confined to the living conditions of the workers. In the first class, activities for the solution of the problems such as hours of work, wages, holidays with pay, rest-intervals, sanitation and safety, continuity of employment and limitation of female and juvenile labour may be included, while all the schemes of benefits, co-operative societies, legal and medical aid and housing may be taken up in the second class. One more distinction has been made between physical, economic and moral intellectual welfare work. Dr. Vera Anstey, for example, confines the discussion only to industrial welfare work, excluding the moral or the intellectual development of the workers.[48] This division is rather unhappy, because welfare work aims at an all-round development of the working and living conditions of labour.

Welfare Work by the State:

It is outside the scope of our subject to examine the welfare schemes carried on by the State and the employers. The State can take its share in welfare work in a number of ways. The Labour Welfare Department, started by the Congress Government in Bombay shows how the State can place an example to the employers by voluntary welfare work. The State can also bring into action well-planned schemes of good housing and of co-operative societies. It can do general propaganda work by means of publications, theatricals and welfare centres. It can grant subsidies to different schemes, sponsored by the employers and the workers. However the major activities of the State in this field relate to Legal Enactment, by which minimum standards of welfare can be fixed. A student of Indian labour legislation will realise how far the Indian Government has made a progress in this direction.[49]

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[48] *Economic Development in India*, pp. 324-5.

[49] For Factory Legislation, see the books by J. C. Kydd (1926) and P. K. Mukerjee (1937) on *'Factory Legislation in India.'* See also Bulletins of Indian Industries & Labour Nos. 8, 37 and 61; Dr. Lokanathan's *'Industrial*

Employer's Welfare Work:

However the major share of welfare work is to be borne by the employers, as it is their duty to keep labour contented and efficient. Besides welfare work pays them in the long run. It is a happy feature of Indian industry that our employers have taken note of the value of welfare work and started, though on a small scale, various welfare schemes.[50]

Employer's Motives behind Welfare Work:

Various motives have been attributed to the employers who carry on welfare work among their employees. In places like plantations, where labour is scarce, welfare work is essential to attract the workers from far off places. For this reason, the insurance and welfare schemes for plantation workers are far more advanced and older than in other industries. The origin of welfare work in India also lies in this cause. Mr. Wiser, India's delegate to the International Welfare Conference (London 1922), traced the origin of welfare work in India to the provisions made for the European foremen who were brought over by European manufacturers, when they introduced modern industry and methods in India. On account of the peculiar circumstances of factory life in England, firms were forced to build houses near the works for their employees and welfare work in many places developed along this line.[51] Similarly in India also most of the welfare schemes in Jamshedpur

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Welfare in India,' Part I and Dr. Das's *'Principles and Problems of Indian Labour Legislation'* (1938) and for Government Social Work, see *"Some Social Services of Government of Bombay'* edited by Dr. Manshardt. Some special articles have been published in the, *Labour Bulletin* (U.P. Government, Cawnpore), wherein regular information of the welfare-work carried on by the U.P. Government can also be found. See also *Main Report* (pp. 347-9) of the Labour Investigation Committee and the issues of the *Indian Labour Gazette.*

[50] For employers' welfare work see: Lokanathan—*'Industrial Welfare in India,'* Pt. II; Broughton—*Labour in Indian Industries,* pp. 18-9; Burnett Hurst —*Labour and Housing in Bombay,* Ch. X; Buchanan—*The Development of Capitalist Enterprise in India,* pp. 411-5; *Report of Royal Commission on Labour,* (pp. 63-7 & 258-63), of the *Bombay Industrial Disputes Committee* (1921) and of *the Bombay Textile Labour Enquiry Committee* (Ch. X); *I.L.O. —Industrial Labour in India,* pp.309-10; and the issues of *Welfare* (monthly— Calcutta) March 1923 (for W. Work in Sholapur); June and July 1924 (for Welfare Problems), Sept. 1924 (W. Work in S. India). See also the *Reports* of the All-India Welfare Conference (April 1922) & Social Workers' Conferences, and the issues of the *Indian Textile Journal* (Bombay) and *Labour Bulletin* Cawnpore) and *Indian Labour Gazette.* See also Labour Investigation Committee's *Main Report* (pp. 349-351).

[51] *Welfare Work* (London), Aug. 1922, p. 147.

and other places were practically forced on the employers by the needs of the situation, as due to the establishment of new cities, the management had to provide all the ordinary amenities of life.

Another motive of the employers behind welfare work is to attract the skilled and efficient class of workers. Better conditions of employment mean more efficient work and hence welfare work has been found to be of advantage to the employers. Sometimes the motive of the employers is to keep the workers away from joining trade unions and to avoid difficulties arising from strikes. This is the reason why a number of trade unions look with suspicion to welfare work sponsored by the employers. Even the moderate National Union of Railwaymen of India and Burma complained before the Whitley Commission that the compulsory membership of the Mutual Benefit Society, organised by the Railway Administration, hindered the activities of the Union.[52] Welfare work can never be a substitute either for legislation or for trade unionism. There are a number of economic and political questions which never come within the scope of welfare work. Strikes waged for increase in wages or for reduction in hours of work, pressure brought upon the State for favourable labour legislation and political protests of workers can never become the activities of a welfare worker. The trade unions, as we have seen, have three methods—Mutual Insurance, Collective Bargaining and Legal Enactment. Welfare work, at best, can take the place of a trade union in following only the first method. In solving labour problems, welfare work or philanthropy is quite inadequate.[53]

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[52] *Evidence*, Vol. VIII, Pt. I, p. 460.

[53] Dr. R. K. Das observes that welfare-work is only a palliative measure, as it deals with the symptoms rather than with diseases. This line or argument allures Dr. Das to distinguish between Welfare Work and Labour Movement: "The main spring of welfare work is fellow feeling, while that of the Labour Movement is social justice. The former takes the present status of the workers granted, while the latter attempts to create a new status for the workers. Moreover the object of the Welfare Work by the Government and the employers is to check the progress of the Labour Movement, rather than to confer real benefit for the working classes. As such the Labour Movement is quite distinct from the Welfare Work, although their activities may sometimes overlap." (*Labour Movement in India*, p. 52).

Attitude of Trade Unions towards Welfare Work:

The conception of welfare work as a substitute for trade unionism was general in the early years of Indian Trade Union Movement. Papers on 'welfare work and trade unionism' read in the All-India Industrial Welfare Conference (6th-8th April 1922) tried hard to expound the separation of the two movements. In a brief historical survey of the rise of the Welfare Movement, welfare work was referred to as "one of the two new phases of the Indian Labour Movement" and the welfare worker as "a sort of intermediary between Capital and Labour." Another speaker observed that the term welfare work was amongst the most misunderstood in India. "It is only or chiefly as a weapon against trade unionism that welfare work captures the fancy of the ordinary employer."[54]

In every country, trade unions have been either the unstable friends or the opponents of the welfare experiment. Mr. J. J. Mallan, after a detailed survey of the two movements in England, comes to this conclusion on the grounds that the organisation of industry was such as to arouse the distrust of the employee, that the introduction of welfare methods was ill-managed and was not made an exercise in self-government by the workmen acting through their organisation in and out of the shop and that the status of the welfare worker was not sufficiently high.[55] A majority of trade unionists think that the schemes of welfare work are either concessions given to workers for remaining aloof from trade unionism or a cloak to cover the fundamental defects of workshop conditions. The militant trade unions, on the other hand, fear that the fight of the workers would be weakened, if the workers depend upon the employers for housing, education of children, medical help and the like. The employers can take away the concessions at any time and render the workers helpless.

[54] Another paper ended with the following remark, "The trade unionist having seen to wages, hours of work etc., the welfare-worker in the factory having seen to it that the work is done under good conditions, it is for the co-operator to step in and see that the men's life outside the factory is as happy as possible. The one begins, the other follows up and the third puts the finishing touch."

[55] Article on *'Welfare Work and Trade Unions'* in Welfare Work (London), Jan. 1921, p. 3.

The unions are reluctant to deny the benefits of the welfare schemes, though they do not like the control of the employers. The example of the British Government is often cited as a remedy to this evil. The British Government took under its control the social insurance schemes, first worked out by the trade unions. Instead of going about in the same roundabout manner, the Indian government is often advised to take up the responsibilities of social insurance and welfare work immediately. The easiest solution lies in the co-operation of all the four powers—the State, the employer, the worker and the general public. An efficient and well contented labour is beneficial to all the four parties and hence a well co-ordinated and co-operative scheme of social insurance and welfare work should be vigorously advocated. No scheme of welfare work is ever likely to be successful unless it is worked with the consent of the workers and with their willing and active co-operation;[56] similarly the success of a particular branch of welfare work depends also on the sympathy and active assistance of the management.[57] The co-operation of Capital and Labour will remove a number of present obstacles of welfare work, such as hostility of trade unions, reluctance of the management, rivalry of the jobbers and of the mill clerks, financial difficulties, labour turnover, ignorance and illiteracy and industrial unrest. Many of the welfare societies are fianaced by the employers for their welfare work which is almost entirely done outside the mills. The Bombay Social Service League was entrusted with the welfare work in the mills of the Tata and Currimbhoy groups. The work was financed by the management of these mills and consisted of medical relief, first aid, maternity benefits, creches, recreation etc. Similarly both the Christian organisations (Y.M.C.A. and Y.W.C.A.) had been approached by leading millowners to co-operate in starting some form of welfare work among their employees.[58]

[56] Lokanathan—*Industrial Welfare in India*, p. 122.

[57] Burnett Hurst—*Labour and Housing in Bombay City*, p. 319.

[58] Article on 'Factory Life in India' by Miss Iris Wignate in *'Welfare Work'* (London) Decr. 1920, p. 181.

Role of the Trade Unions:

The part taken by Indian trade unions in welfare work has been insignificant. The data in respect of this inadequate work is also incomplete. This difficulty was felt even by the Government of India, when it tried to supply to the I.L.O. the information regarding social insurance in India.[59] From the scanty information, submitted to Geneva, we learn that in 1927 there were in India 21 trade unions and works funds with a total membership of 100,000. The principal benefit was a lump sum payable at death or on retirement. The Bombay Postal Union used to grant Rs. 50 in case of death and the Bombay Presidency Postmen and Lower Grade Staff Union in the course of six years paid about Rs. 2,000 in 74 cases of death or retirement. The sole source of income was from members' contributions except in two cases where the employers also contributed.

More information in this respect can be obtained from the annual reports of the individual unions and from the Evidence Volumes of the Royal Commission. The B.B. & C.I. Railway Employees' Union claimed that in the year 1921-22 it paid Rs. 58 to 10 members in the form of death and retirement benefits.[60] It also started a Co-operative Credit Society with the help of the G.I.P. Railwaymen's Union for the grant of loans on easy terms to members of the Union.[61] A similar society was started by the Bombay Clerks' Union.[62] The Bombay Presidency Postmen's Union spent in 1921-22 Rs. 98-4-0 on medical relief and Rs. 128-8-11 as death or retirement benefits to 18 members.[63] The B.N. Railway Indian Labour Union established in 1921 a Death Benefit Fund to which the Railway Agent agreed to help.[64] The Provincial Governments, in their evidence before the Labour Commission, gave some examples of unions, granting benefits to their members. The Bombay Government remarked that there were some unions which gave death

[59] I.L.O.—*Voluntary Sickness Insurance* (Studies & Reports, Series M. No. 7).
[60] 2nd *Annual Report of the Union* 1921-22.
[61] 3rd *Annual Report* of G.I.P. Railwaymen's Union, 1921-22.
[62] 4th *Annual Report* of the Clerks' Union, 1920-21.
[63] 3rd *Biennial Report* of the Union, 1921-22.
[64] *Annual Report*, 1921-22.

benefits, some met the burial expenses on the death of a member and one or two others made special provision for legal defence, insurance and sickness benefit.[65] The C.P. Government referred to the Postal Union branch which had established a Co-operative Society and a mutual benefit fund for its members.[66] The U.P. Government gave the example of the Mazdoor Sabha which maintained a dispensary, in charge of a qualified medical graduate, where medical treatment and medicines were provided free.[67] The Sabha had also a reading room and a periodical called 'The Mazdoor.' The Bengal Government stated that some unions, especially of clerks, in that Province had started benefit funds of various kinds. The Government curiously called these unions as mutual improvement associations.[68] The Madras Labour Union used to pay death benefit of Rs. 20 for a monthly subscription of annas 2 and of Rs. 40 for annas 4 a month. The Cordite Factory Union of Aruvankadu had a benefit call fund providing against old age and death. In its evidence it stated that 58 persons were helped with an amount of Rs. 1,345 by this Fund.[69] The Labour Union of Coimbatore started in 1921 a labour bank and stores but owing to bad management, the non-co-operation movement, faction amongst the labourers, and lack of public response the concerns had to be closed.[70] The activities of the Kamgar Hitwardhak Sabha and the Central Labour Board, Bombay, like those of so many other unions, were of a Purity Mission. Their work was more social than economic and never political.

Benefits given by Trade Unions:

These attempts are inadequate and meagre. An average trade union in India generally keeps itself aloof from the fields of social insurance and welfare work. Its activities are mainly confined to attempts to secure the redress of the grievances of their members by making representations to their employers. Mr. N. M. Joshi did not

[65] *Evidence*, Vol. I, Pt. I, p. 109.
[66] *Evidence*, Vol. III, Pt. I, p. 48.
[67] *Evidence*, Vol. VI, Pt. I, p. 187.
[68] *Evidence* Vol. V, Part I, p. 120.
[69] *Evidence* Vol. VII, Part I, p. 259.
[70] *Evidence of the Union*, Vol. VII, Part I, p. 245.

find a single union which had made a beginning of paying either sickness or unemployment or superannuation benfits. Many of the schemes advertised by trade unions in India remain only in their constitution. This charge, often made by the employers against unions, bears some truth. The Railway Board, in their evidence[71] before the Royal Commission, give two illustrations to substantiate this charge. The Kanchrapara Railway Workmen's Union had stated in its printed rules that it would provide against sickness and unemployment, give legal assistance to its members, render aid during a strike and promote schemes of benefit, insurance etc. However, the meagre membership of the union (viz. 400) made all these schemes impossible. Another instance given by the Railway Board is of a union on the E.B. Railway which started voluntary Death Insurance Fund, but not more than one or two per cent. of its members subscribed to this special fund. More clear are the examples of Bombay unions. The Bombay Girni Kamgar Union, whose constitution has been copied from that of the Bombay Textile Labour Union assures its members that it would endeavour to provide against sickness, unemployment, infirmity, old age and death. Its history of twenty years, however, reveals that it did not touch the problem of social insurance at all.[72]

The National Union of Railwaymen of India and Burma:

Only two unions in India, the National Union of Railwaymen of India and Burma and the Ahmedabad Textile Labour Association have a highly organised system of social insurance and welfare work. The extent of the activities of the first union can be had from the following figure quoted in its evidence before the Royal Commission.[73]

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[71] *Evidence* Volume VIII, Part I, p. 461.

[72] Dr. Lokanathan in his *'Industrial Welfare in India'* compares these unions with the British ones under New Unionism (1885-1900). These unions had no faith in the value of the benefit side of trade unionism, because of the facts that they were too poor to grant benefits and that they considered social insurance to be a national duty to be taken over by the State, that the union money was to be utilised only for the purposes of strikes and other militant activities and that co-operation with employers even for welfare work was not useful to the workers. These ideas have changed in the last forty years and Indian unions have realised the value of welfare work. This can be seen from the rules of their constitution, which provide for a number of welfare schemes. Unfortunately the factor of unsound finance hinders their progress.

[73] *Evidence* Vol. VIII, Part I, p. 161

Table No. 29

Benefits paid by the National Union of Railwayman of India and Burma

Benefits Paid	Amount paid
Death Benefits	Rs. 56,400
Nonemployment Benefits ..	Rs. 9,995
Legal Assistance Benefits ..	Rs. 3,865
Accident Benefits	Rs. 750
Protection Benefits	Rs. 4,570
Legal Defence	Rs. 219,765
Life Insurance	Rs. 90,865
Sickness Insurance	Rs. 22,320
Strike Relief	Rs. 24,210
Total	Rs. 432,740

For Voluntary Legal Defence and Provident Fund the Union levies Re. 1 per member for the benefits of any member who is prosecuted for an act in connection with his duties. By its Voluntary Death Benefit Fund, the nominee of a deceased member is paid Rs. 500.[74]

Conclusion:

With the exception of a few unions, the Method of Mutual Insurance has been practically absent in India. Neither the Government, nor the employers have so far actively encouraged the pursuit of this method. The trade unions, because of their poverty and sometimes because of their wrong conception of trade union methods, show no tendency to take to it. Besides, the Method of Mutual Insurance has got some inherent defects in itself. It lacks the legal or financial security of the friendly society. Secondly, the Method leaves no place for discussion with the employers.[75] This defect has been minimised by the Second Method, that of Collective Bargaining, which we shall discuss in the next chapter.

[74] The Welfare activities of the Ahmedabad Textile Labour Association have been studied in Appendix I.

[75] Webb—*Industrial Democracy*, p. 171.

PART IV: TRADE UNION METHODS

CHAPTER XI.

THE METHOD OF COLLECTIVE BARGAINING

Of the three methods of Trade Unionism, that of Collective Bargaining is most in favour with our trade unions. Indian labour unions are financially too weak to grant any benefits to their members. Politically they are almost a nonentity and hence cannot influence any legislation for the improvement in labour conditions. The only method that they can follow under these circumstances is that of Collective Bargaining, which is seen in some crude methods of achieving industrial peace and more common in the familiar weapons of strike and lockout.

Essentials for Collective Bargaining:

For an efficient Collective Bargaining two factors are essential—freedom of association and co-operation between capital and labour. A strong union, commanding a majority of workers, not only represents labour, but has also an equal status with the employing class, which is the other party in bargaining. If legal freedom of contract is granted to parties with unequal strength the result proves to be disastrous to the weaker party. For this reason, it is essential that even the freedom of bargaining should have some legal limitations. Legislation, however, must not fetter the legitimate rights of labour such as the freedom of association and the right to strike.

Collective vs. Individual Bargaining:

Collective bargaining as a method of trade unionism is quite different from what we may call 'individual bargaining'. In the first instance, a body of workmen concert together and elect their representatives to conduct negotiations, on behalf of the whole body, with the employer or his agent. Generally a trade union in its capacity as a workers' organisation, takes the role of the representative

body. The combination of Collective Bargaining and Trade Unionism has proved very fruitful. Mr. and Mrs. Webb observe that strikes have been far more numerous in industries which have practised collective bargaining without trade unionism than in which durable combinations have existed.[1]

Trade Unions as Representative Bodies of Workers:

The right of the trade unions to represent the interests of workers in collective bargaining has been generally recognised under certain conditions. Laws have been passed in various countries to regulate conditions of employment collectively.[2] These laws consider trade unions as one of the contracting parties and confer on them the right to conclude collective agreements. Most of the laws reserve this right only to recognised registered trade unions.[3] Some of the laws grant the right to all trade unions. The Soviet Labour Code, for example, allows any union to appear before the various authorities in the name of the wage earners as a party to collective agreement (Section XV). Whatever may be the form, these measures, taken by the State to enable the trade unions to be parties to collctive agreements, serve the same purposes: viz. to guarantee the right of trade unions to enter into contracts and to strengthen their bargaining power by regulating inter-union competition in the labour market.

Factors for Collective Bargaining:

Collective Bargaining requires the co-operation of all the parties—the State, Capital, Labour and the general public. The State by legal enactment can make collective bargaining an article of industrial policy. The general public may exert its opinion in favour of this method, while Capital and Labour form the main contracting parties in the negotiations. Negotiation is in itself a craft and hence the workers need the services of expert negotiators. Education,

[1] *Industrial Democracy*, p. 220.

[2] For these laws, see I.L.O.: *Collective Agreements*, Part II.

[3] For example see Clause No. 12 of the Bombay Industrial Disputes Act 1938, which grants the right to registered unions on certain conditions.

organising power, technique of concerted action and a longe: view of group interests are some of the essential qualitie: required by responsible and intelligent leadership for tactfu negotiations.

Benefits of the Method:

The method of collective bargaining is beneficial both tc employers and labour. The employers know beforehand the real grievances of the workers and hence can take precautions and even avoid lightning strikes. Collective bargaining provides the workers with the means to improve their working and living conditions and also to achieve a sense of responsibility and self-respect. It furnishes, as Professor Pigou[4] points out, a guarantee against 'nibbling' of wage-rates and also makes it easy to provide machinery to adjust particular rates in the original fixing of which a mistake has been made. So far collective bargaining has proved to be the only means of bringing both the parties to a common council for the settlement of their differences and thus to maintain industrial peace. Lastly resort by workers to collective bargaining automatically means the acceptance of the present system of industrial organisation.[5]

Machinery for Collective Bargaining:

The aim of collective bargaining is the establishment and maintenance of industrial peace, without infringing in any way the legitimate rights either of Capital or of Labour. Peace is not a mere negative concept of the avoidance of strife, but a positive idea of the fruitful co-operation of all for the development of each.[6] On this principle, Dr. Ducksoo Chang defines industrial peace as the harmonious co-operation of all the agencies participating in the production of goods through which the community obtains its livelihood.[7] Different forms of collective bargaining are but different methods of industrial peace. Opinion is not unanimous as to these different methods and one of the greatest controversies

[4] *Economics of Welfare*, pp.482-3.
[5] Dr. R. K. Das—*Problems and Principles of Indian Labour Legislation*, p. 120.
[6] Dr. Ducksoo Chang: *British Methods of Industrial Peace*, p. 14.
[7] Dr. Ducksoo Chang: *British Methods of Industrial Peace*, p. 288.

in labour problems has always been on the solution of the problem of industrial peace. The differences are mainly based on the nature of the constitution of machinery, elements of compulsion and of permanence and intervention of the State and of the general public.

Joint Committee:

The most obvious form of permanent machinery for collective bargaining is a joint committee, consisting of equal numbers of representatives of the employers and workmen. It has been thought out that a thorough discussion between the members of this committee leads to some amicable settlement of the industrial disputes. The various conciliation and arbitration boards, industrial councils, works committees and trade boards make provision in their machinery for equal representation to the employers and the workers. To this is generally added the 'independent' element consisting of the representatives of the State and the general public. It is necessary to distinguish between three sorts of institutions[8]—trade unions, conciliation boards and joint committees. A conciliation board or a joint committee, however efficient it my be, can never be utilised as a substitute for a trade union. All the three have different origins, different machineries and different spheres of action. Trade unions are the organisation of the workers; joint committees like the Whitley Councils or the Works Committees depend for their success on the degree of co-operation of the two parties—employers and workers. Conciliation Boards owe their origin generally to the State and other outsiders. As for their duties, the trade unions seek an improvement in the workers' condition; the joint committees are set up to prevent any dispute while conciliation boards are generally utilised to settle an industrial dispute which has already taken place.

Problem of Industrial Peace in India. Origin:

The problem of industrial peace commanded serious attention in India during the period of acute industrial unrest

[8] See *Evidence* of the Railway Board before Royal Commission, Vol. VIII, Part I, p. 35.

immediately after the Great War, when high prices and disproportionate wages brought about a series of strikes. Trade unions sprang up to give an organised shape to the industrial unrest. For the first time there was a resort to conciliation and arbitration in India; individuals and government officials intervened in a number of strikes as conciliators or arbitrators. The Royal Commission on Indian Labour note that in Madras in 1919 and 1920 on four separate occasions courts of enquiry were appointed consisting of an official chairman and one member chosen by each party.[9] Similar courts set up in 1920-21 were successful in averting two strikes in Burma and two in Bengal.

Bombay and Bengal Industrial Disputes Committees, 1921:

The industrial unrest in the Bombay textiles was reflected in a resolution introduced in July 1921 in the Bombay Legislative Council. The resolution asked for the appointment of a committee "to consider and report upon the practicability or otherwise of creating suitable machinery for the prevention and early settlement of labour disputes." A similar resolution was moved in the Bengal Legislative Council by Mr. K. C. Roy Choudhary on the 4th March 1921. It demanded an enquiry into the causes of the strikes of workmen in Bengal and asked for some remedial measures. In accordance with these resolutions two committees were appointed in Bombay and Bengal, under the chairmanship of Sir Stanley Reed and Mr. J. H. Kerr respectively. For the same disease, two different remedies were suggested. The Bombay Committee advocated an Industrial Court of Enquiry to be followed, if necessary, by an Industrial Court of Conciliation. The Bengal Committee favoured the formation of Joint Works Committees in industrial concerns. The first proposition was modelled upon the English Industrial Courts Act of 1919, while the second emphasized the success of the works committees in America and England, where their creation was stimulated by the Reports of the Whitley Committee.

[9] *Report,* p. 339.

Bombay Scheme: Court of Enquiry and Industrial Court:

The Bombay Industrial Disputes Committee of 1921 deliberately gave preference to enquiry over conciliation, in order "to avoid the facile opportunism which seeks to patch up an industrial dispute by proposing a compromise between the views of the two parties, without going to the economic principles, which are at stake." The Committee kept the British model before it. The Industrial Courts Act (1919) of Great Britain replaced the 'ad-hoc' conciliation boards by a permanent court established according to the recommendations of the Whitley Committee (1918). The Court of Enquiry as recommended by the Bombay Committee, was to be composed of a chairman selected by the members of the Court from a panel maintained in the Labour Office and of three representatives each of the employers and employees in the industry concerned. In case of a dispute in a Government Department or in a public utility service, the public was also to be represented by three members. In choosing the employees' representatives, the Labour Office was to call the labour leaders and to ask them to elect the representatives of workers. The Court of Conciliation was to function, after the failure of the Court of Enquiry. Whereas the Court of Enquiry could be constituted on the application of either party to an industrial dispute, the Court of Conciliation could be set up only on the application of both the parties to a dispute.

Defects of the Bombay Scheme:

The scheme elementary as it was, had a number of defects. Its machinery was likely to cause undue delay in formulating a recommendation. By the time the Court of Enquiry could finish its work and published its findings, the interest in the dispute would have waned. Then would come the Court of Conciliation to settle a dispute which had already ceased. To minimise the delay, the Committee recommended the collection of more accurate figures of prices, wages and the cost of living kept by the Labour Office. The second point of criticism is about the inclusion of the representatives of the public on the Court. A bare major-

ity of the members of the Committee held the view that the public should not be represented except when the Court was enquiring into a dispute affecting a Government Department or a public utility concern. The public has no special knowledge of, nor direct concern with, the subject matter of the dispute. The minority, however, was of the opinion that the public was indirectly affected by the conditions of industry and labour. In cases of mediation, the public cannot be ignored. On the contrary, the intervention of many leaders of public opinion has proved to be of great value in settling some of the major disputes.[10] Another point is whether the meetings of the Courts should be in public. Professor Pigou favoures the meetings of the Conciliation Board to be in camera, for the sake of frankness in the discussion itself and the uncomplaining acceptance of the decision reached.[11] Meetings in the public on the other hand, have an educative value. Besides, as far as the Court of Enquiry is concerned, its function is to make the facts clear and thereby to get the sympathy of the general public for a speedy and peaceful settlement of the dispute. Even in England, there is no statutory requirement that the hearing of the Industrial Court should be in private, though the policy of sitting in private has been followed in deference to the wishes of the parties.[12] The most important flaw in the recommendations of the Committee was the denial of the right of trade unions to represent labour on the Court. Under the scheme, the Labour Office i.e. in fact that Government, had predominance over all the affairs of the Court. The Head of the Labour Office had to put the machinery into operation, furnish the secretary, arrange the meetings of the Court and publish the results. It might be argued that India of that time had no adequate organisation among both employers and employees. Precisely on this ground, the Bengal Committee did not favour any legislation on some such lines as the drastic compulsory arbitration laws of

[10] Prof. Pigou, for example, gives some names of persons, who mediated in industrial disputes in Great Britain (*Economics of Welfare*, p. 435). We can also cite similar personalities like Mr. Andrews, Prof. Dhruva, Pandit Malaviya, Chaman Lall, Mr. N. M. Joshi, Mr. C. R. Das, Subhas Bose and many others.

[11] *'Economics of Welfare'*, p. 424.

[12] D. Chang—*British Methods of Industrial Peace*, p. 147.

Australasia, the provisions of the Canadian and Transvaal Acts making strikes illegal before investigation or even the statutory machinery set up in the United Kingdom for the voluntary settlement of disputes. Such legislation pre-supposes the existence of a high state of organisation both of the workers and of the employers. Any legal process to enforce, under such circumstances, as arbitrary award or a finding of a Conciliation Court, would lead, in the opinion of the Bengal Committee, to serious disturbances and sometimes even to riot and bloodshed.

Trade Disputes Act, 1929:

The recommendations of the Bombay Committee regarding the creation of the Courts of Enquiry and Conciliation were not given effect to till 1929, although provisional committees to enquire into the causes of strikes were set up in Bombay in 1924 and 1928. The Government of Bombay drafted a Bill in 1924, on the recommendations of the 1921 Committee, but was asked by the Central Government to withhold that measure, as a legal enactment of an All-India character had been under consideration. The Bill, which was eventually introduced in 1929 by the Central Government, however, differed from its earlier draft of 1925 in a number of respects. For the first time in India, provision was made for the establishment of Courts of Enquiry and Boards of Conciliation to investigate and settle trade disputes respectively. Secondly, the Act makes it illegal to withdraw labour from the public utility services, unless each individual going on strike gives one month's notice in writing to the administration. This provision means total prohibition of lightning strikes or lockouts in public utility concerns. The third part of the Act declares those strikes illegal which have any object other than or in addition to the furtherance of a trade-dispute within the trade or industry in question, or which are designed to inflict hardship upon the community or to coerce the Government to take or abstain from any particular course of action.

Defects of the Act:

Though modelled on the British Industrial Courts Act of 1919, the Indian Act did not provide for a permanent

Industrial Court. The workers in public utility services were deprived of the weapon of lightning strikes, though this restriction was not at all compensated for by any special concessions to them. Following the example of the newly-enacted British Trade Unions and Trade Disputes Act (1927), the Indian legislation provided that a sympathetic strike, designed or calculated to coerce the Government by inflicting hardship on the community should be illegal and even prohibited workers of one industry supplying funds to strikers in another. The greatest defect of the Act was in its elaborate machinery for enquiry and conciliation. Its complicated and inconclusive nature discouraged any union to make use of the machinery. Mr. B. Shiva Rao did not find a single instance of a union in South India which had been successful in its attempts to get the machinery worked.[13] The Right Hon. R. D. Bell, while introducing the Bombay Trade Disputes Conciliation Bill of 1934 admitted that the provisions of the 1929 Act had never been utilised in the Bombay City, except on one occasion.[14] The Indian Government has been often charged with rejecting the applications of the Unions, which asked for the appointment of a Court of Enquiry.[15] Commenting on the Act, the Royal Commission remarked that it has tried to copy the less valuable part of the machinery employed in Great Britain, while ignoring the most valuable part.

Though the Trade Disputes Act was extended indefinitely, by an Amending Act in 1934, the industrial provinces in India have not thought it fit to utilise it. Bombay has already undertaken legislation to prevent and settle trade disputes by conciliation. Similar legislation was contemplated by the Governments of Madras, the United Provinces

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[13] *India Analysed*, Vol. II; The *Labourer*, p. 42.

[14] "It has been a dead letter so far as Bombay City and the Bombay Presidency are concerned." (Bell).

[15] Speaking on the Bombay Industrial Disputes Bill of 1938, Mr. Jamnadas Mehta drew the attention of the members of the House to the fact that in the course of nine years more than 500 applications were made to the Government of India and the Local Governments for the application of the 1929 Act. But except in 4 or 5 cases, the machinery of the Act for the settlement of the disputes was not utilised. In reply to a question in the Central Assembly in 1932, Sir Joseph Bhore admitted that six applications (all from trade unions) were received for the appointment of tribunals under the Act. A Conciliation Board and a Court of Enquiry were appointed, while four application were rejected.

and Bengal.[16] It seems, however, that because of war and consequent introduction of Rule 81A of the Defence of India Rules, action in these Provinces has been deferred.

The Bombay Trade Disputes Conciliation Act, 1934:

The Government of Bombay passed in 1934 the Trade Disputes Conciliation Act to improve upon the All-India measure in the light of the recommendations of the Royal Commission. The main provisions of the Act relate to the creation of a permanent Conciliation Board with the Commissioner of Labour as 'ex-officio' Chief Conciliator and to the appointment of a Labour Officer, a government servant, who is to hear and represent the grievances of the workers to the employers. Except for these provisions the Act was similar to that of 1929.[17]

The Bombay Industrial Disputes Act, 1938:

The Bombay Industrial Disputes Act of 1938, passed by the Congress Government, goes still further and makes conciliation compulsory.[18] The Bombay Act of 1934 did not make it obligatory on the parties to explore all peaceful means to settle a trade dispute before resorting to a strike or a lockout. The 1938 Act aims at removing this defect and hence makes strikes or lockouts illegal, unless and until the whole of the machinery provided by the Act has been utilised. The Act provides for registration of the unions recognised by employers, for Labour Officers and Conciliators for different areas, for Boards of Conciliation and for a permanent Industrial Court for voluntary arbitration.

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[16] *Proceedings of the First Conference of Labour Ministers,* (Bulletin No. 70 of Indian Industries and Labour, p. 9).

[17] Mr. R. R. Bakhale, in a brilliant speech (27th August 1934) at the time of the Third Reading of the Bombay Bill compared the two legislative measures. Both the pieces of legislation are of a permissive character; one is wholly permissive, the other is partly permissive and partly obligatory—permissive to employers and obligatory to workers. The All-India Act gives the workers a Board if they make an application; the Bombay Act gives them a single conciliator. In case the workers fail to elect their representatives, the first Act gives them representation by nomination, while the second provides for a Labour Officer. Moreover the All-India Act differs from the Bombay Act in a number of respects such as the appointment of an independent person as Chairman, time-limit for the Conciliation proceedings, making definite recommendations for the settlement of the dispute and publication of the Report. Regarding these matters there are specific instructions in the All-India Act, while the Bombay Act is silent over them.

[18] This means compulsory recognition by the employer of the principle of collective bargaining.

Under certain rigid conditions, trade unions can represent the workers in conciliation or arbitration proceedings.[19] Any registered union which commands a membership of not less than 25 per cent. of the total number of employees, employed in the industry can become a "representative union." So also any other union which has a membership of not less than 5 per cent. of such workers can represent the workers, if it is recognised by the employers for such purpose.

The Bombay Industrial Relations Act, 1946:

This Act built on the same foundations embraces a much wider field by cutting new ground in several directions. It creates a list of 'approved unions,' introduces a catagory of 'primary unions,' removes for the purpose of registration the condition relating to recognition by the employer, brings down the minimum membership for a representative union from 25 to 15 per cent. and reduces the qualifying period from six to three months. An approved union has to satisfy certain conditions such as regularity of meetings of its executive committee, Government audit of their accounts and the avoidance of resort to strikes so long as means of settlement are available under the Act; in return the union derives advantages including the right of inspecting any place where its members work, collecting union dues in the employer's premises and legal aid at Government expense. Other important provisions of the Act are the creation of Labour Courts and setting up of joint committees. The various classes of unions created by the Act are worth studying.

The Industrial Disputes Act (Central), 1947:

This Act is the result of the necessity felt in the post-war period of having some permanent legislation, embodying the essential principles of both the Trade Disputes Act of 1929 and the Rule 81A of the Defence of India Rules. In addition to the Conciliation Officers, Boards of Conciliation and Courts of Enquiry—authorities provided in previous legislation—the Act creates two new institutions, viz. the

[19] Cf. "The Act contains certain provisions whose object is to secure the establishment of sound trade unions" (*Proceedings of the First Conference of Labour Ministers,* p. 8.)

Works Committees and Industrial Tribunals. Works Committees, consisting of representatives of employers and workmen, are to be constituted in every industrial establishment employing 100 workmen or more and their duties are to be to remove causes of friction between the employer and the workmen in the day-to-day working of the establishment and to promote measures for securing good industrial relations. On the Industrial Tribunals, there are to be one or more members possessing qualifications ordinarily required for appointment as judges of a High Court. Conciliation is compulsory in all disputes in public utility services and optional in other cases. Strikes and lockouts are prohibited during the pendency of conciliation and adjudication proceedings, of settlements reached in the course of conciliation proceedings and of award of Industrial Tribunals declared binding by the appropriate Government.

Other Methods than Legislation:

Legislation is not the only force that is at the base of initiation of methods of industrial peace. Works and welfare committees, staff councils and such other forms of joint machinery also reveal the different methods that can be used to solve the problem of industrial peace. It is necessary to analyse these methods not only for examining their present application to Indian industries, but also for suggesting any improvement for the future. In this respect a study of the methods used in different countries for the prevention and settlement of industrial disputes can be of immense value as a guide to the solution of the problem of industrial peace in our country. It is, however, essential to bear in mind Mr. Harold Butler's warning that the problem of industrial relations does not command any universal solution. "The problem presents itself in different forms, which vary with economic circumstances social tradition and national psychology."[20]

Classification of Methods of Industrial Peace:

It is difficult to classify the different methods used for preventing and settling industrial disputes. The methods

[20] H. Butler—*Industrial Relations in the United States*, p. 106.

vary from each other in character and in their application. It is, however, possible to view them through certain angles. For example, these methods can be classified according as they are optional or compulsory, permanent or *ad-hoc*.[21] They can also be divided as methods for the prevention of industrial disputes and those for their settlement. A further division can be made as between those relating to government intervention and those to direct negotiation between the parties.[22] The State intervention in trade disputes may take a variety of forms such as provision for courts of conciliation or of arbitration and legislation, compelling industrial differences to be referred to some tribunal before any strike or lockout is permitted or making arbitration compulsory and strikes illegal.[23] However far more important than State intervention is the part played by the employers and the employees in industrial peace. Negotiation between the employer and his workers is essential for any method adopted to prevent or settle industrial disputes and hence forms a necessary prerequisite of collective bargaining.

Forms of Negotiation:

Negotiation between employers and workers seems to have its origin in class warfare.[24] The employers' organisation has been the result of development of trade unions. A struggle takes place between the associations of the employers and of the workers: but the cost of conflict induces both the parties to resort to negotiation. The success of negotiation in small matters is followed by the application of the method in more important cases with the result that eventually a permanent machinery is set up in connection with the settlement of industrial disputes.[25] The legislation

[21] As an illustration see the table from Indian Merchants' Chamber's: Social Science Intelligence Series, No. 4, *Conciliation and Arbitration.*

[22] For different forms of State intervention in disputes, see Pigou—*Economics of Welfare*, Part III, Ch. V.

[23] The Government of India have established machinery to deal with industrial relations in industries and undertakings falling within their sphere. For details of this machinery see *Indian Labour Gazette*, August 1945, pp. 41-43.

[24] Pigou—*Principles and Methods of Industrial Peace*, p. 15.

[25] The crude methods of negotiation may lead to some irregular forms of conciliation and arbitration. A permanent machinery is then set up tending first to compulsory conciliation and eventually to compulsory arbitration. Mr. R. N. Gilchrist in a study of *Conciliation and Arbitration* (Bulletin No. 23

of any country illustrates this development. We have already seen how the Industrial Courts Act (1918) of Great Britain replaced the *ad-hoc* Conciliation Boards by a permanent Court. Similarly the Bombay Industrial Disputes Act of 1938 made provision for a permanent Industrial Court for arbitration, thereby going further than the 1934 Act. The Bombay Industrial Relations Act, 1946, creates permanent Labour Courts, thereby making the Industrial Court as a court of appeal, reference and revision.

Methods to Prevent Industrial Disputes:

The value of the negotiation machinery lies more in the prevention than in the cure of industrial disputes, and hence the methods for the prevention of disputes should precede the methods for their settlement. Owing to the size and complexity of modern industrial system, direct relations between the employer and his workers are usually no longer possible, except in small concerns. Any method to prevent industrial disputes must devise an effective substitute for the old personal relationship between the master and his servants. One of the means used to obtain mutual co-operation between the employers and workers is the Joint Committee.[26] The Joint Works Committees in India were the product of an attempt to find an immediate prevention of the intense industrial unrest just after the Great War. An initiative in this direction was taken by the Government of India by starting joint committees in their presses. The incentive to the various joint committees on Indian Railways was given by a scheme of co-ordinated local committees,

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of Indian Industries and Labour) refers to these three stages. The first stage is marked by irregular negotiations, which result out of the realisation of the high cost of conflict and of inability to bear its heavy strain. At this stage both the parties are unorganised and hence they try to use force as a drastic cure for an evil. There is no permanent machinery for the purposes of negotiation and the collective bargaining, if at all it takes place, is irregular, clumsy and transitional. With the need of a better and more permanent machinery to settle industrial disputes, the second stage is reached, when recourse is taken to methods of voluntary conciliation and arbitration. The third stage comes when the methods are made compulsory, on the plea that an industrial dispute effects not only the disputants, but also other sections of the community. At this stage the State intervenes.

[26] The Royal Commission on Indian Labour mentions three mothods, not mutually exclusive, to establish contact between the employer and his employees. The best of these means is the development of sound trade unions, with access to responsible mill officials. The second is the appointment of labour officers and the third is the formation of the works committees. (*Report*, p. 342).

sponsored, in September 1923, by Sir Clement Hindley, Chief Commissioner of Railways.[27] The Industrial Disputes Committee of Bengal (1921) strongly recommended the creation of Joint Works Committees "as a means of dealing with industrial troubles at their source and of assisting the growth of mutual understanding between employer and employed." The Committee considered these bodies as 'panchayats' to regulate industrial conditions and thought that their establishment to advise the management of industrial concerns or measures affecting the workmen would do much to promote a spirit of co-operation between employers and employed and to help both to understand one another's point of view.

Joint Committees in India. Origin:

The Indian Joint Committees were based on the system of Joint Industrial Councils of England. The inception of the Councils dated from the appointment by Mr. Asquith's Government in the autumn of 1916 of a Committee under the Chairmanship of the Right Hon. J. H. Whitley. The terms of reference to this Committee were to make and consider suggestions for securing a permanent improvement in the relations between employers and workmen and to recommend means for securing that industrial conditions affecting these relations shall be systematically reviewed by those concerned with a view to improving conditions in the future. The Committee recommended the establishment of joint standing industrial councils in well organised industries on which representatives of accredited associations on both sides should meet in equal numbers for the consideration of matters affecting their industry. This system of Joint Industrial Councils, known as Whitleyism, spread for a time to some industries, but soon fell into insignificance. It became neither as important nor as widespread as its authors hoped.[28]

Failure of Joint Committees in India:

The Indian experiment, which was based on a still narrower scale, was bound to be unsuccessful. The major reasons for the failure of the system of joint committees are

[27] *Evidence* of Railway Board before Royal Commission, Vol. VIII, Pt. I, p. 35.
[28] Milne-Bailey: *Trade Unions and the State*, p. 139.

the same both in England and in India. The most important of these reasons is the lack of co-operation from the workers, who generally look to the experiment with suspicion, thinking it to be a move to undermine their organisations. The Whitley Committee (of England) specifically warned the employers not to try to start joint committees as a substitute for trade unionism. On the contrary, the Committee asked for the co-operation of the trade unions in representing the workers on the Committee. This warning went unheeded, both in India and in England, especially at a period of industrial unrest, when workers least believed their employers. Sir H. Freeland, Agent of the B.B. & C.I. Railway, in his evidence before the Bombay Industrial Disputes Committee (1921), even suggested that the works committees should supplant the unions altogether. The same Committee observe that to most of its witnesses the Works Committees represent a promising rapproachment between Capital and Labour, free from the antagonism with which the very name of the 'union' had been associated.[29] The trade unionists look down upon the works committees, probably because they have very little voice in their working. These Committees have received severe condemnation, especially from the Socialists,[30] as a form of company unions.

Limitation of Indian Works Committees:

Unlike the Whitley Councils, the Indian Works Committees were handicapped by the illiteracy of the workers. This factor gave an excuse to the Indian employers to curtail the activities of the Works Committees and thereby to have

[29] The Royal Commission on Indian Labour also observe that in the minds of many employers there is the belief that works committees provide a substitute for trade unions. The same committees are regarded by trade union leaders as rival institutions. The Commission, therefore, recommend that the employers should seek collaboration and co-operation of a trade union in the establishment and working of these committees which should not be regarded or used as rivals to its influence. (*Report*, p. 342). Works Councils and Committees serve useful purpose, when employers are well-disposed; but they cannot serve the purpose of trade unionism. On the contrary, organisation of workers is of utmost importance for a smooth working of the machinery of industrial tribunals and of Conciliation Boards (*Reports* p. 322).

[30] Mr. Murphy, for example, thinks that the system of Joint Industrial Councils in Great Britain was launched by the Government immediately after the war as a counter-move to the independent workers' committees of the shop stewards. "The workers were demanding an increasing share in the control of industry as the means to social ownership. The Government answered with the scheme of equal representation of the employers and workmen in factory committees and national and local industrial councils to maintain private ownership." (*Modern Trade Unions*, p. 42).

control over them. The Ministry of Labour in England allowed the Joint Committees to discuss vital problems of wages, hours of work, settlement of grievances and improvements in methods and organisation of work. The subjects with which the Bengal Committee of 1921 empowered the Indian Works Committees include most of the functions that are dealt with by the British Committees. The Bengal Committee, however, is not definite over the important problems of wages and hours of work. The mills of Currimbhoy and Tata groups did not allow their works committees to discuss the vital problems of wages and hours of work and the general topics affecting labour, on the ground of illiteracy of workmen.[31] This illiteracy, according to them, proved a stumbling block for organisation and for formulation of grievances. In some of the Committees the problems of wages and hours of work could be discussed, but so many limitations were put on this right that it was difficult to be utilised. The E. I. Railway Company, for example, allowed its workshop welfare committees to discuss questions regarding scales of pay and allowances, but compelled the members to refer the matter to the Agent's decision if the *nominated* members of the Committee desired to do so.[32] Besides, the procedure was rather a complex one, safeguarded by the authority of the Agent at every stage. In the works committees of the B.B. & C.I. Railway, individual grievances were excluded though social and general questions relating to wages, housing, education and medical provision were discussed. The committees were limited only to literate employees, which numbered about 25,000. The attempts to introduce works committees among illiterate persons failed at the first strike owing to the labour leaders' fear of victimisation and lack of loyalty of the employees to their representatives. One more reason of the failure of the works committees in India lies in the fact that the freedom of election inside a factory, even when the Management do not nominate the members, is in many cases a mockery.[33]

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[31] *Labour Gazette*, December 1921.

[32] Royal Commission *Evidence* Vol. VIII, Pt. I, p. 37 (Evidence by the Railway Board).

[33] M. K. Bose—Welcome Address 3rd N.T.U.F. Calcutta, 1937.

Workers' Representation in Works Committees:

A happy feature about the Works Committee is that the workers in India were taken in confidence for the first time to discuss some of the mill matters. The representation of workers was usually half, though the size of the committees was not uniform. The following table gives the proportionate representation of the employers and workers in some of the Joint Committees of that time.

TABLE No. 30

Workers' Representation in Works Committees.

	Representation of Employers		Representation of workers		Others	Total
	Management	Jobbers	Workers	Trade Unions		
Work-people's Welfare Committee (Biny & Co. Madras) ..	10	—	26	4	2	42
Tata Mills, Bombay ..	—	35	35	—	—	70
District Works Committees (B.B. & C.I.)	6	—	6	—	—	12
G.I.P. Bombay: Workshop Committee, Divisional Committee Railway Council ..	5	—	5	—	—	10
, Station Committee ..	2	—	8	—	—	10
N. W. Railway Workshop Committee ..	—	3	27	—	—	30
Recommendation by the Bengal Indutrial Disputes Committee, 1921	4	4	8	—	—	16

The table shows that trade unions were not at all consulted in the representation of workers on the Committees.*

Forms of Joint Committees other than Works Committees:

Some other forms of joint committees were also tried in Indian industries. In January 1924 the G.I.P. Railway authorities decided, with the approval of the Railway Board, to introduce 'Staff Councils' to consider questions governing conditions of employment and the well-being of the staff generally and also to provide a regular method of negotiation

* The four seats allotted by Binny and Company to trade unions were limited to the Buckingham and Carnatic Mills Employees' Union which was supported by the employers against the more powerful Madras Labour Union.

for issues arising between the railway and its employees.[34] These staff councils included three different types of bodies —District Committees, Railway Council and Station Committees at selected stations. Staff committees were also set up amongst the M. & S. M. Railway employees. A union of these employees, however, complained before the Whitley Commission that these committees were set up as rivals to the Union and that all workers of the transportation department were induced to become members of the committees.[35] The rights of the staff councils and committees were limited; they could not discuss individual grievances as well as questions of discipline. Another form of joint committee is the Welfare Committee. This system flourished on various railways in India in the third decade of this century. An account of the Welfare Committees on the E. B. Railway and the E. I. Railway has been given in the evidence of the Railway Board before the Royal Commission.[36]

Trade Boards:

It is rather curious that up till now no serious discussion has taken place for the utility of trade boards in Indian industries. In the absence of minimum wage legislation, this form of joint committee would have been of the utmost value for industrial peace. Most of the industrial disputes take place on the question of wages and it is regrettable that in spite of the costly experience of industrial conflict, there is still no machinery in India to fix up the 'standard rate' for workers. The Bombay Textile Labour Enquiry Committee strongly recommend the setting up of a trade board for the cotton textile industry of the Bombay Province, with its powers and constitution modelled according to the British Trade Boards Acts 1909 and 1918.[37]

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[34] *Evidence* of the Bombay Government before Royal Commission, Vol. I, pt. I, p. 139. (The account of these councils is given in detail there).

[35] *Evidence* of the M. & S. M. Rly. Employees' Union before Royal Commission, Vol. VIII, Pt. I, p. 559.

[36] Vol. VIII, Pt. I, p. 37.

[37] *Report*, p.34. The Indian Federation of Labour in its Bombay session (1943) passed a resolution urging upon the Government to appoint "Wages Boards" for all industries and for all regions in India, "with the specific duty of raising the wage-level by fixing minimum wages for workers in general as well as adequate wages for various catagories of workers."

The Trade Boards system has not received the necessary attention it deserves even from our Legislatures. In 1921 Mr. K. C. Roy Choudhary moved an unsuccessful resolution in the Bengal Assembly demanding the establishment of Industrial Boards for the determination of a minimum wage for each industry in Bengal. Some attention was given to the problem of minimum wage in 1928, consequent upon the adoption by the I.L. Conference of a Draft Convention on that subject. Both the Chambers of the Central Legislature refused to ratify the Convention. Even the Whitley Commission did not go far into the question. It only insisted on a thorough enquiry into the problem of existing wages before the introduction of any minimum wage fixing machinery is thought of. A careful study of the Trade Boards System is essential before its introduction in India is advocated. Even in England, the working of the Trade Boards Acts of 1909 and 1918 have not been satisfactory. A constant demand to make the machinery more flexible and less cumbrous led in 1921 to the appointment by the British Government of a Committe under the Chairmanship of Lord Cave to enquire into the working of the Trade Boards.

The Minimum Wages Bill, introduced by the Central Government in the Legislature, provides for Advisory Committees and Advisory Boards, which will have equal representation of employers and workmen. Except on initial fixation of minimum wages, consultation with the Advisory Committees will be obligatory on all occasions of revision.

Merits of Trade Boards:

The British Trade Boards, though defective in some respects, proved successful in raising the level of wages among the poorest paid workers, in eliminating competition of unscruplous employers, in bringing together the representatives of the employers and workers, and in making the employers aware of the exact circumstances by the searching investigation of Trade Board investigators.[38] The indirect results of the Boards are a reduction in the cost of production

[38] See: *'British Wage Boards'* and *'The British Trade Boards System'* by Miss Dorothy Sells.

and an increase in the efficiency of the plant. The Boards were effective, especially in sweated industries, where the workers were unorganised and weak.

Defects:

The defects of the Boards are revealed in times of falling markets, when it is difficult for industrial concerns to pay the minimum rates fixed. It is, therefore, essential that the system should be as elastic and simple as possible. The British Boards, moreover, had no power to call for the presentation of definite information and hence suffered from a paucity of reliable data.[39] The employers generally resent the powers given to Trade Boards, which compel them to observe minimum wage standards.[40] Whatever may be the defects of the Trade Boards System, the experiment is worth trying in India. The system will not only provide a statutory wage fixing machinery in Indian trades, where collective bargaining is practically absent, but will also bring about a fair adjustment and standardisation of wages. Trade conditions will improve; industrial peace will be promoted and exaggerated fluctuation in the wage rates will be minimised.

Collective Agreements:

The different forms of joint committees discussed so far provide the machinery for collective bargaining i.e. negotiation between employers and workers. The contract that is concluded between the two parties to collective bargaining, is known as Collective Agreement. With the exception of a few powerful unions, the Indian trade unions, have failed to grasp the importance of collective agreements. This method of industrial peace grants an authority to trade unions, brings

[39] D. Sells—*British Wage Boards*, p. 127.

[40] For example, the British employers made a number of charges against the Trade Boards, in their evidence before the Cave Committee. It was alleged that the high level of the minimum wage rates fixed by the Boards had caused serious loss and dislocation of trade, closing down of workshops and increase in unemployment. The rates had further increased the competition from self-employed persons and from foreign producers and had interfered with recruitment and training of young workers by fixing high rates for juveniles. The multiplicity of Boards set up for kindred industries and the lack of co-ordination between them unnecessarily created friction and confusion. Lastly the period required for the revision of the rates, already fixed, did not allow modification of wage-rates in proportion of trend of prices and cost of living. (Sells—*British Wage Boards*, pp. 253-6 & *Cave Committee Report*, p. 13).

the two contending parties together, guarantees industrial peace for a specific period on specific terms and provides for moral and intellectual progress of the workers.[41]

Conciliation, Arbitration and Mediation as Methods of Industrial Peace:

Conciliation, Arbitration and Mediation as methods of industrial peace stand on a different footing from the joint committees. The former methods usually function when a strike or lockout is either imminent or has already taken place. They cure the diease of industrial conflict rather than prevent it. The joint committees on the other hand aim at removing the causes of industrial disputes, even in times of peace by means of mutual cooperation between the two parties. This latter method is based on goodwill and welfare, whereas the former asks for social justice. Another distinction between the two kinds of methods relates to outside interference: whereas the joint committees are generally free from the intervention of the State and the Public, conciliation and arbitration proceedings have active cooperation of the State, while mediation itself means the exercise of good offices by a third party. Conciliation and arbitration machinery can sometimes be free from any outside intervention, as was the case in Ahmedabad; Generally in these methods of industrial peace, the State takes the initiative to bring the conflicting parties together for arriving at an amicable settlement after full negotiation. In an industry where labour is badly organised, the State takes upon itself even the responsibility of selecting the representatives of labour for the purpose of collective bargaining.[42]

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[41] An exhaustive study on this subject by the I.L.O. leads to the conclusion that the questions actually regulated in the various countries by Collective Agreements fall into two main classes; (i) Those relating to conditions of labour such as wages, hours of work, conditions of engagements, dismissals etc. and (ii) those dealing with the relations between the contracting parties such as works regulations, disciplinary methods, penalties, the settlement of industrial disputes and the like. The tendency in the modern industrial community is towards greater standardisation of working conditions, especially within each industry. (I.L.O.—*Collective Agreements*, pp. 265-9). For Collective Agreements in Soviet Russia, see Dunn—*Soviet T. Unions*, p. 85; Lee—*Twenty Years After*, pp. 91-2 and I.L.O.—*T.U. Movement in Soviet Russia*, Part III, Ch. IV.

[42] Dr. Chang complains that the terms conciliation, arbitration and mediation are used interchangeably and carelessly. (*British Methods of Industrial Peace*, pp. 27 and 267).

Conciliation is generally made compulsory to compel the parties to explore all available methods of industrial peace, before declaring a strike or a lockout. Only when the two methods of conciliation and mediation have failed, a resort to arbitration should be made. Arbitration means the settlement by an impartial outside agency of an issue on which the parties have failed to agree. Arbitration may be in character compulsory, voluntary or a combination of both. It is generally voluntary, because its decision is binding on the parties. A settlement of dispute by compulsion against the wishes of one or the other party is bound to cause considerable irritation and bad feeling. For this reason Professor Pigou advocates that conciliation should be developed and arbitration should be reduced to a minimum.[43]

Conciliation:

Conciliation as a method of industrial peace has taken different forms in different circumstances. The British Conciliation Act of 1896 created voluntary conciliation and arbitration machinery within the industries themselves and set up by trade unions and employers' associations. The Canadian Lemieux Act of 1907, the Transvaal Industrial Disputes Prevention Act of 1909, the South African Industrial Conciliation Act of 1924, the Bombay Industrial Disputes Act of 1938 and the Bombay Industrial Relations Act of 1946 advocate compulsory conciliation. A strike or a lockout is prohibited, until the dispute has been considered by the Conciliation Board created under these Acts. The employees desiring a change, affecting the existing conditions of employment, have to give notice of a definite period fixed by the Act. The Acts generally make provision for a permanent machinery for negotiation and conciliation.[44]

[43] *Economics of Welfare*, p. 424.

[44] Professor Pigou observes that a permanent organ is more effective than *ad-hoc* committees called specially to deal with differences as they arise, because the appointment of conciliators or conciliation boards at a moment of heated controversy not only involves delay but also creates obstruction and friction. (*Economics of Welfare*, pp. 420-1). The Government of India have recently established a machinery, mainly based on conciliation. (For details, see *Indian Labour Gazette*, August 1945, pp. 41-43).

Arbitration: Voluntary and Compulsory:

In the method of voluntary arbitration, the union and the employer agree to refer the dispute to an impartial third party. The award is generally binding.[45] Compulsory arbitration is generally used only in exceptional circumstances such as in war time. During the Great War, the normal procedure of voluntary conciliation introduced in England by the Conciliation Act of 1896 broke down and was replaced by the old method of compulsory arbitration in so far as the munitions industries were concerned. Similar example can be given of the Bombay Government, which by an Act[46] assumed the power to refer any dispute to the Industrial Court, if it is satisfied that a serious outbreak of disorder would occur, prolonged hardship to the community is caused or if the industry concerned is likely to be seriously affected. Compulsory arbitration as an emergency measure has its value to save time and temper at a period when the country needs complete unity and quick action. The Interim Court of Arbitration established in England under the Home Wages Act of 1918 was a fair success. Out of 950 awards made by it during November 1918 to November 1919, only three were disputed and followed by stoppages of work.[47]

The Industrial Conciliation and Arbitration Act of New Zealand makes all strikes and lockout illegal (Sec. 15). Disputes are first referred to the Boards of Conciliation and if they fail to reach a satisfactory settlement they are referred to the Court of Arbitration whose award is binding. Similarly the Conciliation and Arbitration Act (1904) of Australia provides for conciliation with a view to amicable agreement between the parties and in default of such an agreement provides for the exercise of the jurisdiction of the Court by equitable award.[48] An Act dated 31st

[45] The successful Arbitration machinery that functioned in Ahmedabad till 1938, has been discussed in Appendix I—*'The Ahmedabad Textile Labour Association.'*

[46] Bombay Act No. X of 1941 (See *Bombay Government Gazette* of 29th May 1941).

[47] Dr. D. Chang on the other hand doubts the success of the system and illustrates the failure by the fact that the majority of strikes and lockouts occurred in spite of their legal prohibition in connection with the munitions and allied industries. Dr. Chang gives a number of tables to prove his statement. *British Methods of Industrial Peace*, pp. 93-4.

[48] Foenander—*Towards Industrial Peace in Australia*, p. 6.

December 1936 instituted compulsory conciliation and arbitration in collective labour disputes in France. The complicated mechinery was simplified by a later decree of 19th September 1937. A Bazilian Legislative Decree of 2nd May 1939 contains detailed provisions instituting compulsory jurisdiction in labour disputes by joint boards.[49] The Courts of Labour in Italy were also based on the principle of compulsory arbitration and had jurisdiction over "all controversies concerning labour relations." The Labour Trustees of Germany had a similar jurisdiction.

Minor Methods of Industrial Peace: Profit-sharing:

The methods of Mediation and Enquiry need not be studied here, as generally the trade unions do not take a direct part therein. One more method embodies the principle of sharing the profit in an industry both by the employers and the employees. An undesirable form of this system has been prevalent in India in the shape of bonus grants. The Bombay Industrial Disputes Committee discouraged any grant of bonus on the ground that the system was wasteful and was responsible for increased absenteeism and intemperance. Instead of spending the increased profit of industry in profit-sharing, the Committee recommended its utilisation in housing and in welfare work. Moreover if an annual grant of bonus is stopped due to depression in trade or otherwise, the workers get disappointed and sometimes resort to strike. The general strike of 1924 in the Bombay Textile industry had its principal cause in the discontinuance of the annual payment of bonus. The Committee,[50] appointed after this strike to enquire into the question of bonus grants, came to the conclusion that the workers had not established any enforceable claim to a bonus. The method of bonus grants does not effectively solve the problem of industrial peace; on the contrary it aggravates industrial unrest under certain circumstances. A method similar to profit-sharing is the admission of employees to a share in the administration of the industry.

[49] *Industrial and Labour Information*, (18-9-1939).

[50] Under the Chairmanship of the Hon'ble Sir Norman Macleod, Chief Justice of Bombay.

Workers become co-partners in the industrial management and receive dividends in addition to wages they earn. Based upon this principle labour banks and co-operative merchandising enterprises have been successfully functioning in the West. In India the principle of co-partnership has been completely absent, though suggestions are sometimes made in this direction.[51]

Industrial Council:

Not only as a method of industrial peace but as a conference to discuss labour measures and labour policy, the Royal Commission on Indian Labour suggests the establishment of an Industrial Council, wherein the State, the employers and the organised labour are to co-operate.[52] Representatives of Labour, are to be elected by registered trade unions and in their absence are to be nominated by Government. The Council can be viewed as a miniature from of the International Labour Conference. Anuual tripartite conferences of this nature are being held since 1942 for the discussion of Indian labour problems such as labour legislation, industrial peace, labour statistics, welfare work and social insurance.[53]

Labour Officers:

One more method of industrial peace is the appointment of individuals as officers to bring about settlement of industrial disputes. The G.I.P. Railway appointed a special Liason Officer to hear and enquire into the grievances submitted to the administration by the different trade unions or

[51] An illustration in this respect is of Mr. N. C. Majmudar, once manager of the Sholapur Mills; who suggested in 1921 the idea of establishing an Employee Co-partnership Association for every mill. According to his scheme, a proportion between 10 to 25 per cent of the capital of the factory would be held in co-partnership certificates of small value, available only to the members of the Association. Each employee after five years' service was to be entitled to hold certificates upto a certain maximum according to his salary and length for his service. A fixed payment of 5 or 6 per cent interest in addition to any share in the profits was to be made on these certificates. Mr. Majumdar hoped that the employees would become by this system participating preference share-holders. The low wage of the worker, his indebtedness, large labour turnover and labour absenteeism are some of the defects, overlooked by the promoter of this scheme.

[52] The constitution of the Council is given on p. 467 of the *Royal Commission Report.*

[53] Mr. V. V. Giri and Mr. Jamnadas Mehta in their Presidential Addresses to the First and Second Session respectively of the I.T.U. Federation (1932) and the N.T.U. Federation (1935) advocate the establishment of an Industrial Council, as an alternative to the slow and unwieldy method of legislation.

by the workers themselves.[54] In 1937 the Government of India appointed a Conciliation Officer to establish contact with the Administrations of the Railways, with recognised trade unions and with such bodies, as Area Committees, Workshops Staff Committees, Welfare Committees and Railway Councils which are directly concerned in relations between the Administrations and their employees. In different Provinces in India, Conciliators (who usually are Labour Commissioners) have been entrusted with the task of bringing the disputant parties together for mutual discussion. The Bombay Trade Disputes Conciliation Act of 1934 provided for the appointment of a Labour Officer whose main duty was to remove the grievances of the worker, which are at the root of the disputes. Emphasis has rightly been laid on the point that the Labour Officer, however efficient he might be, can never be a substitute for a trade union. The promoter of the Bill specifically said[55] that if there had been the slightest chance of the trade unions functioning effectively or semi-effectively there would have been no need for Government to suggest the appointment of a Labour Officer at all.

The Strike:

Before we close our discussion on the trade union method of collective bargaining, it is essential to refer to the deadliest, but at the same time familiar, method of trade unions—the Strike. In previous chapters we have already discussed the utility, cost and legality of strikes and hence without treading upon the familiar ground, we shall discuss some of the aspects of the strikes' method.

Weapons of Employers and Workers:

Strike and boycott are the weapons of the trade union, just as lockout and black-list are those of the employers. Indian trade unions due to lack of sufficient strength have not yet used the method of boycott—a method in which the trade union members by an agreement refuse to use or buy products made in non-union factories, the object being to

[54] Royal Commission: *Evidence* of Bombay Government, Vol. I, Part I, p. 139.
[55] Speech of R. D. Bell on 22-8-1934 in the Bombay Council.

injure the business of the employer to such an extent that he will be willing to deal with the unions.[56] The other three methods are familiar in India. On these methods, the controversy regarding closed *versus* open shop is based. By the method of closed union shop the trade union tries to compel the employer to engage only the union workers. Opposed to this, is the method of closed non-union shop whereby the employers exclude only the union workers from being employed. Dr. Shiva Ram gives the example of the J. K. Mills of Cawnpore where the recruited workers had to promise that they would not join any trade union.[57] In India, the general system is of the open shop, under which the employers are free to employ any person, but must maintain union hours and union scales of wages for his union employees.[58]

Evil Effects of Strike:

A resort to strike by the workers has often been condemned. A careful analysis of the present conditions would show that trade unionism is not being blamed for exercising the right to strike but for utilising unwisely and indiscriminately, a weapon, which because of its cost should be kept in reserve for great emergencies. Mr. G. D. H. Cole rightly thinks that to waste strikes upon unimportant issues is to fritter away the power of trade unionism.[59] A strike, though successful, generally results in the reduction of the national dividend, by lessening the production of the country. The great art of trade unionism is, therefore, rather to use the possibility of the strike to extract the maximum of concessions without having put the threat into effect.[60] Trade unionists in India are often blamed for making strike the

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[56] V. Shiva Ram—*State in Relation to Labour in India*, Ch. VI.

[57] V. Shiva Ram—*State in Relation to Labour in India*, Ch. VI.—Dr. Ram refers to the statement of Mr. S. P. Saxena before the Cawnpore Labour Enquiry Committee (1938).

[58] Two more varieties are Preferential Union Shop and Open Union Shop (See Dale Yoder's *'Labour Economics and Labour Problems,' pp.* 502-4).

[59] Preface to the *World of Labour.*

Hicks—*Theory of Wages.*

first, instead of the last, weapon.[61] It has been argued that strikes have been waged purely on non-economic as well as on trifling grounds.[62]

Kinds of Strike:

(1) *Protest Strikes*—The strike as a weapon of trade unionism has been varied in form, character and extent. It may be a short strike of a fixed duration only to protest against some wrong. One-day protest strikes have been familiar in India, waged especially for political reasons. In 1908 about four-fifths of the Bombay textile workers went on a one-day strike as a protest against the high term of imprisonment awarded to Lokmanya Tilak. In 1922 on the second anniversary of the same patriot, the same workers numbering about 61,000 went on strike on the 1st of August. Another example of one-day political strike in Bombay is on the 2nd October 1939 when the workers demonstrated their protest against the present war. A year before on 7th November 1938 the Bombay workers protested against the Industrial Disputes Act by going on a one-day strike. A number of similar strikes were held during the war and post-war period. A recent illustration is the well-conducted "token" strike by the Bombay workers on 29th December 1947, protesting against the labour policy of the Bombay Government.

(2) *Sympathetic Strike*—A sympathetic strike, waged to show sympathy with strikers in some other industry, also falls in the class of one-day strike. In 1940 at the time of the general strike in the Bombay textile, for example, workers of other industries went on a one-day strike to show sym-

[61] The public utterances of many of our Trade Unionists do not warrant this charge. Mr. V. V. Giri, for example, thinks that unless very grave issues are involved, the trade unions, even if they are strong, should consider twice before plunging into the battle. An unsuccessful strike proves a great setback to trade unionism. Mr. R. A. Khedgikar does not want strikes for fun. He however, observes that, whether first or last, strike is the only weapon in the workers' hand (Speech on Bombay Industrial Disputes Bill on 2-9-1938). Mr. B. Shiva Rao, during his fifteen years of labour work in India, only once deliberately counselled a strike. Generally the odds are too heavy against the workers for even a remote chance of success. (*The Labourer*, p. 45 in *India Analysed*, Vol. II).

[62] The Bengal Government, for example, gives a list of 42 demands which are non-economic or only remotely economic in character and which led during 1921-9 to 148 strikes in Bengal. (*Evidence* before Royal Commission on Labour, Vol. V, Part I, pp. 123-4. See also Gilchrist—*Wages and Profit Sharing*, pp. 266-8).

pathy to the strikers. Sympathetic strikes are called "in sympathy" with another group of strikers or in loyalty to the larger body of workers of which they form a part.[63] This feeling, if it is carried further, may lead to general strike wherein the workers, as a body, revolt more to show protest against some wrong than to gain immediate aims. Sympathetic strike may thus prove an extension of injuries rather than of good.[64] Both the sympathetic and the one-day strikes do much harm to the workers and their organisations. Besides, a number of difficulties stand in the way of their success. In some bodies and industries notice of a strike, even for a day is compulsory. Even when the strike is legitimate it proves suicidal for workers to stop only at a day's demonstration, giving thereby a cause for victimisation. Such a strike, without any appreciable strength behind it, is not only fruitless but harmful. The R.I.M. Dock Workers' Union of Bombay was practically smashed as a result of a one-day strike, thereby increasing the sufferance of workers. One-day strike in this way does not form a method of collective bargaining as its object is more to protest than to fight for redressing a wrong.[65]

(3) *General Strike*—The General Strike[66] as a method of trade unionism stands in quite a different class. Three different types of general strikes have been distinguished.[67] The political general strike is waged with the aim of exacting some definite political concession from the existing government. In India this type is quite unknown and so far no general strike has been waged against the State. The only form of general strike that is known to India is that waged

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[63] Milne-Bailey—*Trade Unions and the State*, p. 109.

[64] Dr. Hall—*Sympathetic Strikes and Lockouts*, p. 110.

[65] One-day strike was a point of keen controversy at a meeting on 30th and 31st December 1931 between the officials of the All-India Trade Union Congress and Mr. R. R. Bakhale (Secretary of the I.T.U. Federation). Mr. Bakhale strongly objected to the method of one-day strike.

[66] Mr. W. H. Crook observes that the term 'general strike' has been carelessly used. It should mean a strike of a majority of workers in the more important industries of any one locality or region and not a strike of the majority of workers in any one trade throughout any large region. Mr. Crook thinks that the latter should be termed a 'generalised' strike. (*General Strike*, P. vii). A strike of textile workers of the Bombay City, therefore, cannot be a general strike, mainly because a number of workers in other trades of the City are not covered by it.

[67] Crook—*General Strike*, pp. vii and viii.

for economic reasons. The third is the revolutionary type of general strike which aims at the definite overthrow of the existing industrial or social system.

(4) *Unofficial Strike*—The form of strike known as an 'unofficial strike' cannot be called as a method of trade unionism, because it is waged without the consent of trade unions. In India this form of strike is fairly common and even the best organised union in this country, the Ahmedabad Labour Association, had been once a prey to it, when a number of union members went on strike, in spite of the dictates of the Executive Committee. Instances are not scarce of a strike sponsored by one union but condemned by another union in the same field. In many cases a union thinks it wise to adopt an unofficial strike and thus make it official. All these defects arise from defective leadership, lack of co-ordination between local and central machinery and absence of group loyalty.[68] Ramsay MacDonald[69] includes the unofficial strike in the instinctive combined actions as opposed to rational actions, which are expressed in the normal trade union methods. In the latter case the individual combines with his fellows into trade unions, secures the advantages of collective bargaining, conducts negotiations, declares strikes, if need be, and gets into the habit of thinking that his personal interests depend solely on the strength of his trade combination. In contrast to this rational action, the workers sometimes resort to the instinctive action, when they refuse to obey their leaders and their organisations. They are, in fact, not in a mood to follow a logical course, when they feel a great injustice and when their unions are too weak to give them an effective lead. The worker easily understands the weapon of strike as a form of retaliation. He has not the same faith in other methods of trade unionism, such as conciliation, arbitration or legislation, and therefore if at all he agrees to utilise them, he does so with an implicit understanding that his right to strike is not fettered in any way. Herein lies the reason for the worker's dislike for compulsory arbitration.

[68] Milne-Bailey—*Trade Unions and the State*, p. 129.
[69] *Social Unrest*—Ch. IV and V.

Financial Loss from Strikes:

A strike is a two-edged weapon. Much has been said about the evil effects of strike to prove that it hits the workers hard. The loss suffered by the employers is usually double that suffered by the workers. In this method of collective bargaining the worker feels the financial loss more, because of his meagre income. The following table taken from the evidence of the C. P. Government[70] before the Royal Commission on Labour proves this statement:

TABLE No. 31

Financial Loss from Strikes (in C. P.)

Year	Strike in the Mill	Employers Loss to	Workers. Loss to
		Rs.	Rs.
1921	Savatram Mills, Akola	22,000	5,500
1922	Tapti Mills, Burhanpur	5,900	3,300
1922	Bansilal Abeerchand Mills, Hinganghat	64,725	12,968
1922	Empress Mills, Nagpur	116,263	39,191
1923	Raja Gokuldas Mills, Jubbulpore	(42,000 (15,000	17,500 9,500
1924	Empress Mills, Nagpur	574,482	264,651
1925	Raja Gokuldas Mills, Jubbulpore	15,000	14,000
1925	Sawatram Mills, Akola	12,000	6,000
1925	Hukumchand Mills, Akola	6,009	6,005
1926	Raja Gokuldas Mills, Jubbulpore	13,000	14,000
1927	Sawatram Mills, Akola	17,000	8,500
1927	Raja Gokuldas Mills, Jubbulpore	5,000	4,000
1928	Akola Cotton Mills Ltd.	40,000	30,000
1929	Reckchand Mohota Mills, Hinganghat	1,200	800

[70] Evidence, Vol. III, Part I, p. 50. The financial loss suffered by the workers in Bombay City due to strikes can be seen from the following table No. 32:

TABLE No. 32

*Financial Loss from Strikes in Bombay City**

Year	Workers involved	Man days lost	Daily earnings. Rs.	Total wages lost Rs.
1928	2,89,977	22,983,066	1 4 8	2,96,86,768
1929	1,62,086	8,183,919	1 4 8	1,05,70,898
1934	1,13,592	3,204,322	0 15 9	31,54,255
1938	24,436	122,914	1 1 10	1,37,998
1939	20,624	94,456	1 1 10	1,05,279
1940	1,88,397	4,591,790	1 1 10	51,17,933

* The total loss during the years 1928-1940 amounts to 40,445,624 mandays and Rs. 50,209,560 in wages; the total number of workers involved has been 951,820.

PART IV: TRADE UNION METHODS

CHAPTER XII

THE METHOD OF LEGAL ENACTMENT

An Act of Legislature usually forms one of the means by which Trade Unionists seek to attain their ends.[1] Compared to the first two methods, this method is political and more difficult. Recourse to this method naturally means the influence of trade unions not only on the relations between the employers and the employees but also on electoral constituencies. To bring any proposal effectively before any legislative body, trade unions must send their representatives to the legislatures. It is difficult for labour organisations to influence the general constituencies, because a large number of workers have got no votes. The situation has been aggravated by the lack of proper organisation. This state of affairs has created the necessity of evolving some method by which labour would be represented in Indian Legislatures.

Reforms Act, 1919:

The problem of labour representation was completely ignored till 1919, partly because of the absence of Indian trade unionism and partly because of the lack of interest of politicians of that time in Indian labour. Even the Reforms of 1919 did not go much further, except for a vague recognition of the importance of representation of labour interests. The following table shows how inadequate, almost negligible, representation was granted by the Reforms Act in the Central and Provincial Legislatures:

[1] Webb—*Industrial Democracy*, p. 247.

TABLE No. 33

Labour Representation according to Section 72A of the 1919 Reforms Act

Legislative Body	No. of Seats by nomination.	Remarks
Central Legislative Assembly	1	This nomination is not obligatory on the part of the Government.
Provincial		
Assam	1	
Bengal	2	
Bihar & Orissa	1	
Bombay	1	Later raised to 3.
C.P.	1	
Punjab	1	
Total Provincial	7	(Generally there were 9 seats for the Provincial Legislatures).

The Act gave powers both to the Governor-General and to Provincial Governors to make a certain number of nominations to the Lower Houses of the Central and Provincial Legislatures. The Bombay and Bengal Governments took the initiative of reserving one seat each for labour representatives. Some other provinces soon followed the example of Bombay and Bengal. Due to increased industrialisation and labour organisation, representation in Bengal was increased to two seats and that in Bombay to three. Up till now, however, labour representation in the Central Assembly has been restricted to one seat, always nominated by the Government.[2]

Representation to Employers:

(1) *In Centre*—The inadequacy of labour representation can be expressed more clearly by a comparison of seats reserved for labour with those reserved for other vested interests. In the latter class we can group reservation of seats to Europeans (most of whom are captains of industry or

[2] The Indian Federation of Labour by two resolutions passed in 1943 (Bombay) session asked for two more seats in the Central Assembly immediately and "an effective representation for labour in the different legislative, executive, administrative bodies, in the consultative or advisory committees and boards as well as in the units of the Local Self-Government" in peace-time.

commercial agents), landholders, Indian commerce, mining and plantations. The following table reveals the representation obtained by these interests in the Central Legislative Assembly under the Reforms Act of 1919:

TABLE No. 34

Employers' Representation in the Central Assembly under 1919 *Act*

Province	No. of seats provided for			
	Europeans	Landholders	Indian Commerce	Total
Bengal	3	1	—	4
Bombay	2	—	1	3
Madras	1	1	1	3
Bihar & Orissa	—	1	—	1
U.P.	1	1	—	2
Punjab	—	1	—	1
C.P.	—	1	—	1
Assam	1	—	—	1
Burma	1	—	—	1
	9	6	2	17

To this total of seventeen are to be added three more seats which were represented annually by landholders, millowners and commerce. The total representation of employers, therefore, comes to 20 in a House of 140 members. These figures show that in the Central Assembly, the employers claimed a membership of 14 per cent., whereas Labour had to be content with a solitary nominated seat, which also could not be claimed by right. Restriction of franchise to property holders and to educated persons made the position more difficult for the workers and more favourable for the employers. In addition to the special seats the employers could manage to capture a number of general seats.

(2) *In Provinces*—The same unhappy picture was seen more vividly in the Provincial Assemblies. The following table shows employers' representation in the Provinces under the 1919 Act.

TABLE No. 35

Employers' Representation in the Provinces (Under 1919 Act)

Province	Number of seats allotted					
	Europeans	Landholders	Commerce & Industry	Plantation	Mining	Total
Bengal ..	5	5	15	—	—	25
Bombay ..	2	3	7	—	—	12
Madras ..	1	6	5	1	—	13
Bihar and Orissa ..	1	5	—	1	2	9
U. P. ..	1	6	3	—	—	10
The Punjab ..	—	4	2	—	—	6
C. P. ..	—	2	1	—	1	4
Assam ..	—	—	1	5	—	6
Total ..	10	31	34	7	3	85

In contrast to these 85 seats claimed by the employing class, Indian labour in the Provinces was represented usually by nine seats, all *nominated* by the Government. It was, therefore, futile to expect that Indian trade unionism would utilise the method of legal enactment, when it had absolutely no voice in the legislative chambers. The inadequacy of labour representation, worsened by the method of nomination, made Indian Labour quite helpless against the well represented employers. The Indian worker, equipped with a wooden sword which also was to be moved according to the dictates of a third party, was expected to meet a well armed adversary.

Clamour for Labour Representation:

Labour leaders and trade unions raised their voice against this constitutional inequality. In September 1923, the First Session of the Bombay Provincial Trade Union Conference passed a resolution requesting the Government to nominate, in consultation with the organisation of employees, at least five representatives of Indian labour each in the

Central Assembly and in the local Legislative Council. The Fourth Session of the Indian T. U. Congress[3] passed a resolution urging upon the Government the necessity of extending the basis of franchise for electing members for Central and Provincial Legislatures. Again in the Sixth Session of the Congress, the President (Mr. V. V. Giri) pointed out the inadequacy of labour representation in legislatures and appealed to the Government to adopt the recommendation of the Muddiman Committee in this respect. At a mass meeting on 29th June 1926 the Madras Labour Union demanded special representation for labour in the Province to the extent of 12 seats in the Legislative Council and two in the Central Assembly. The T. U. Congress in the same year demanded labour representation in the following manner.

TABLE No. 36

Labour Representation asked by the T.U.C. in 1926

Legislative Body		No. of seats
Central Legislative Assembly		12
Provincial Councils:		
Bombay	..	12
Bengal	..	12
Madras	..	12
Bihar & Orissa	..	8
U. P.	..	8
Punjab	..	8
Burma	..	8
C. P.	..	6
Assam	..	6
	Total ..	80+12=92

The problem of labour representation was taken up by every commission and committee appointed in connection with the Government of India Act of 1935. The Provincial Franchise Committees set up by the local Governments in 1931, the Franchise Sub-Committee of the Round Table Conference, the Indian Franchise Committee under Lord

[3] Held in Calcutta on 29th and 30th March 1924.

Lothian, the Provincial Delimitation Committees and the Indian Delimitation Committee of 1935 under Sir Laurie Hammond had to discuss the complex question of labour representation and its allied problems such as nomination or election, registered trade union constituencies or special labour constituencies, qualifications of a trade union as an electoral unit and distribution of labour seats among industries and provinces.

Government of India Act, 1935:

The Government of India Act of 1935 recognised the necessity of labour representation and accordingly provided for Labour 38 seats in the Provincial Legislatures and 10 in the Federal Assembly. The following table shows the representation obtained by Capital and Labour in the Central and Provincial Legislatures:

TABLE No. 37

Representation of Labour and Capital in the Central and Provincial Legislatures according to 1935 Act

Province	Total seats	Provincial Legislative Assembly: Seats allotted to				Federal Assembly Seats allotted to	
		European	Commerce & Industry	Landholders	Labour	Total from Province	to Labour
Assam	108	1	11	-	4	10	1
Bengal	250	11	19	5	8	37	2
Bombay	175	3	7	2	7	30	2
Bihar	152	2	4	4	3	30	1
C. P.	112	1	2	3	2	15	1
Madras	215	3	6	6	6	37	1
N. W. F.	50	-	-	2	-	5	-
Orissa	60	-	1	2	1	5	-
Punjab	175	1	1	5	3	30	-
Sind	60	2	2	2	1	5	-
U. P.	228	2	3	6	3	37	1
Non-Provincial	-	-	-	-	-	4	1
Total	1,585	26	56	37	38	245	10

Note—In the Federal Assembly there are 8 seats for Europeans, 11 for Commerce and Industry and 7 for Landholders.

The table reveals some interesting facts. The special seats allotted to Labour are almost equal to those reserved for commerce and industry except in Bengal and Assam. In

the Punjab, Labour has secured two seats more than Commerce and Industry. The equality of representation to Labour on the one hand and to Commerce and Industry on the other has thus been recognised by the Act.[4] Secondly, labour representation has increased from 9 to 38 in the Provinces and from 1 to 10 in the Centre. All these seats are to be filled either through registered trade union constituencies or through special labour constituencies. The undemocratic method of nomination has thus lost its ground and has been replaced by the method of election. A person nominated by the Government, howsoever efficient he may be, is himself diffident and is also not trusted by the workers. The trade unions have insistently opposed the method of nomination. Clause VII of the Platform of Unity (as amended by the Trade Union Unity Committee of 1931) definitely prohibited any trade union representative from accepting a nominated seat in the Central or Provincial Legislature or for serving on any special committee or commission except when such nomination was in pursuance of a prior election by the T. U. Congress or a subsequent ratification.[5] It is, however, interesting to note that the Bombay Committee alone, of all the Provincial committees of the Indian Statutory Commission, favoured direct election by members of registered trade unions. The Bengal and U. P. committees favoured nominations, while other committees observed silence on the point.

Defects of the Act:

The 1935 Act, though it concedes labour representation, is still defective in some respects. Labour representation has been completely absent in the Second Chambers both in the Provinces and the Centre, on the probable ground that in these Chambers seats are not reserved for commerce and industry also.[6] Secondly, special seats are reserved for landholders but not for agricultural labour. Europeans have unnecessary duplication of seats. Labour seats in the

[4] General Secretary's Report, I.T.U.F., 1st Session (1932).

[5] Mr. N. M. Joshi, the nominated representative of labour in the Central Assembly since its inception, thought that the Clause restricted the freedom of trade unionists, if its intention was to prevent any member or officer of a trade union from accepting such a nomination.

[6] The N.T.U. Federation refuses to accept this argument, because commerce and industry can get representation through general electorate, while the franchise qualifications and the method of election forbid this advantage to Labour. (*Memorandum* submitted to Indian Delimitation Committee, 1935).

Federal Lower House are distributed according to Provinces and not according to industries. The result has been disastrous to some Provinces like the Punjab, Sind and Orissa, whose workers have absolutely no representation in the Federal Assembly. Another risk is that some industries may be over-represented or under-represented or may not be represented at all. A third possible risk is that some provinces like Bombay and Bengal, which are better organised and are industrially forward, have to exclude some of the best trade unionists from representing the workers, while an average labour leader in a province, wherein labour is not organised, can have a chance as a labour representative. All these defects can be minimised if the seats, reserved for labour, are distributed according to both provinces and industries. Distribution according to industries has also its own problems, one of which is the nature of industries which deserve to be represented in the Legislatures. The Indian Franchise Committee mention the following six interests as worthy of special consideration:[7] jute, transport including railways, textiles, seamen, plantation and mining. While giving consideration to these interests, it is not desirable to ignore the provincial distribution of seats.

TABLE No. 38

Scheme of Labour Representation, according to Provinces and Industries (submitted by the N.T.U. Federation to Indian Delimitation Committee)

Province	No. of seats	Distribution	
Madras	1	Textile Railways	1 by rotation
Bombay	2	Textile Railways	1 permanent
		Seamen	1 by rotation
Bengal	2	Jute Railways	1 permanent
		Seamen	1 by rotation
Bihar	1	Mining	1 permanent
Assam	1	Plantation	1 permanent
U. P.	1	Textile Railways	1 by rotation
C. P.	1	Textile Railways	1 by rotation
Total ...	9+1	Non-territorial for All-India Labour Organisation.	

Note: The provincial distribution of seats is according to the 1935 Act.

[7] *Report*, Para 424.

The inevitable defect in the above scheme is the system of rotation, its reason being the limited number of seats given to labour and the proportionately large number of interests to be represented.

Registered Trade Unions vs. *Special Labour Constituencies:*

The most complicated question about labour representation is, however, the method of electing the representatives of labour. The controversy raged round the problem of registered trade union constituency against special labour constituency. The Royal Commission on Indian Labour recommended the method of election by registered trade unions as the best.[9] The Indian Franchise Committee have recommended both the methods—that of trade union constituencies and of special labour constituencies. The trade unions where they are strong and sound should be recognised as labour constituencies, while where they are weak or absent, they should be supplemented or substituted by special labour constituencies. Both the Royal Commission and the Franchise Committee give first place to trade unions and accept special labour constituency only as a stop-gap. The Franchise Committee recommended that all the trade unions with a minimum membership of 100 and of not less than six months' standing should be recognised as the units of labour constituencies and also that the trade union and special labour constituencies should not overlap in the same industry or in the same area. As the Bombay Delimitation Committee pointed out, the constitution of special labour constituencies, far from meeting a well-felt need, creates anomalies and leads to overlapping. The Indian Central Committee recommended that seats should be allotted to labour by reservation in general constituencies in Bombay and by separate electorates in other provinces. The number of seats should be: Madras 1; Bombay 4; Bengal 3; U. P. 2; Punjab 1; Bihar and Orissa 2; C.P. 2; and Assam 3. The proposals of the Indian Franchise Committee were accepted by the Third R. T. Conference and by the Joint Select Com-

[9] *Report*, p. 464. The same is the opinion of the Indian Franchise Committee and of the Indian Delimitation Committee (*Report*, Para. 486).

mittee of Parliament on Indian Constitutional Reforms and were embodied in the Government of India Act of 1935 with the following result:

TABLE No. 39

Labour Representation in Provinces Under 1935 *Act*

Province	Seats allotted to Labour According to trade-union constituencies.			According to special labour constituencies.			Total
Bombay	Textile Unions	3)		Textile (Sholapur)		1	7
	Railway Unions	2)	6				
	Seamen's Unions	1)					
Bengal	Railway Unions	1)		Mining	1)		
	Water Transport	)	2	Plantation	1)	6	8
	Unions	1)		General	4)		
Madras	Railway Unions	1)	2	Textile	1)		
	Textile Unions	1)		Factory	2)	4	6
				Dock	1)		
U. P.	Trade Unions		1	Factory		2	3
Punjab	N. W. Railway Union		1	General		2	3
Bihar	Mining Unions		1	Factory		2	3
C. P.	Nagpur Unions		1	Factory		1	2
Assam	—		—	Varying seats at successive elections in different districts		4	4
Orissa	—		—	General		1	1
Sind	—		—	General		1	1
	Total ..		14			24	38

The Act of 1935 has turned down the suggestion of introducing trade union constituencies and has given, in all provinces except Bombay, a predominance to special labour constituencies over trade unions. The special labour consti-

tuencies have been condemned as an attempt by the Government to keep absolute power in their hands by giving personal discretion to Provincial Governors.[10] But even the motive of giving importance to trade unions in Bombay has also been doubted. It was thought that behind this motive there was the fear felt by the Government that Communists would capture the general labour constituencies.[11] In Bengal and other Provinces a majority of general labour seats were captured by the extremists in 1937.

The Sind Provincial Delimitation Committee recommended a mixed trade union and special labour constituency. We have already referred to one of the recommendations of the Indian Franchise Committee which discouraged the simultaneous existence of both the constituencies. The mixed constituency unnecessarily duplicates the work, without conferring any additional benefit to labour, and thus entails merely a waste of time and labour.

Qualifications of a Trade Union to be an Electoral Unit:

As for the qualifications of a trade union to be an electoral unit, the 1935 Act accepting the proposals of the Indian Delimitation Committee,[12] laid down a number of requirements which a trade union is to fulfil before it can be taken up as an electoral unit. It should have an existence of two years and registration of one year prior to the preparation of electoral roll and should show throughout the financial year a minimum paid membership of 250. It should comply with the rules of the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the Registrar of Trade Unions and with respect to the audit of its accounts. A trade union which fulfils these conditions is to be certified by the Governor as a constituent trade union. The following table, which gives the number of unions recognised for the purpose of elections to the Labour Seats in the Provincial Legislatures, reveals that 219 unions in the whole of India complied with the conditions laid down in the 1935 Act:[13]

[10] A resolution to this effect was passed by the 15th Session of the T. U. Congress (Bombay 1936).

[11] M. K. Bose—Welcome Speech 3rd Session N. T. U. Federation.

[12] *Report*—para. 494.

[13] *Indian Labour Gazette*, July 1947, p. 14.

TABLE No. 40

Trade Unions Recognised for Election to Provincial Legislatures

Province	No. of unions recognised for election to Provincial Legislatures.
Bengal	101
Madras	42
Bombay	15
C.P. and Berar	2
Bihar	11
Punjab	16
U.P.	20
Sind	10
Orissa	2
	219

Labour Party:

Having seen the extent of labour representation in India, we shall now discuss the problem of a Labour Party, whose main activities consist in securing labour representation in the legislatures. The Labour Movement in any country generally passes through some definite stages.[14] The first stage is of friendly societies which limit themselves strictly to economic and industrial activites, quite disinterested in politics. This is the period of Owenism in Britain, of Yuai Kai (Friendly Love Society 1912) of Japan and of the Mill-hands' Association and Kamgar Hitwardhak Sabha of India. In the second stage of the Labour Movement, trade unions, which are the inevitable products of the capitalist relations of production, emerge out of the friendly societies. The growth of trade unions sooner or later brings them into conflict with employers and out of this conflict, out of attacks and counter-attacks, political activity on the part of the unions inevitably arises. The Labour Movement, still weak

[14] John Strachey in his *'What Are We To Do?'* (Ch. II) shows analytically the various stages in the Labour Movement—from the Friendly Societies to a Socialist People's Party.

and unorganised, cannot stand alone in the political field and has to take the help of a political party that has some influence politically. Labour generally chooses to collaborate with a liberal party and we see how the British Labour, before the formation of its own party, sided with the National Liberal Party. The Labour Electoral Association, set up in 1886 by the British T.U. Congress, worked from the outset in conjunction with the Liberal organisations, opposing socialist and independent labour action.[15] The formation of the Independent Labour Party in England in 1893, ushered the Labour Movement in its third stage. The origin of the British Labour Party, however, is to be found in the Labour Representation Committee which was started in 1900. The following table shows how, in spite of serious defeats in early years, the British Labour could capture the Legislatures and form its government, within 24 years after the formation of the Labour Party. At present, it has a clear majority in the House:

TABLE No. 41

Labour Party in British Parliament

Year of General Election	Seats contested by Labour Party	Seats obtained	Labour Vote
1900	15	0	62,700
1906	50	29	323,000
1918	316	57	2,224,945
1922	414	142	4,236,733
1923	427	191	4,348,379
1924	514	151	5,487,620
1929	*	288	8,379,978
1931	*	52	6,648,023
1935	*	154	8,325,260
1945	*	393	11,982,874

* Most of the seats had been contested.

[15] M. Beer—*A History of British Socialism* (1940 Ed.) Part II, pp. 224-25 and p. 303.

Our Labour Movement, however, is still groping its way in the second stage only, wherein the Indian labour seeks the help of a liberal political party like the Indian National Congress. Indian labour has yet to build a strong Labour Party, that would be a political counterpart to the All-India Trade Union Congress. But even the mere formation of the Party will not carry us far. The Party must accept a distinct political philosophy that will help to ameliorate the grievances of the workers.

At no stage in our Labour Movement the necessity of a strong political party was so great as it is at present. Extension of franchise, growth of class-consciousness, hostility of the State and the employers and an active trade unionism make an excellent field where the Party could thrive. On numerous occasions, it has been revealed that the present political parties, dominated by the higher classes, have little appeal to the lower masses. The Indian National Congress is the only popular non-communal party that attracts the masses. Even inside the Congress, a fight has been going on for the last so many years between the Right and Left elements and though the power rests with the Right-wingers it cannot be denied that the Left-wingers proved a strong, stubborn minority. Unfortunately this minority has been further split into separate organisations and the lack of united action has been throughout responsible for their weakness.

Indian National Congress and Trade Unions:

The Indian National Congress and its leaders have taken a great interest in the Indian Labour Movement. Great leaders of public opinion like Lala Lajpat Rai, C. R. Das, Jawaharlal Nehru and Subhash Bose had been the Presidents both of the Indian National Congress and the All-India Trade Union Congress. Influential Congressmen like Mr. C. F. Andrews, Mr. V. V. Giri, Dr. Suresh Chandra Bannerjee and Mr. V. R. Kalappa have occupied the highest position in the Trade Union Congress, while influential Congress leaders like Mahatma Gandhi, Dr. Rajendra Prasad, Pandit Malaviya and many others have done a good deal for

labour in their own ways. Mr. C. R. Das as early as in 1922, declared his opinion that the National Congress should take up the work of labour and peasant organisation. The Swarajist leader, however, was definitely against the formation of trade unions as Congress Sabhas (branches of the Indian National Congress), as they would scare away many members and sympathisers of the unions, who do not care for politics.

The relations of the I.N. Congress with Indian trade unionism date from 1920, when at the Nagpur Session, the Congress passed a colourless resolution, expressing vague sympathy with the labour movement.* The resolution was to the effect that labourers should be organised with a view to the promotion of their well being and with the object of securing their just rights. The 1922 Session of the National Congress went a step further and passed a resolution, appointing a committee for the organisation of Indian labour. The bonds of mutual relations of the Congress and Labour, were still more fastened by financial grants. In 1921, the millowners of Ahmedabad collected about Rs. 3 lakhs as Ahmedabad Mills' Tilak Swaraj Fund and decided to pay Rs. 1,250 per month to the Ahmedabad Textile Labour Association, for the maintenance of schools for the children of the labourers. A sum of Rs. 3,000 was donated by the Congress to the Central Labour Board, Madras, in 1923 for effective labour propaganda. Similar donations were made by the Congress in the hey-day of the first Civil Disobedience movement, which, as we have seen before, helped the growth of the Indian Labour Movement by intensifying the industrial unrest and by supplying willing leaders.

United Front: I N. Congress and T. U. Congress:

The United Front of the I.N. Congress and the Indian Labour was shown on more than one occasion—at the time of the Anti-Simon Commission Demonstration (1927), the All-Parties Conference (1927), the Second Civil Disobedience Movement (1930-32) and the provincial elections under

* Congress interest in labour dates back still to an earlier period. For example, in its Madras session in 1887, a resolution about the necessity of training of workers was passed. For Congress labour activities during 1885-1920, see Lakshman's *Congress and Labour Movement in India*, pp. 13-18.

Provincial Autonomy (1937). The Indian National Congress made various plans to capture the labour movement. In 1930, the Bombay Provincial Congress Committee inaugurated a 'Labour Week' in the mill areas of the City. A number of trade union workers joined the C. D. Movement under the impression that the aims and objects of the I.N. Congress were identical with those of trade unions, with the result that a definite setback to the progress of trade unionism occurred.[16]

Late in 1934, the Communists realised their mistake of keeping aloof from the Indian National Congress and once again they strived to form an anti-Imperialist Front. Their attempts were furthered by the Left-wing element that has lately arisen in the Congress, out of the disappointment resulted from the lukewarm policy of the Rightists. The 'reactionary' Gandhi-Irwin Pact led in 1934 to the formation of the Congress Socialist Party, which was to work within the Congress for Indian labour. Initiated in 1934, the policy of the United Front with the Congress took a more definite shape in the Calcutta Session of the T.U. Congress (1935) and crystallized in a resolution asking the All-India Congress Socialist Party to move for the adoption by the I.N. Congress of the demands of the workers and peasants. Again in 1935, a deputation led by the T.U. Congress President met the I.N. Congress President at Wardha, whereupon the Working Committee of the I.N. Congress appointed a Labour Sub-Committee to keep in touch with the Labour Movement. Later, on the establishment of the Joint Labour Board, between the T.U. Congress and the National T.U. Federation, the I.N. Congress decided to deal directly with the Board. In its Lucknow Session (1936) the I.N. Congress resolved to bring itself in closer contact with the workers', peasants' and other anti-Imperialist organisations in the country. The year 1936, showed the contact between the T.U. Congress and the I.N. Congress at its closest, when in the 15th Session of the T.U. Congress, the acting Chairman of the Reception Committee, the acting President of the Congress Session and Pandit Jawaharlal Nehru—all had a concurrent note of close

[16] *Annual Note on the Working of the T. U. Act* (1930-31) Delhi. In 1942-43 disturbances again a number of trade unionists were involved.

co-operation between the two national organisations. The co-operation was possible because of the common platform, which consisted of the rejection of the New Reforms, opposition to the impending imperialist war, safeguarding and advancing the interests of the working classes and especially contesting of the elections under the New Reforms in 1937.

Once the idea of co-operation between the two organisations was granted, the question was about the method by which it should be carried out. Both the organisations were to keep their identity intact, and still wanted to come to a common platform. A resolution was passed by the 15th T.U. Congress Sesssion on "Collective Representation"—the most effective method of forging a genuine anti-Imperialist front through collective affiliation of workers' and peasants' organisations to the I.N. Congress. Under the scheme, the trade unions recognised by the All-India Congress Committee or T.U. Branches in a district were to apply for representation to the District Congress Committee. The workers' representation on the Provincial Congress Committee was to be 1:1000 and on the All-India Congress Committee 1:8000.

Though this scheme was not worked out, the relations between the two organisations did not suffer till September 1937, when the Congress accepted Office. In 1936-37 a number of 'Days' like 'China Day', 'Palestine Day', 'Anti-Constitution Day', 'Andaman's Day' and 'Office Acceptance Day' were observed jointly by the two organisations. In the Provincial General Elections of 1937 the A.I.T.U. Congress wholeheartedly supported the candidates set up by the I.N. Congress and their success was in no small measure due to the support they received from the working class.[17] The I.N. Congress, on the other hand, helped the A.I.T.U. Congress to contest all the Special Labour seats except in the Punjab, Madras and Orissa. In some cases the T.U.C. candidates were even accepted as the candidates of the National Congress.[18]

[17] General Secretary's Report—16th Session, T. U. Congress (Bombay).

[18] Two or three incidents, however, marred this happy Congress-Labour co-operation. The T.U.C. had to contest two seats in Bombay City and Nagpur against the official candidates set up by the National Congress.

The Left-wingers in the National Congress and the T.U.C. were both opposed to office acceptance and though they did not sever their relations with the Congress, the support they gave was half-hearted. The gulf of difference of opinion was widened by the reluctance of the Congress governments to pursue an active labour policy. Protests came from the labour quarters against such labour legislation as the Bombay Industrial Disputes Act, 1938. Strikes, a majority of which were conducted with the consent of the T.U. Congress, broke out, partly because of the disappointment due to the want of realisation of the new hopes created by the establishment of the popular governments.[19]

I. N. C. and N. T. U. F.:

It is rather surprising to note that the Indian National Congress preferred the T.U.C. to the more moderate National T.U. Federation for co-operation, especially in the Provincial elections, when the National Congress helped the T.U.C. candidates to defeat the liberal labour leaders. As early as 1935, the National T.U. Federation attempted to win the National Congress over to its side by concluding the following agreement with the All-India Congress Socialist Party.[20]

> "There shall be joint action by the A.I.C.S.P. and N.T.U.F. on specific political and economic issues, the form of joint action being: holding of joint meetings and demonstrations, observing of 'days' and anniversaries, issuing of statements and literature etc."

The joint scheme was not worked out to an appreciable extent, apparently because of the vital differences between the right-wing of Indian trade unionism and the left-wing of the Indian National Congress. The liberal trade unionists slowly turned away from the Congress and we notice that in a meeting (on 5th September 1936) of the Bombay Provincial Committee of N.T.U.F., the newly started Independent Labour Party of Dr. Ambedkar, was preferred to the Indian National Congress, the Congress Socialist Party, the

[19] The intensity of industrial unrest during 1937-39 has been already discussed in Chapter IV, *The Growth of Indian Trade Unionism.*

[20] Appendix B. *General Secretary's Report,* 2nd Session, N.T.U.F. 1935.

Democratic Swaraj Party and the Liberal Party, declaring that their programme and policy were not such as would serve the political interests of the working class.

Congress Federations of Labour:

The co-operation offered by the Indian National Congress to the above-mentioned federations does not mean that the Congress did not attempt to have its own federations. These attempts were manifested in such organisations as the Ahmedabad Textile Labour Association, the Hindusthan Mazdoor Sevak Sangh and the Indian National Trade Union Congress.[21] In case of the last federation, the Congress Working Committee has asked all Congressmen to support it fully as against other federations. All the three Congress organisations, mentioned above, will be studied later in this book.

Labour and Other Political Parties:

The interest taken in labour by the other political parties is not so keen as that of the Congress. The All-India Liberal Federation, in its Sixth Session (Poona 1923) passed a resolution, desiring to press on Government and Liberal Organisations the need of encouraging the establishment of trade unions in the country and of labour being adequately represented in the Provincial and Central Legislatures by direct election instead of by nomination. The Federation, however, has long ceased to be an influential body as regards labour. The fact however must be noted that some of the moderate labour leaders have been important members of the Liberal Federation. The Muslim League with its strong communalist tendencies advocated communal unions and brought in 1942 an unsuccessful resolution to this effect in the Central Assembly.

Difficulties in the formation of a Labour Party:

(1) *Political Differences.*—A number of factors stand in the formation of a labour party. It is rather difficult to bring under one political banner, the labour leaders holding diverse opinions. The Japanese labour, in its attempts to

[21] In this respect, a study of the following two books may prove very useful: (i) *Hindusthan Mazdoor Sevak Sangh and Labour* by H. M. Trivedi and (ii) *Congress and Labour Movement in India* by P. P. Lakshman.

form a United Workers' Party, tried to combine the socialist and communist elements which were prominent in trade unionism. But once a purely Socialist Policy, with 'free' trade unionism was adopted, a split in the movement was inevitable.[22] The first separation of the communist section in Japan came in 1923, the second from the Federation of Labour in 1926 and the third in 1929. The Indian T.U. Congress suffered similar splits (in 1929 and 1931) because of the attempts on the part of the Communists to transform the Congress into a political mass organisation to wage a struggle on communistic lines. The policy of the British Labour Party has been throughout to exclude the communists. In 1924, it passed three important resolutions refusing the application of the Communist Party for affiliation to the T.U.C., making a Communist non-eligible to stand up as a labour candidate in an election on Labour Party ticket and even prohibiting a Communist to be a member of the Labour Party. The difficulty of bringing together persons of different political views can be mitigated by either a programme of minimum demands or unification on the extremist or moderate ideals.

(2) *Absence of Adult Franchise.*—The second factor that hampers the formation of the Labour Party is the absence in India of adult franchise. Franchise based on property or on academic qualifications will not be suitable for the success of a Labour Party in India, since its members and sympathisers are bound to come from the poor, illiterate masses. The A.I.T.U. Congress realised this handicap as early as in 1925 and in its 5th Session in Bombay passed a resolution urging upon the Government of India, "the necessity of introducing adult suffrage for electing members to the Central and Provincial Legislatures, so as to give adequate representation to the working classes in the country." In his Presidential Speech in the Madras Provincial Labour Conference (1927) Mr. N. M. Joshi declared that a Labour Party without adult franchise was not practicable. It is for this reason, Mr. Joshi as the Representative of Indian labour to the Round Table Conference insisted upon adult fran-

[22] *Labour Magazine*, (June 1932).

chise, more labour seats in the legislatures, representation of labour on statutory bodies and adequate and effective provision in the constitution for ratifying the Geneva Conventions. The extension of franchise for the Bombay Corporation resulted in 1939 in the success of all the Left-wing Labour candidates, who could comfortably top the polls in their constituencies. Similarly the introduction of universal manhood suffrage in Japan induced the workers there to organise a political party in 1924.

(3) *Other Obstacles.*—The other factors that help the growth of a Labour Party are the Parliamentary mentality of the people, efficient leadership, sound trade unionism and growth of working-class interests. Indian labour till now has failed to take sufficient interest in political matters and consequently in their own representation in the legislatures. The special labour seats, granted even by the India Act of 1935, are quite inadequate and often labour interest has to be looked after by independent legislators. Until the Provincial elections of 1937, labour representation in Indian Assemblies and Councils never formed an important programme of the T.U. Congress, partly because the few seats that had been allotted to labour were filled by nomination and partly due to the reluctance shown by the extremist section of labour leadership to follow constitutional, peaceful methods. The constant splits and the continued bickerings and wranglings in our labour world made both the leaders and members of Indian trade unions rather nervous and sceptical about the utility of a labour party.

Attempts to form Indian Labour Party:

It should not, however, be supposed that attempts were not made to organise a Labour Party in India. Since 1918, we notice some haphazard, mostly local, efforts in this direction. The speeches of Mr. B. P. Wadia,[23] delivered in the early years of the Madras Textile Labour Union, were a part of the Home Rule Campaign. We see therein a desire for the co-operation of the British Labour Party and for the formation of a sister-movement in this country.[24] Mr.

[23] Published as *'Labour in Madras.'*

[24] Dr. Pillai—*Economic Conditions in India*, p. 258.

Wadia's forced severence from the Labour Movement might have made him drop the plan. Then in 1921, at Lahore a Conference of the representatives of the working-class movement was called with the object of organising a political party of the Indian working-class. The conveners were Shamsuddin Hasan and Gulam Hussein, the latter an accused in the Cawnpore Bolshevik case.[25] The prospective idea of a Labour Party was haunting the minds of a number of Labourites at this time and we read of meetings held, resolutions passed, articles written in the press and committees formed—all for the formation of a Labour Party. A proposal was to be placed before the T.U. Congress, in its 3rd Session (Lahore 1923) to form a political labour party working in the interests of working-class freedom. The T.U. Congress passed a resolution in 1923 favouring Council Entry.[26]

On May 1st, 1923, M. Singarvelu, a labour leader of Madras, formed, "The Labour and Kisan Party of Hindutan" with a lengthy political programme for the advancement of labour throughout the country. The Party need not detain us here as it had merely a paper constitution with a few members on its roll. In the same year, another organisation, on similar lines, was formed by H. W. B. Moreno, K. C. Roy Choudhary and B. Biswas in Calcutta, under the name of the 'Labour League of India' with a view "to bring together all trade unions and labour organisations in India and to uplift the conditions of all classes of labour as also to see that labour is not used by interested people for their own ends and creeds." The League was formed as a rival organisation to the A.I.T.U. Congress and not as a political Labour Party. One of the motives behind the formation of the T.U. Congress was to secure the right of nomination of delegates to Geneva. In 1923, the League secured this right and its Vice-President, Mr. K. C. Roy Choudhary, was nominated by the Government as a labour delegate to Geneva. Thereafter we do not hear much about the League.

[25] A. K. Hindi—*Life of M. N. Roy*, p. 122.

[26] *'Swadharma,'* dated 22-10-1922.

The Party question was seriously taken into consideration in February 1925, when a meeting of those interested in the advancement of labour was held in Western Hotel, Raisina (Delhi). A sub-committee to frame rules etc. of the Labour Party was formed with Lala Lajpat Rai as its President and Mr. D. P. Sinha as Convener.[27] At the same time, the Bombay mill-workers decided to have their own party and run their own candidates to the Council. Mr. D. R. Thengadi, the President of the T.U. Congress (1925) took up the 'Party' problem and appointed a sub-committee to discuss a scheme of a Labour Party. In a letter to this Committee, Mr. Thengadi examines, "the necessity for another organisation, when we already have an A.I.T.U. Congress to look after the interests of labour in the country." According to Mr. Thengadi, the necessity of a Labour Party lies in the need of an active pursuit of parliamentary activity. Serving the interests of labour through political machinery had been tried on a very small scale but with encouraging success. This was, however, done by people who were already working in the legislatures. Mr. Thengadi contended that it was impossible for men from actual labour ranks to take part in Parliamentary activities owing to intellectual and economic difficulties; hence the necessity of a separate organisation which would consist of persons already working for labour in the legislatures, in the National Congress and in the municipal bodies.

Communist Parties:

The investigations of the sub-committee are not available and it is possible that it did not function at all. The Communists who at this time emerged on the political horizon formed a number of political parties as the Kirti, Kisan and Nawjawan Sabhas in Northern India and the Workers' and and Peasants' Party in Bombay. The communist theory assigns the role of the workers' vanguard to the Party. The activities of the Communist Parties were not at all directed to peaceful, constitutional activities, but guided by communist idealogy, they resorted to revolutionary violent

[27] *Bombay Chronicle*, Feb. 3, 1925.

methods. It is, therefore, rather doubtful whether these parties can be called political labour parties in the sense we call the British Labour Party as a political Labour Party.

Bombay Labour Representation Committee:

A local attempt in this direction deserves some mention. A committee had been formed in Bombay in 1928, under the name of the Labour Representation Committee to guard and represent labour interests on local bodies and in Provincial and Central Legislatures.[28] The name reminds us of a similar organisation in Great Britain in 1900 under the same name and for the same objects. The Labour Representation Committee of England proved to be the nucleus of the British Labour Party. The Bombay Committee died out soon after its formation. The splits in the T.U. Movement and the C.D. Movement of the National Congress completely threw the whole issue of the Party in the background and up till 1934 we hear only of some stray speeches delivered on the necessity of a Labour Party, without any attempts in that direction. B. Shiva Rao, a delegate to the Round Table Conference, addressing a meeting of the Madras Labour Union on 27th February 1931, emphasised the need of a Labour Party to put forward an agreed and united demand on behalf of Indian labour as to what they should have in the new constitution.

The Congress Socialist Party:

In 1934, was born the All-India Congress Socialist Party, which was rather a left-wing of the National Congress than a political counterpart of the T.U. Congress. It owed its birth to the desire of the Socialists to transform the Congress into a mass-organisation and not to follow any parliamentary activities. One of the rules in its constitution made it compulsory for a member of the Congress Socialist Party to be first a member of the I.N. Congress, thereby leaving outside its fold a large number of labourites. The Party thus proved to be more limited than even the National Congress and hence had no claim to be an All-India Labour Party. Later

[28] *Trade Union Bulletin*, November 1928.

on, however, the Party removed this condition, changed its name to 'Socialist Party' and allowed non-Congressmen to be its members. At present it has decided to keep aloof from the existing all-India federations of trade unions.

The question of the Labour Party was further discussed by Mr. Jamnadas Mehta in his Presidential Address of the Second Session of the National T.U. Federation (Madras 1935) when he visualised "in not a distant future the formation of a country-wide Labour Party, in which the Trade Unionist, the Socialist and the Co-operator will continue to fight for the political and economic rights of the masses." Mr. Mehta could not expect the I.N. Congress to become a purely labour or socialist organisation. The Congress is chiefly intended to offer a nationalist front to the foreign master. It would therefore be impolitic to turn it into a class-organisation.

The first elections to the provincial assemblies under the 1935 Act created a number of new labour parties and also revived some old ones. The T.U. Congress, the National T.U. Federation, the Krishak Proja Party (Bengal), the Independent Labour Party (Bombay and C.P.) and a number of individual unions and federations of labour contested the elections and thus resorted to the activities of a Labour Party. The All-India Kisan Sabha succeeded in forming groups of Labour M.L.A.s in some provinces. The establishment of popular governments, labour representation in the legislatures and the active co-operation of the labour members in the execution of the government created among the labour circles a Parliamentary mentality which would have been very much accelerated and systematically brought up, in the presence of an All-India Labour Party. The necessity of a Labour Party was realised in the various conflicts, between the State and Labour, which were waged in an unorganised manner and mostly local in character. In the absence of such a party, the A.I.T.U. Congress had to look after both industrial and political problems or to leave them to individual unions concerned. The latter action separated the All-India organisation from the masses, while the former was unwieldy in case of a weak T.U. Congress.

A Labour Party would have looked after all the political problems, confronting Indian labour, rallied the support of the masses to its side, raised the questions of labour through its members in the legislatures, carried on active propaganda outside the assemblies and urged a general strike in case of failure through other means. At the present time, when we are faced with the intricate problems of the war, a labour party would have voiced the opinion of the teeming masses, more effectively and correctly than any other party would ever hope to do.

In the absence of an all-India Labour Party, the Indian National Congress, which has been the best organised political party, achieved remarkable success in the general elections. In 1937, it captured 18 out of the 38 labour seats in the Provincial Assemblies; in 1946, the progress achieved can be seen from the following figures given from a recent A.I.C.C. publication (*Congress and Labour Movement in India* by P. P. Lakshman).

TABLE No. 41A

Labour Representation secured in Provincial Assemblies by Political Parties in 1946

Parties	No. of seats contested	No. of seats secured	Labour vote secured
I.N. Congress	33	23	321,607
Communisty Party	30	7	112,736
Radical Democratic Party	16	1	8,591
Independent	16	7	26,332
Mazdoor Union (Bihar)	2	..	8,078
Sheduled Caste Federation	2	..	9,101
Muslim League	1	..	373

Relations Between the Trade Unions and the Labour Party:

Realising thus the necessity of an All-India Labour Party, we have now to examine the relations between trade unions,

labour parties and the masses. According to A. Lozovasky, the relationship between the trade unions and the Party is similar to that between the economic and political struggle.[29] While attaching tremendous significance to the economic struggle of the Proletariat and the trade union, Marx always stressed the primacy of politics over economics. The economic and political organisations (the trade union and the Party) of the Proletariat have one and the same aim—the economic emancipation of the Proletariat, but each applies its own specific methods in fighting for this aim. The Communists see in the political party a vanguard of working classes, as they see in the trade unions a school of socialism. The Trade Union struggles are partial economic struggles of parts of the working class against individual capitalist employers for better terms in the sale of labour power. The political struggle is the final struggle of the whole of the working class against the whole of the capitalist class. Stalin clearly distinguishes between the trade unions and the Party and he refutes that trade unions are party organisations.[30] "The Party realises the dictatorship of the Proletariat. It does, however, not directly, but with the help of the trade unions and through the Soviets and their ramifications. Without these 'belts' anything like a firm dictatorship is impossible." The anarcho-syndicalists are against any political party, because in their view, even if it bears a socialist name, it fails to perform its functions.[31] Benstein and other "revisionists" of Marx believed that only party political neutrality can ensure the effective development of the T. U. Movement.

Conclusion:

In India, the Labour Party has a wide scope for a variety of functions. It can take the charge of all political matters that directly or indirectly affect the Indian labour, leaving the industrial activity to the A.I.T.U. Congress. The relations of labour with political matters has become so close that one cannot be divorced from the other. Mr. and Mrs.

[29] *Marx and Trade Unions*, pp. 24-25.
[30] *Leninism*, pp. 29-31.
[31] Rudolf Rocker; *Anarcho-Syndicalism*, Ch. IV.

Webb rightly remark that nowadays no trade union can abstain altogether from political action. Without co-operating with other trade unions in taking parliamentary action of a very energetic and very watchful kind, it cannot, as long experience has demonstrated to practically all trade unionists, protect the interests of its members—which require the most watchful scrutiny in the administration of every public department. At a certain point in the growth of the trade unions, they are driven into political life, mainly because they become conscious of laws, administrative measures and court decisions, which stand in the way of their further development.[32] In Great Britain this point was reached between 1870-76; in India during 1918-24. At this stage the Party proves useful in dealing with political matters affecting the workers.

[32] J. Strachey: What Are We To Do? Ch. II.

PART V: TRADE UNION STRUCTURE AND ADMINISTRATION

CHAPTER XIII

TRADE UNION STRUCTURE

Types of Trade Unions:

Trade unions vary greatly both in form and character. The variance in form is mainly due to the variety of motives, which lead to the formation of the unions. At one extreme, stands the 'paper union,' with insignificant membership, whose establishment is generally the result of the desire of its promoters to get a platform and a name in order to secure nomination as a labour representative either to Geneva or in local Councils. Such valueless growth is of no importance; on the contrary, it does distinct harm to trade unionism in any country. At the other extreme, we witness only a few permanent labour organisations with definite constitution and rules, large membership and sound finance. Indian workers can claim only a few organisations of this type, the most outstanding among them being the Ahmedabad Textile Labour Association. In between these two types, stand a number of Indian unions. A form known as *ad hoc* unions refers to the organisation of workers designed to secure some definite and immediate object. The most common form of this type is the strike committee, formed to conduct a strike. As a strike committee, this form of labour organisation may command for a time a large membership and be of some use to the workers, but it can scarcely be called a trade union. Two other types of labour organisation are 'the company unions' and 'the communal unions' both of which we have studied in previous pages.

Different Structures of Trade Unions:

Classified according to structure, trade unions have been divided into craft unions, crafts unions or federations, industrial unions, material unions; employment unions, general

labour unions and even sex unions. A craft union, such as a spinners' or a weavers' union, means an organisation of the workers following a particular calling or occupation. This type, therefore, is also known as the occupational union. A crafts or trades union, like the T. U. Congress or the Ahmedabad Labour Association, is a federation of unions in different occupations.[1] An industrial union aims at organising all the workers in a single industry without any distinction as to occupation, skill or sex. This type of trade unionism should not be confused with an employment union, which groups together workers under a common employer or a limited group of employers.[2] A material union differs from the craft system in the fact that it organises the workers, not according to their crafts, but according to the material upon which they work. Carpenters, joiners, cabinet-makers, wood-cutting machinists, frame-makers and all such skilled workers, working on wood, may form a material union like the Amalgamated Society of Wood-workers. The General Labour Union is primarily meant for the organisation of all industrial workers, irrespective of their trades or crafts. Sex-unionism, a curious name given by Mr. G. D. H. Cole,[3] is an organisation with only female membership, such as the National Federation of Women Workers of England. Quite a different organisation from the above types is the Industrial Workers of the World (I.W.W.), which reveals a new type of trade unionism, that endeavours to include in a single organisation all workers, irrespective of trade, craft, sex or any other consideration, on the basis merely of their status within the capitalist system.

Craft vs. *Industrial Unionism:*

A conflict between the advocates of the various types mentioned above is natural. In fact, one of the greatest con-

[1] R. K. Das—*Labour Movement in India*, Ch. V. In fact, this kind of federation cannot be grouped under the trade union types because it is in itself a combination of trade unions, which may have different structures.

[2] The distinction between the two types can be clear from the following illustration. There are large number of gas undertakings or electricity undertakings, some of which are owned by municipalities and some by private companies. On the lines of 'employment unionism' the employers in municipal undertakings would be grouped up with other municipal employees in a Municipal Workers' Union; whereas on the lines of *'industrial unionism'* the same municipal workers would be included along with the gas workers in private companies in a Gas Workers' Union. (From Cole's *Introduction to T. Unionism*, p. 16).

[3] *Introduction to T. Unionism*, p. 18.

troversies in the trade union world has been over the problem of craft *versus* industrial unionism. Craft unionism proves itself useful in the attempts to achieve the aims of 'narrow' unionism, i.e. when the workers fight against the employers for economic causes such as higher wages and shorter hours. This form of trade union structure has been limited only to skilled workers in a craft and has been against the organisation of all the workers in a single plant. These factors make it difficult for trade union workers to organise a strike in an industry, when craft unionism sometimes leads to 'black-legging.' The socialist view is that craft unionism hinders direct action against the forces of capitalism and hence should be avoided. Syndicalists condemn it because it is against their doctrine of the ownership, as well as management, of each industry by the workers themselves. The structure of craft unionism has proved unsuitable to a planned and co-ordinated national economy conducted along socialist lines.[4]

Industrial Unionism:

Industrial unionism has also its own defects. The strict application of 'one-shop, one-union' in Russia resulted in the grouping of most diverse classes of workers, who belonged to trades haying no connection one with another. There was no regular system by which the unions were formed. Some unions were organised according to the character of production, others according to the aims of production, some others according to the raw materials used and still others according to the finished products manufactured. The defect of overlapping of unions has been common to both craft and industrial unionism. Two or more unions often compete to

[4] One of the first tasks of the leaders of Soviet Russia was to convert the craft unions into industrial ones. To form a compact group of all classes of workers in a plant, the motto 'One undertaking, One Union' was taken up. An industrial union can include all the workers, even when they are exercising different trades and producing different articles. In Soviet Russia even the re-organisation caused by the N.E.P. did not affect the basic principle of industrial unionism. Though industrial unionism has been greatly advocated in Soviet Russia, craft or departmental groups, chiefly for scientific purposes, are allowed to organise workers of a given profession or organisation. (See: I.L.O.—*T.U. Movement in S. Russia*, pp. 7-8; Dunn—*Soviet T. Unions*, p. 67: Freeman—*The Soviet Worker*, p. 112. and Murphy—*Modern T. Unions*, p. 180). Indian trade unionists advocate industrial unionism for the same purpose. (A resolution was passed to this effect by the Indian Federation of Labour in its 1943, Bombay session).

enrol the same group of workers, as is the case in the Bombay Textiles. Thinking this to be a defect only of craft unionism, the British T. U. Congress instructed its Council in 1924 to examine the problem of organisation by industry. The Council failed to formulate a general scheme of organisation by industry owing to the impossibility of defining only fixed boundaries of industry.[5] Different unions organised according to crafts may split up the Labour Movement by their conflicting interests. Similarly a number of industrial unions in the same industry or locality may weaken the organisation of the workers by inter-union rivalry. Herein lies the reason of the paradox of weak unionism with a large number of unions. In 1935, the textile workers in the Bombay City could boast of eight trade unions, even though the trade unionism at that time was at a very low ebb.

Structure of Indian Trade Unionism:

The best solution lies in organising the workers first according to crafts and then federating these organisations according to industries. The federations of craft unions become very powerful, as can be seen from the brilliant example of the Ahmedabad Labour Association. Ahmedabad affords the only instance in India of industrial employees being organised laterally i.e. by occupations, and not vertically by mills, factories or establishments, or territorially by town localities.[6] In other centres in India, industrial unionism is the rule. This form of trade union structure, which may be a direct outgrowth of the Indian caste-gild system, is due to the lack of skill and specialisation in crafts on the part of the Indian workers and to the tendency of the outside leadership to organise the class as a whole instead of any branch thereof. Most of these unions owe their origin to the local efforts made by trade unionists to improve the conditions of workers under a common employer.[7] In this respect Indian trade unions seem to have been greatly influenced by the tendency of other countries towards

[5] Richardson—*'Industrial Relations in Great Britain,'* p. 63.

[6] *Evidence* of Bombay Government before Royal Commission, Vol. I, Part I, p. 103.

[7] N. M. Joshi—*T.U. Movement in India*, p. 14.

industrial unionism. Soviet Russia, as we have seen above, has definitely taken to this form of structure. In Japan craft unionism, which was predominant upto 1922, has thence been thrown into background.[8] Craft unionism exerts a powerful influence only in England, wherein it was the first stable type of organisation.[9] The members are generally skilled male workers, trained for a particular trade.

Employment Unionism:

Employment unionism generally stands in the same class as that of industrial unionism; in fact, as we have seen before, both these forms are identical and hence not distinguished from each other. The Soviet trade union organisation, which combines all the employees in an enterprise irrespective of craft or industry, is neither craft nor industrial unionism but employment unionism.[10] The unit of Soviet trade unionism is the establishment as a whole and neither any particular craft within it, nor any particular branch of industry. To contrast with craft unionism, we have taken it above as an industrial union.

General Labour Union:

In view of the present tendency towards amalgamation of different industries, the creation of new industries due to technological research and the futility of organisation according to crafts, both the craft and industrial unionism seem to be inadequate. This fact makes some persons advocate 'One Big Union'—the organisation of all workers in one association.[11] The establishment of such a union solves the controversy of structural differences, simply by evading the question. A General Labour Union proves to be unwieldy, as it is a heterogeneous combination of diverse

[8] For statistics see the *Japan Year Books*: Harada—*Labour Conditions in Japan*, p. 220: I.L.O.—*Industrial Labour in Japan*, p. 117 and *Organised Labour in Four Continents* (Edited by Marquand) pp. 497-8. For the predominance of industrial unionism in Scandinavia and Australia see *Organised Labour in Four Continents*, pp. 261-4 and 465.

[9] I.L.O.—*Industrial Relations in Great Britain*, p. 61. Dr. R. K. Das observes that due to the influence of British Labour Movement and of the British employers in India, the Indian trade unions are showing a tendency to craft unionism (*Labour Movement in India*, Ch. V). This view, taken as back as in 1923, has not been substantiated by facts in later years.

[10] Webb—*Soviet Communism*, Vol. I, Ch. III, Sec. 1.

[11] Milne-Bailey—*Trade Unions and the State*, p. 119.

interests and persons. The structural problem still remains in case of the sections of the Big Union, which now form the units of the T.U. Government. The failure of such unions is due to the variety of trade union objects, which differ from trade to trade on account of geographical or economic positions or technical processes. In fact it becomes necessary in the case of a large union to get itself split into different divisions. The G.I.P. Railway Staff Union, which had 13 branches, converted them in 1926 into separate unions, because the heavy pressure of official work and the unwieldy nature of the Central Union made its reorganisation and reconstruction necessary.

Local vs. *National Unions:*

Another controversy regarding trade union structure is about local against national unionism. Early British trade unions were local in character, the reasons being the geographical distribution of the industries and the absence of rail transport.[12] The localisation of Indian trade unions is more due to the differences in language, race, religion and creed of the workers than to these two factors. Local unions are of immense use, if their co-ordination leads to national unionism. Factors like the political and economic demands common to all workers, the necessity of the organisation of workers against employers and the State, enactment of national labour legislation and election of the workers' delegate to Geneva and other conferences favour national against local unionism. Besides, in India, some of the industries like the railways are of an All-India character. Local unions in such cases can act only as branches of an All-India Federation.

Unit of T. U. Government:

The necessity of national unionism brings in such problems as sectionalism and multiplicity of unions and such methods as amalgamation and federation. But before we discuss these problems and methods, it is first necessary to study the unit of the T. U. Government or the base of the trade union structure. In India, individual trade unions form

[12] Murphy—*Modern Trade Unions*, Ch. I.

the units of an uncoordinated loose structure. Very few of them can claim to have branches. With the growth of industrialisation and of communications the unit of trade union government usually changes from the area of a particular locality wherein the members live, to the branch of the trade where the members work. Besides, a union based on a workshop unit proves more useful than that on a residential basis, because in the former case there is a greater measure of common interest.[13] In England the unit is generally the branch of a trade union with voluntary officials. Its functions can be summarized as the collection of fees, grant of benefits to members, representation to District Councils, Trades Councils and Labour Party, and complaints concerning working conditions of its members. Many of these functions are performed by Indian trade unions.

Factory Committee in Russia:

The basic unit of Soviet trade unionism is in the factory and is known as the *'fabkom'* (factory committee). These fabkoms owe their origin to the critical situation of the 1918 Revoluionary period, when the workers elected their own committees to function in the place of the Management.[14] They have been established in all enterprises employing more than 25 workers, while smaller shops have the trade union agents for the same purpose.[15] The fabkoms as the units of Soviet trade unionism have to carry on all the functions that are usually performed by individual trade unions. The fabkoms help the State to enforce legislative provisions enacted for the benefit of the workers, co-operate with the management and trade unions, manage factory clubs, rest houses, and other welfare activities and keep the workers well-informed of the economic situation of the enterprise. In Soviet Russia, in the absence of a rival party, the method of collective bargaining has been replaced by that of collective agreement, made by the workers themselves. The factory committee represents the workers in concluding such an agreement. The Executive of the Fabkom consists of a

[13] Clay—*Trade Unions*, p. 14.
[14] I.L.O.—*T. U. Movement in Soviet Russia*, p. 19.
[15] Dunn—*Soviet Trade Unions*, p. 36.

President and a Secretary, both full-time and paid, and a presidium of half-a-dozen to dozen members, who work voluntarily and part time. The full-time workers receive from the trade union funds remuneration equal to their earnings in the factory, while others are allowed 'time off' without any loss in their income or any objection from the Management.[16] The Management further helps the fabkom by defraying its expenses, which are not to exceed two per cent. of the total wage fund. The work of the fabkom is carried on through various agencies such as the Suggestion Bureaux, the Production Conferences, the Production Committees, the Protection of Labour Committees, the Cultural Education Committees, and the Wage Conflict Committees.[17] The fabkom is subordinate to the trade union of which it forms a constituent part; it is, however, self-autonomous, within its own sphere of activity.

Defects of Multiplicity of Unions:

For a co-ordinated structure of trade unionism, all the units at the base must act together for purposes common to them all. Multiplicity of unions organised in the same industry and on the same basis, is highly undesirable, if the unions have a conflict of interests among themselves. In some countries, muliplicity of unions has been discouraged by legislation.[18] Inter-union rivalry weakens the combative strength of the workers' organisation. The N.-W. Railway Employees' Union, Lahore, the Bengal Jute Mills Workers' Union and the Bombay Girni Kamgar Union serve some examples of the evil effects of internal strife of trade unions. Competition among the various unions generally makes social insurance and welfare activities less effective, some-

[16] Webb—*Soviet Communism,* Vol. I, Chapter III, Sec. 1.

[17] For details of these bodies, see: Lee—*Twenty Years After,* p. 98; Freeman—*The Soviet Worker,* p. 118; Dunn—*Soviet Trade Unions,* pp. 66-7 and Webb—*Soviet Communism,* Vol. I, Chapter III, Sec. 1.

[18] Section 11 of the Industrial Conciliation and Arbitration Act of New Zealand (1908) empowers the Registrar to refuse to register an industrial union, if he is of opinion that in the same locality and connected with the same industry there exists an industrial union functioning satisfactorily. The object is to prevent the needless multiplication of industrial unions in the same locality. Similarly Sec. 8(a) of the Bombay Industrial Disputes Act (1938) forbids the Registrar of Trade Unions to register more than one industrial union in respect of any industry and one occupational union in respect of each occupation in such industry. Section 23 (3) of the Bombay Industrial Relations Act, 1946 forbids the Registrar to enter more than one approved union in respect of any industry in a local area.

times leading the unions to liquidation. In some cases, when one union calls out the workers on strike, its rival in the same field supplies blacklegs to the employers. The multiplicity of unions has thus all the defects of overlapping of trades and of interests.

Amalgamation and Federation:

The unions can be brought together either through the method of amalgamation or that of federation. In case of amalgamation, the component parts completely merge together, losing their identity and self-autonomy. The Bombay Textile Labour Union, established in 1925, was the product of amalgamation of nine small unions.[19] In case of federation, on the other hand, the units come together only for the achievement of the purposes that are common to them all and no further. In all other matters, the federated unions can have their own policy and pursue their own lines of action. Federation, therefore, proves useful in the case of unions, which have diverse interests, but which must come together for formulating and bringing into action a general policy of trade unionism. Even when the unions federate themselves they still remain the units of trade union government. Amalgamation is useful to prevent unnecessary duplication of trade unionism in the same field, because the amalgamated unions have a common policy, a common executive and a common fund. Amalgamation thus means not only the centralisation of the interests of a number of unions but also the centralisation of their constitution and of funds. The financial aspect, loyalty of members to a particular union, differences on trade interests and vocational areas are some of the factors standing in the way of amalgamation. Some members think it derogatory to merge their union in and adopt the name of another union and hence often two unions amalgamate under quite a new name. The G.I.P. Railway Workers' Union (1932) was the product of the amalgamation of the G.I.P. Railwaymen's Union and the G.I.P. Railway Staff Union. Similarly the

[19] This amalgamation had been the result of the advice of Mr. Thomas Johnson, a Labour M.P., who urged the Bombay mill-workers to merge small unions into one Big Union, forming thereby "a hundred per cent Union." (*Trade Union Bulletin*, Dec. 1925).

Indian Trades Union Federation amalgamated with the National Federation of Labour under a new name the National Trades Union Federation (1933). This latter body, as well as the Red T.U. Congress, amalgamated with the T.U. Congress and accepted its name, probably because the Congress was the original body.

T. U. Federations: Local:

The base of the trade union structure has been provided by individual trade unions or their branches. The second stage is reached with the formation of local federations, which bring together a number of unions in a particular locality. This is the stage of the District Committee of England, of the 'Ooyezed' (Country committees) of Soviet Russia and of the local federations in India. The scope of these federations is very limited, because most of the internal and external activities of trade unionism are looked after by the individual unions and the provincial federations respectively. The major function of the local federations is to link up the provincial federations with individual unions. The District Committees in England have little to do with the social insurance side of trade unionism and they deal only with wages, hours of work and relations with central and provincial federations. Similarly the 'Ooyezed' in Russia have no political or financial autonomy. In India, attempts were made especially during the third decade of this century to form trades councils, labour boards and federations to group together a number of unions in a locality or in an industry. It is difficult in India to distinguish these bodies from the provincial federations, because some of them functioned without any territorial limitations, while most of them acted independently without any affiliation or attachment to a higher body. The Central Labour Boards (1920) of Bombay and Madras and the Bengal Trade Union Federation (1922) are instances of provincial federations without any affiliation to an all-India organisation.[20] All these three were committed by their rules to be strictly non-political and allowed freedom of

[20] For rules and regulations of these bodies, see the issues of *'Swadharma'* of 1-5-1921, 15-5-1921, 5-3-1922 and 25-3-1923.

action and policy to their affiliated unions. Their main objects were to establish new unions, to unite and strengthen the existing ones, to create harmonious relations between Capital and Labour and to improve the status of trade unions and workers. The federations, however, failed to achieve these objects and were throughout in a state of inanimate suspension. The Madras Central Labour Board, which was established in 1920, had to be reconstituted in March 1922. In 1923, with a grant of Rs. 30,000 from the Provincial Congress Committee, it made some labour propaganda and held in February 1924 the Madras Provincial Labour Conference.[21] After a period of six years' inactivity, the Board was again revived on 3rd March 1930 with a new constitution and set of rules. Similarly the Bombay Board worked merely as a propaganda body for the creation of new unions, till at last its activities ceased when in February 1928 all the four unions affiliated to it joined the newly-formed Bombay Trades Council.[22] The Bengal Federation fell a victim to internal dissensions and to disruptive political forces. A fourth federation, the Punjab Labour Board was organised in 1926, but it was short-lived. On account of internal dissensions among the members of the Board, a new body under the name of the Central Labour Federation was formed in 1927. Even before the establishment of the Board, there existed three bodies claiming to be the central organisation of the Punjab trade unions.[23]

Trades Council:

A form of trade union, known as Trades Council, was scarcely tried in India. Trade unions in a particular locality are federated together in a Trades Council or a T.U. Cartel, in order that all the local unions in the various trades act not separately but co-ordinately. Trades Council is an association of independent unions and their branches in a locality. Each union is connected through the District Com-

[21] *Evidence* of Madras Government before Royal Commission, Vol. VII, Part 1, p. 52.

[22] *Evidence* of Bombay Government before Royal Commission, Vol. I, Part I, p. 107.

[23] *Evidence* of Central Labour Federation before Royal Commission, Vol. II, Part I, p. 41.

mittee vertically with other unions in the same industry throughout the country, and through the Trades Council horizontally with unions in all the industries of the town or region. In England, political affairs are entrusted to the Local Labour Party (local branch of the Labour Party), while the Trades Council looks after the industrial activities. In some localities both the bodies join together as the Trades and Labour Council and undertake both the industrial and political activities of trade unionism.[24] Even if the activities of the Trades Council are limited to the industrial field, it comes often in conflict with the District Committee. The British T.U. Congress has not allowed the Trades Councils to affiliate to it, because that would lead to duplication and overlapping without any really useful purpose being served.[25] However, the important reason for keeping the British Trades Councils away from the Congress was their political activity. These Councils were responsible partly for the formation of the "Parliament of Trade Unions," for agitation against the Government which tried to declare war against Soviet Russia in 1920 and for the General Strike of 1926.[26]

Bombay Trades Council:

The first and the only Trades Council of Bombay was formed on 11th February 1928, when a meeting of 32 representatives from 12 trade unions passed a resolution to that effect.[27] The objects of the Council were to co-ordinate the activities of all the labour unions in Bombay, to further the interests of the workers in economic and political matters, to organise educational classes on trade unionism, to assist in local industrial disputes and to carry on labour propaganda. Eleven unions with a total membership of 54,903 formed the units of the Bombay Council. The only other reference to Trades Council in India is in a resolution passed by the Ninth Session of the T.U. Congress, asking for the establishment of

[24] Richardson—*Industrial Relations in Great Britain*, Ch. II.

[25] Citrine—*The British Trade Union Movement*, pp. 59-60.

[26] Murphy—*Modern Trade Unions*, Ch. II.

[27] *Labour Gazette—April 1928*, pp. 686-7 and *Evidence* of Bombay Government before Royal Commission, Vol. I, Part I, p. 107.

Trades Councils under the auspices of the Provincial Committees of the Congress in each town where there existed three or more unions.

Provincial Federations:

The constitution of the Trade Union Congress laid down that in every province, there should be a Provincial Committee for promoting the welfare of workers in its province, under the guidance of the Central Executive Council. Accordingly provincial federations of trade unions were set up in Bombay in 1925, the Punjab in 1926, Bengal and Madras in 1927 and the C.P. and the U.P. in 1928.[28] These provincial committees filled up the gap between the local and national federations by linking them up. They were however weak organisations representing very few unions. The first Bombay Provincial T.U. Conference in 1925 was represented only by 7 unions, the second in 1926 by 11, while the third in 1928 by only 9 unions. No union outside the City of Bombay took part in any of these three conferences. Two other important provincial federations are the Bombay Presidency Postmen's and Lower Grade Staff Union (Established April 1918) and the Bombay Presidency Postal and R.M.S. Association (1st April 1920).

Necessity of Provincial T. U. Federations:

In India, federations of trade unions have become a necessity, because of the provincial, racial and linguistic differences among the workers. The evolution of Provincial Autonomy and the growth of labour representation in provincial legislatures have intensified this necessity. Since 1937, Labour has been a function also of the Provincial Government;[30] and hence a provincial federation of trade unions may be of some use to watch local condition of labour

[28] At present the T. U. Congress has Provincial Committees in Bengal, Bombay, C. P., Madras, Punjab, Sind and U. P. The Indian Federation of Labour has also its Provincial Committees in practically all the Provinces. These Committees hold periodical meetings and conferences to review the activities and to formulate policy according to local needs, to guide the day-to-day and long-term activities of the unions in the particular Provinces and also to deal with particular situations developing from time to time. (Vide the Report of the I.F.L. Session, Bombay, 1943).

[30] Schedule 7 (List III, Part II) of Government of India Act, 1935.

in the interests of the workers. Besides, the provincial federations link up the primary unions with the national organisation and thus help to co-ordinate the structure of trade unionism.

Failure of Provincial Federations in India:

The local and provincial federations of Indian trade unions have so far failed to achieve their objects. It was rather an attempt to build a superstructure on the shaky foundations of shifting unions and as such was premature.[31] The inherent weakness both of the primary unions and of the national federations had its effect on the link that tried to chain them. Another reason for the failure of federations was the interest taken by a few persons in several unions. The Bombay Government in its evidence[32] before the Royal Commission on Labour gives the names of four trade unionists, each of whom had been working in the executive committees of more than ten unions at a time. One of them was connected with two federations and eighteen unions. The association of a few persons with a number of unions leads to the tendency of federation for the sake of better control and economy. The system has its own merits and defects. The field of trade unionism is limited only to a few leaders, who are generally 'outsiders' or non-workers. These persons, looking more to their own convenience, federate the unions as they choose and not necessarily in the same or allied industries. The federations therefore lack any common purpose among their units, except perhaps a vague class feeling among the workers. Moreover the provincial federations have proved a hindrance instead of help in cases of industrial unions in industries of an All-India

[31] Dr. Lokanathan—*Industrial Welfare in India*, p. 167.
[32] *Evidence* Vol. I, Part I, p. 112.

character.[33] For example, the employees of a railway company reside in different centres in different provinces, wherever there are the railway branches. Provincial federations of unions of these employees would come in conflict on questions of local importance. Lastly, there is some fear in the minds of some leaders of the All-India Trade Union Congress that if the Provincial Committees serve as a provincial autonomous government representing the Congress in that particular province, the national federation itself will be weakened on account of want of touch with the primary unions.[34]

Some trade unions affiliated to the All-India Trade Union Congress, have formed 'Divisional Committees' in certain areas, in some cases to suit the linguistic needs of the area and in others for the convenience of shortening Railway journeys, in order to attend meetings of the committee at some central place. Such committees were formed in Gujarat, Berar and Keral.[35]

Registered Federations of Trade Unions:

The 1942-43 report on the working of the Indian Trade Unions Act, 1926, has been published in the *Indian Labour Gazette* (June 1945, pp. 401-406). The following statement gives some details about the trade union federations, registered under the Act:

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[33] Similar difficulties arise in case of 'central trade unions', i.e. unions whose objects are not confined to one province. The following figures reveal the strength of these unions:—

Year	No. of registered unions	No submitting returns	Membership
1939-40	42	23	1,22,150
1940-41	46	33	1,27,973
1941-42	25	23	1,40,205
1944-45	31	30	1,61,774

Here it may be mentioned that the first Conference of Labour Ministers agreed to the proposal that the powers given by the T. U. Act of 1926 regarding central trade unions should be delegated by the Central to the Provincial Governments. (*Proceedings*, p. 75).

[34] Mr. N. M. Joshi in his Presidential Address in the Madras Provincial Labour Conference (1927) thinks for this same reason that the Provincial Committee should never become a channel of communication and touch between the unions and the T. U. Congress. According to him, the Provincial Committee should limit its activities to propaganda and organisation.

[35] Report of Nagpur Session (1943) of the T.U.C. The General Secretary (Mr. N. M. Joshi) advocates the formation of such committees on linguistic basis, with independent powers of organisation in certain respects, under the control and guidance of the Provincial Committee.

TABLE NO. 42

Names and General Funds of the Registered Federations of Trade Unions in 1942-3:*

Name of Federation	No. of member unions	Opening balance Rs.	Income Rs.	Expenditure Rs.	Closing balance Rs.
1. Bengal National Chamber of Labour	141	...	2,326	1,899	427
2. Textile Labour Association, Ahmedabad.	6	87,884	50,443	48,078	90,249
3. Amritsar Labour Federation, Amritsar	131	1	2,251	1,873	379
4. Central Labour Federation Punjab, Lahore.	7	9	77	78	8
5. All-India Railwaymen's Federation, Madras.	18	967	3 200	2,142	2,025
6. All-India Railway Muslim Employees' Association, Delhi.	8	593	418	182	829

* For 1944-45 registered federations, see *Indian Labour Gazette*, April 1947, p. 445.

PART V: T. U. STRUCTURE AND ADMINISTRATION

CHAPTER XIV

NATIONAL FEDERATIONS OF INDIAN TRADE UNIONS

Industrial federations of all-India character have been attempted in India, though the result has been poor. The Second Session of the T.U. Congress at Jharia in November 1921 was made the occasion for the starting of the Miners' Federation of India.[1] Three years after, on 18th April 1925, the first session of the All-India Currency Union was held in Bombay under the presidentship of Mr. B. Das. A resolution passed at the first National T.U. Federation's Session (1933) endorsed the formation of an All-India Textile Workers' Federation to enable the textile workers in the country to take common action to withstand the employers' attack on their employment and standard of life. An All-India Textile Workers' Conference was held in Bombay on 28th January 1934 which gave a call to the textile workers in India to resort to countrywide strikes. The federation of textile labour was not formed and again at the second All-India Textile Conference (Cawnpore, 24th December 1938) it was decided to form an All-India Textile Federation.[2] The establishment of an All-India Seamen's Federation to represent the interests of Indian seamen was resolved in the All-India Seamen's Conference (Calcutta, 5th and 6th June 1937). All these attempts to form national federations of trade unions in different industries have been repeated and at present Indian Labour can claim industrial federations of all-India importance in the textiles, mines and marine

[1] *'Swadharma'* of 29-1-1922. The Federation was founded by Swamis Viswanand and Darshanand and by Mr. Ramjas Agrawalla, a Colliery Proprietor and Chairman of the Reception Committee of the Jharia Session. Mr. E. L. Iyer, the editor of *Swadharma*, was its General Secretary.

[2] *Labour Gazette*, December 1938, p. 235.

[3] In 1943, at the initiative and under the auspices of the Indian Federation of Labour, a central organisation of the coal mine workers in India, under the name of the All-India Colliery Mazdoor. Union, has been formed.

National federations of some importance exist among the railway and postal employees. The best organised of them is the All-India Railwaymen's Federation, which in its capacity as the most representative organisation of railway workers has been granted the right to meet the Railway Board twice a year to discuss and settle outstanding questions in regard to the conditions of service of railway workers. The Federation was first formed in 1921 under the name of the All-India Railwaymen's Union Federation:[4] but it soon ceased to exist.[5] It was revived under its present name in 1925, when practically all the railway unions in India were for a time affiliated to it.[6] In 1929, the Federation had twelve unions with a membership of 100,000, while in 1931-32 it claimed fifteen unions with 129,074 members. Besides this Federation, the railway employees in India have some other national organisations.[7] One of these, the National Union of Railwaymen of India and Burma (1897) has already been dealt with in the previous pages. The All-India and Burma Government Non-Gazetted Railway Service Association (Bombay, 1926) is a body of railwaymen who are covenanted from England for services on the Indian railways. These employees are selected by trial and interview in the United Kingdom and thus claim to be high class artisans. Their position in India is that of superior subordinate supervisors and instructors in European methods of production.[8] The Association had only a paltry membership of 265 in 1929. Another federation, the Anglo-Indian and Domiciled European Association which had 88 branches with 10,000 members in 1929 had not formed itself

[4] *Directory of Trade Unions*, pp. 6-7. For the Rules and Regulations of this body see '*Swadharma*' of 22-5-1921.

[5] Commenting on this failure, *Swadharma* (of 15-7-1923) writes, "When a crisis in the affairs of railwaymen comes, the need is felt and as soon as there is a calm, the Federation idea is given up. During the E. I. Railway strike it was felt that the employees of one railway system are powerless as against the combined efforts of the several railways in India and the Railway Board.

A meeting was held at Asansol where representatives from the N. W. Railway, the E. B. Railway, the B. N. Railway and the M. & S. M. Railway attended. They decided to start a federation with their head office in Delhi."

[6] B. Shiva Rao—*Industrial Workers in India*, p. 151.

[7] For these organisations see *Evidence* before the Royal Commission of the Railway Board, Vol. VIII, Pt. I, p. 164.

[8] *Evidence* of the Association before the Royal Commission, Vol. VIII, Pt. I, p. 456.

on trade union lines. Besides it had been restricted only to a particular community. Among the federations of postal and telegraph employees, the most important are the All-India Telegraph Union, the All-India Post and Telegraph Adiminstration Officers' Staff Association and the All-India Postal and R.M.S. Conference. Two national federations in other industries and services are the Central Body of Military Accounts Association and the All-India Government Employees' Federation.

The Trade Union Congress: Origin:

All these federations though national in scope restrict themselves to particular industries or services. The All-India Trade Union Congress and now the Indian Federation of Labour and the Indian National Trade Union Congress on the other hand, are organisations which aim at bringing within their fold all Indian workers without any distinction of craft or local conditions. A brief study of these central organisations is essential, because they have been chosen, even by the Government of India, to represent the interests of Indian Labour, both in national and international conferences. The T.U. Congress had its origin in the intense industrial unrest in the immediate postwar period. For the first time in India, trade unionism sprang up and a big wave of strikes swept the whole country. Naturally there arose the need of co-operation and co-ordination in order to give an organised shape to the various unions and strike committees that were formed during this period. Indian conditions have shown that organisation of labour has been easier, whenever there has been industrial unrest. The successful strike on the N.W. Railway provided such an opportunity in 1920. The immediate cause of the origin of the T.U. Congress was, however, in the resolutions passed by a Bombay workers' meeting in Parel on the 10th of July 1920. One of the resolutions protested against the unconstitutional nomination of a representative of Indian workers to the International Labour Conference and asserted the right of the workers to elect their own representatives. Another resolution decided to hold the first session of the T.U.

Congress in Bombay. Thus the establishment of the I.L. Organisation and the consequent transformation of Labour into a world issue stimulated not only the establishment of the T.U. Congress, but also the growth of individual unions in India.[9]

In the absence of sound trade unions and of local and provincial federations, the establishment of the T.U. Congress in 1920 was thought to be premature.[10] The Congress preceded the establishment of its constituent units. Though the first session of the T.U. Congress took place as early as in 1920 it was only after 1925 that some regular provincial conferences were held. The premature establishment of the Congress can however be justified under the then prevailing circumstances which demanded the formation of an organisation which would serve "as a meeting place for those most actively engaged in trade unionism as a platform for the enunciation of labour policy and as a link between trade unionism in India and in Europe."[11] It can also be said that the Congress had not chosen the slow progress of unions in other countries.[12]

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[9] Mr. Burnett Hurst thinks that the A.I.T.U. Congress has been an off-shoot of the Indian National Congress (*Labour and Housing in Bombay City*, p. 104n). The origin of this misunderstanding seems to be in the fact that in the early years of Indian trade unionism, the Civil Disobedience Movement, sponsored by the Indian National Congress, not only stimulated the growth of individual unions, but also provided the T.U. Movement with young, educated and willing leaders.

[10] The President of the First Session, Lala Lajpat Rai, said in his address, "The T.U. Movement in this country is yet in its infancy and it may be said that an All-India T.U. Congress is rather premature. In my humble opinion, it has not come a day too soon." From the second sentence it can be seen that Mr. V. V. Giri wrongly thinks that "Sjt. Lajpat Rai, as the President of the first session of the A.I.T.U. Congress considered, perhaps with justification then, that the time was not ripe in the year 1920 to give an All-India name to this organisation." (Presidential Address—Sixth Session of the T.U. Congress, Madras, 1926).

[11] *Report* of the Royal Commission, p. 318.

[12] N. M. Joshi—*Trade Union Movement in India*. Perhaps the only T.U.C. President who thought the establishment of the organisation premature, seems to be Mr. C. F. Andrews. In the first issue of the *B. & N. Railwaymen's Gazette* (Sept. 1925), Mr. Andrews wrote that Mahatma Gandhi had convinced him that the hour had not yet come for the establishment of the Congress. According to Gandhiji, the Ahmedabad Textile Labour Association, though considered to be the most advanced labour organisation in the country, had not reached even that stage to join an All-India organisation. Convinced by this argument, Mr. Andrews did not participate in the early activities of the Congress. According to him, the premature establishment of the Congress had a weakening effect on the stability of its existence. "At Calcutta in 1924, it seemed destined to split into parties. It survived because there is a vital growth in it."

First Session of T. U. C. 1920:

The first session of the Trade Union Congress was held on October 30th, 1920, in Bombay under the presidentship of Lala Lajpat Rai. The strength of the Congress at that time can be seen from the following table[13] (compiled from the list of unions).

TABLE No. 43

Trade Union Congress, 1920

	No. of affiliated and sympathetic unions.	No. of affiliated unions	Membership of affiliated unions.
I According to Provinces:			
1. Bombay	56	44	46,881
2. Bengal	5	1	2,505
3. U. P.	8	3	15,800
4. C. P.	6	2	128
5. Sind	2	1	128
6. Madras	16	8	3,559
7. Bihar	1	—	—
8. Punjab	9	4	70,253
9. Delhi	2	—	—
10. Indian States	1 (Bhopal)	1	1,600
11. Ceylon	1	—	—
II According to Industries:			
1. Railways	21	11	91,427
2. Textiles	12	9	7,719
3. Shipping	4	3	19,800
4. Transport	4	2	2,470
5. Clerical	7	6	856
6. Engineering	8	7	7,590
7. Post & Telegraphs	15	5	1,685
8. Printing and Paper	7	3	1,844
9. General	29	18	7,463
Total ..	107	64	140,854

Some details with reference to the figures in the above table are necessary to show some of the pecularities of the Congress session of that time. The N.W. Railway Union

[13] The Tables and information in the succeeding pages have been compiled from the annual *Reports* of the T.U. Congress, Indian T.U. Federation and National T. U. Federation.

(Lahore) alone commanded a membership of 70,000 whereas another union had only 18 members. Out of the 64 unions, whose membership has been given, only three had more than 10,000 members each. At the other extreme, there were 17 unions, out of which Bombay claimed 12, whose membership had been less than 100 each. The table shows that the Congress had no unions among the jute, agriculture and mining industries. The majority of the unions (56 out of 107) were from the Bombay Province, where the session took place. 801 delegates from all parts of India attended the session. 64 unions had definitely affiliated, while 43 unions expressed their sympathy with and gave their support to the Congress, which thereby represented about half a million workers.[14] The constitution of the Congress, which was slightly amended in 1924, laid down its object as the co-ordination of the activities of all the labour organisations in all the trades and in all the provinces in India and generally to further the interests of Indian labour in matters economic, political and social. The radicals modified this object by adding to it the aims of abolition of capitalism, establishment of socialism and the attainment of National Independence.[15] The present constitution, which was taken from the National Trades Union Federation, lays down a number of objects such as the establishment of a Socialist State, socialisation and nationalisation of the means of production, distribution and exchange, struggle for India's political freedom, abolition of political or economic advantage based on caste, creed, community or religion and attainment for the workers of freedom of speech, press, association, assembly, strike and work.

T. U. C. 1921-29:

The next three sessions were held at Jharia (1921) Lahore (1924) and Calcutta (1924). Diwan Chaman Lall was the general secretary for all the three, while Mr. J. Baptista

[14] Dr. A. Mukhtar, however, gives different figures. "According to the Report issued by the Congress itself, 97 trade unions were affiliated to it. Of these 57 were represented at the first Session." (*Trade Unions and Trade Disputes in India*, p. 154). Dr. Mukhtar apparently overlooked a supplementary list of 10 unions which brings the total to 107 unions. This figure includes affiliated as well as *sympathetic* unions. Dr. Mukhtar mistakes all of them as affiliated unions.

[15] For the Constitution, see *Report* of the 15th Session (Bombay 1936).

presided over the first and Mr. C. R. Das over the next two sessions. The details of membership figures are not available. At the Jharia Session, however, the number of unions affiliated was said to be about 100 with a membership of 100,000. The details of the succeeding sessions are given in the following table.

TABLE No. 44

All-India Trade Union Congress 1925-29

Unions:	Session No., Place and Year					
	V Bombay Feb. 1925	VI Madras Jan. 1926	VII Delhi Jan. 1927	VIII Cawnpore Dec. 1927	IX Jharia Dec. 1928	X Nagpur Nov. 1929
According to Provinces						
1. Bengal	8	15	20	22	13	
2. Bihar & Orissa	1	3	3	3	3	
3. Bombay	10	16	15	16	11	
4. C.P. & Berar	3	4	4	3	2	*
5. Madras	4	9	8	8	8	
6. Punjab	2	2	3	3	2	
7. U.P.	2	2	3	3	2	
8. Indian States	—	—	—	—	—	
9. Burma	—	1	1	1	1	
10. Sind	1	—	—	—	—	
According to Industries						
1. Railways	12	15	13	13	10	
2. Shipping	1	3	8	4	3	
3. Other Transport	2	7	3	7	2	
4. Cotton	2	9	6	10	6	
5. Jute	1	1	1	1	1	*
6. Mining	—	1	1	1	1	
7. Engineering	3	3	2	3	2	
8. Printing & Paper	2	2	2	4	4	
9. Non-Manual	—	2	1	4	2	
10. Agriculture	—	—	—	—	—	
11. General	8	9	20	12	11	
Total Unions ..	31	52	57	59	42	51
Total Membership	90,000	125,000	125,000	125,000	98,600	189,436

*Detailed figures of the Xth session (Nagpur, 1929) are not available.

The table shows that there had been no appreciable change in Indian trade unionism, especially with respect to jute, mining and agriculture. The position was

not far different from that of 1920, except in the political policy of Indian trade unionism. In a previous chapter we have seen the growth of communism in the T.U. Congress, finally bringing about a split in that national federation in 1929. The differences in respect of ideals and method became manifest with the appearance of S. Saklatvala in the Delhi Session (1927) of the Congress. We have already referred to the various resolutions passed at the Delhi, Cawnpore and Jharia Sessions of the Congress, which seemed to be clearly drifting to left wing unionism. The resolutions passed at the Nagpur Session (1929) made the breach complete. The Whitley Commission was boycotted; the Congress was affiliated to the League against Imperialism and to the Pan-Pacific Secretariat; the Workers' Welfare League was recoginsed as the agent of the Congress in Britain; the I.L.O., the Asiatic Labour Conference and the R.T. Conference were condemned and the Nehru Report was rejected. The success of the communists was mainly due to the affiliation to the Congress of the G.I.P. Railwaymen's Union and the Bombay Girni Kamgar Union which claimed 41,000 and 54,000 members respectively. These high figures of membership, which were denied and challenged by the moderate leaders, granted the two unions 350 votes out of a total voting strength of 938 in the Congress. Representation was based on membership figures and these were not checked by any adequate measure. The ultimate result was that 30 unions with 95,639 members seceded from the Congress,[16] which consequently became a minority organisation, under communist influence, having only 21 unions with 92,797 members.

Indian T. U. Federation:

The second stage in the history of national federations in India began in 1930, when some of the seceders from the T.U. Congress formed their own organisation, under the name of the Indian Trades Union Federation. This new federation flourished rapidly as can be seen from the following figures:

[16] For the statements of the seceders see Appendices A and B and Gen. Secretary's *Report* of the 1st Session. *Report* of the I.T.U. Federation.

TABLE No. 45

Indian T. U. Federation 1930-1933

Date	No. of Unions	Membership	
20th July 1930	7	14,300	(Formation of the Federation).
31st December	26	52,039	
30th June 1931	35	66,265	
31st December	38	66,400	
30th June 1932	40	78,000	
10th May 1933	41	78,677	(Amalgamated with National Federation of Labour).

Red T. U. Congress:

In the meantime the original body experienced another split in 1931 in the Calcutta Session, this time the reasons being the representation of the Bombay Girni Kamgar Union on the executive council and the fundamental differences between the communists and other left-wing unionists.[17] The communists, with hardly a dozen unions under their control, formed the Red Trade Union Congress. Indian trade unionism at this time was divided into four groups, three of which had their own national federations. The Red T.U. Congress represented the communists; the original T.U. Congress had the radicals under its command; while the Indian T.U. Federation indicated the moderate element in our trade unionism. The fourth group included the semi-socialist All-India Railwaymen's Federation, the reformist Ahmedabad Labour Association and many other unions unattached to any central organisation.

Trade Union Unity. 1930:

Such a state of divided Labour Movement was naturally thought undesirable and soon after the first split, attempts at Trade Union Unity began. Individual unions felt nervous to link themselves with any of the national federations, while the workers kept themselves aloof from general trade unionism in the country. The split was mainly due to the attempts of the communist to subordinate industrial

[17] For details of this split, see *Trade Union Record* Aug. 1931, *Labour Gazette* of July 1931 and Dr. Mukhtar's *Trade Unionism and Trade Disputes in India*, pp. 161-3.

questions to political problems. It was a struggle between two principles—reformist and militant, and not a conflict between personalities. The clash between two sections was inevitable and hence the splits in the Congress cannot be said to be undesirable. Some of the seceders naturally felt that it was better for them to leave an organisation rather than to remain in it and cause internal dissensions by going against the decisions of the majority.

Though differences regarding trade union ideals and trade union methods made complete unity impossible, it was thought that a working agreement between the various groups would be achieved in the interests of Indian labour.[18] A central labour organisation which can conveniently represent the industrial workers of India was felt necessary both for internal and international trade union activities. From 1920 to 1929 the Trade Union Congress served this purpose in all matters concerned with Indian labour. Even after the split, there were no appreciable differences between the various sections as far as industrial and economic grievances were concerned. The parties disagreed on the problem of political functions of trade unionism. Besides, the Communists had not brought any full-fledged programme of their own. All these factors induced some of the railway unions, which had remained aloof from any national federation, to have some informal attempts in 1930 towards trade union unity. In the year 1930 various schemes were proposed to achieve trade union unity. Mr. R. R. Bakhale proposed 'the process of co-ordination' by which the two contending wings were to be organised on a national basis with trade unions affiliated to each aceording to their principles and methods and these wings were to be co-ordinated at the top in a central body such as the All-India Trade Union Congress.[19] The co-ordinating Congress was to remain unaffiliated to any body, though the two organisations had the right to affiliate to any body they chose. The Congress was to act as an All Parties' Conference to consider

[18] *'Trade Union Unity'*—an article by Mr. R. R. Bakhale in the *Servant of India* of 21st August 1930.

[19] Bakhale—*'Trade Union Unity.'*

all such matters as were not agreed upon by its two units. In a letter to Mr. Subhash Bose, who was the President of the Trade Union Congress, Mr. N. M. Joshi also advocated in 1931 the establishment of an All-Parties Conference—a machinery by which the whole Labour Movement can be brought together for purpose regarding which there would be no differences. Such a machinery, worked only by a common consent and not by mere majority, would enable to soften bitterness and foster a spirit of compromise among different parties. A third trade unionist, Diwan Chaman Lall, was for a practical programme of some immediate reforms for a definite period during which no questions of principle, methods and politics were to be taken by the central organisation.

1931:

The attempts towards trade union unity were intensified in the year 1931. Mr. Subhash Bose and Mr. R. S. Ruikar, presidents of the T.U. Congress in 1931 and 1932 respectively, negotiated with the secretary of the Indian T.U. Federation to find out any possibility of joint action on industrial matters, in view of an all-round attack on the workers' standard of living, through wage cuts, retrenchment and heavy taxation. Mr. Bakhale, the Secretary of the Federation, met on 30th and 31st December 1931 some of the office-bearers of the T.U. Congress in his personal capacity and formulated a scheme of setting up of Central and Provincial Joint Boards for joint initiative, joint action and joint propaganda. The work of this Conference was facilitated by the initiative taken by the All-India Railwaymen's Federation, which appointed a sub-committee to negotiate with other labour organisations in the country for the purpose of trade union unity. Accordingly the General Council of the Railwaymen's Federation held a joint meeting on 10th May 1931 with some trade unions and appointed a sub-committee to invite proposals from various trade unions on the question of trade union unity. Another important move in the same direction was taken in December 1931 by some of the Bombay unions, which held a Provincial Conference

wherein unions affiliated to both the central organisations took an active part.[20] While these attempts towards Unity were going on, the Trade Union Congress experienced another split in 1931, giving birth to the Red Trade Union Congress, a communist organisation.

1932:

The attempts of the All-India Railwaymen's Federation were crystallized in 1932 in the formation of the Trade Union Unity Committee which considered the demands of the workers and laid down certain broad conclusions agreeable to both the wings of Labour.[21] The Report of the Trade Union Unity Committee advocated for the purpose of the realisation of the ideals and immediate demands a central organisation through which energetic, ceaseless and co-ordinated propaganda could be carried on by means of mass-meetings, negotiations, demonstrations and in the last resort, strikes. The Committee observed that though the Trade Union Congress might be weakened because of the absence of any real, settled policy, it would still provide a nucleus for a central labour organisation. The Report of the Committee was adopted by a well-attended Trade Union Unity Conference held in Madras in July 1932, when a Committee was appointed to draft a constitution for the formation of a central labour organisation. Though the Committee agreed to call this proposed central organisation by the name of the All-India Trade Union Congress, the original body, which retained that name, decided in its 12th Session (Madras 1932) to stand outside the efforts at unity. The Congress proposed a programme of unity, a great part of which was rejected by the Unity Conference. Discouraged

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[20] See Appendix E of the *Report* of the 1st Session of the I.T.U. Federation (1932).

[21] The demands were included in what is known as the Platform of Unity and related to hours of work, minimum wage, wage-payments, unemployment, housing, fines and such other conditions of employment and of living. The Platform of Unity was referred to and amended by the Trade Union Unity Committee of six members, out of which two wrote minutes of dissent. The recommendations in the Report referred to the aims and functions of trade-unionism, necessity of a central organisation, affiliation to an international body and labour representation in legislatures. For details see Appendix D to the *Report* of the 1st Session of the Indian Trade Union Federation (1932). For Platform of Unity see the same *Report*, pp. 24-27. See also Dr. Mukhtar's *Trade Unionism and Trade Disputes in India*, pp. 164-5.

by the failure to unite with the Trade Union Congress, the Indian T.U. Federation decided to have a 'smaller unity' with the railway unions. The formation of a new organisation under the name of the National Federation of Labour in 1933 was the result of the attempts in this direction.

1933:

In its first Session (Madras 1932), the I.T.U. Federation formed a sub-committee to frame a constitution for a central organisation with a view to unite with the T.U. Congress. Both the I.T.U. Federation and the T.U. Congress were invited for the third and final session of the Unity Conference (Delhi, Feb. 1933), wherein the draft constitution was accepted and was put into practice by the establishment of the National Federation of Labour a provisional body to facilitate the attempts towards unity. The Indian T.U. Federation held a special Session (Calcutta 19th and 20th April 1933) and amalgamated itself with the National Federation of Labour under a new name, the National Trades Union Federation. This new federation easily proved itself the biggest and the most representative organisation of labour in the country, with 47 unions and 135,000 members. The T.U. Congress, though at first it showed some leanings towards unity, kept itself aloof from the final act of amalgamation. Its differences with the Federationists were perhaps over the problems of participation in the International Labour Conference and of provisional affiliation to the International Federation of Trade Unions (Amsterdam). As regards the latter, the Indian T.U. Federation was willing to compromise with the T.U. Congress.[22]

1935:

The initiative to renew the efforts towards trade union unity was taken by the Executive Committee of the T.U. Congress, which, in a meeting in Nagpur in January 1935, appointed a sub-committee to negotiate with the different labour groups on the bases of unequivocal acceptance of the

[22] Welcome speech by Mr. Jamnadas Mehta at the 1st Session of the National T.U. Federation (Bombay 1933).

principle of class-struggle, non-affiliation to any foreign organisation, annual consideration of the Geneva question, acceptance of industrial unionism and recognition to the T.U. Congress as the central organsiation. The terms reveal the points of dissension between the two groups. In February 1935, two members of the sub-committee met three leaders of the N.T.U. Federation in Delhi and decided to form a joint committee consisting of ten representatives of each organisation. The first joint meeting under the Delhi Agreement was held in Bombay on August 4, 1935, when it was decided to establish an All-India Joint Labour Board, with equal number of representatives of each organisation, as an immediate step to build up a closer contact and to take joint action, wherever possible. It was decided to organise jointly Labour Weeks, May-days, propaganda meetings, and issuing from time to time statements on matters affecting the interests of the working classes. In December 1935, the General Council of the National T.U. Federation resolved to constitute Provincial Labour Boards as branches of the Central Board, while the Executive Committee of the Trade Union Congress observed that the time had arrived for structual unity by amalgamation of the T.U. Congress and T.U. Federation. Accordingly on 29th December 1935 the T.U. Congress communicated to the T.U. Federation its own terms for trade union unity. According to these terms, the name of the joint organisation was to be the All-India Trade Union Congress, though the constitution of the National T.U. Federation was to be accepted with necessary modifications. The first Working Committee was to consist of equal numbers of officials from both the organisations, the election to Geneva Conference was to be made by the new General Council and the Congress was not to affiliate to any foreign organisation. These conditions show the appreciable climbing down of the T.U. Congress to a level where the other Federation could conveniently meet it.

1936 :

In 1936, the National Trades Union Federation submitted two alternative proposals for the consideration of the T.U.

Congress. One set of proposals, known as 'Giri Proposals' suggested that the Federation as a unit should be affiliated provisionally for one year to the Trade Union Congress, which was to adopt the constitution of the Federation 'in toto'. Industrial questions were to be decided by a majority vote while all political questions and questions of strike were to be settled by a three fourths majority of the Executive members. The central organisation (T.U.C.) was not to be affiliated to any international organisation. Another set of proposals desired to extend the scope of the Joint Labour Board and strengthen it with plenary powers with mutual consent on issues concerning political matters, election to the legislatures, strikes and rival unions; absolute plenary powers were to be exercised by a majority vote on industrial matters excluding strikes. A third proposal, which was not submitted but mooted at an informal Bombay meeting in 1936, was about the formation of an altogther new organisation the Confederation of Indian Labour. Out of these sets of proposals, the first ('Giri Proposals') was accepted by the Executive Committee of the T.U. Congress in May 1936 with certain modifications. The Committee resolved that the T.U. Federation was to have no voice in the question of the affiliation of the T.U. Congress to any foreign organisation, that the Constitution of the Federation was to be accepted with modifications and that the Congress was to be free to act according to its majority, in case the Federation insisted on taking independent action in connection with political questions and strikes.

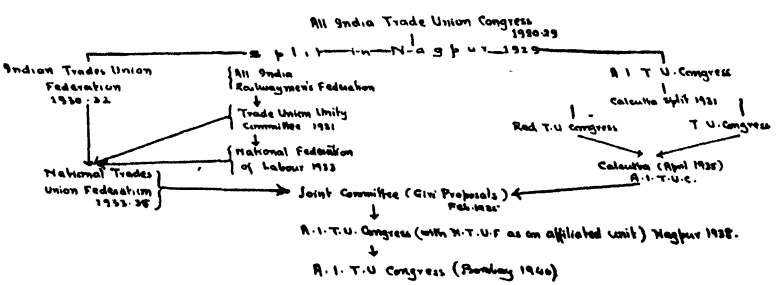
1937 :

The points of difference, which were seen in these modifications to Giri Proposals, were once more revealed in a Trade Union Unity meeting of the representatives of both the organisations on 22nd March 1937. The N.T.U. Federation, as a unit asked for the right of affiliation to any foreign organisation but denied the same to the T.U. Congress because the latter was to be the central organisation. Secondly individual unions were to be free to act with regard to political questions and questions of strike in the absence

of any decision by a three-fourths majority. The representatives of the T.U. Congress on the other hand suggested that instead of the three fourths majority, there should be two-thirds majority in regard to political questions and bare majority relating to strikes. They thought that heavy restrictions on political activities and strikes would lead to political inaction.[23]

1938 :

Eventually the terms of the N.T.U. Federation were accepted by the T.U. Congress in its Delhi Session (Jan. 1938) and in April 1938 a special session was held in Nagpur to implement the terms of agreement between the organisations. Thus the two wings of Indian T.U. Movement, which had drifted apart in 1929 in Nagpur, united together in the same place after nine years under the banner of one central organisation. The reasons for this trade union unity were the realisation of the defects of the divided Labour Movement especially in times of depression and also the formation of the Congress ministries in provinces, which awakened new aspirations.[24] The unity was complete in 1940 when the National T.U. Federation, which was affiliated as a unit to the T.U. Congress, was dissolved and merged into the latter body by a resolution in the Bombay Session (September 1940). The various splits and unions from 1929 can well be illustrated by the following diagram:



[23] Presidential Address to the 15th T.U. Congress Session (Bombay 1936).
[24] Presidential Address—Special T.U.C. Session (Nagpur April 1938).

The membership figures of the Red T.U. Congress and of the T.U. Congress are not available upto 1936. The General Secretary of the latter body, however, claimed that its Madras Session (1932) was represented by 110 unions with more than a lakh of members. These figures are difficult to be relied upon, because of the fact that the T.U. Congress in 1932 was a twice split organisation which had lost about 30 and 12 unions in 1929 and 1931 respectively. Even after making a liberal allowance for the entrance of new unions, the figures of 110 unions with one lakh members seem to be grossly exaggerated.[25] The strength of the Indian T.U. Federation and the National T.U. Federation at their various Sessions is given below.

[25] Mr. Jamnadas Mehta in his Welcome Speech in the 1st Session of the N.T.U. Federation called the T.U. Congress a mere rump and estimated its genuine membership to be less than 15,000. The Report of the Trade Union Unity Committee observed that the Madras Session (1932) of the T.U. Congress was meagrely attended and that at one time there were not even a dozen delegates present during the session. It is therefore curious that the Congress claims the representation of about 110 unions with a lakh membership for this session. As for the Red T.U. Congress it was the creation in 1931 of only a dozen unions. It never published any audited accounts of its constituent unions, nor even their membership.

TABLE No. 46

I.T.U.F. and N.T.U.F. 1932-40

Session, Place Year	1st I.T.U.F. Madras 1932		1st N.T.U.F. Bombay 1933		2nd N.T.U.F. Nagpur 1935		3rd N.T.U.F. Calcutta 1937		4th N.T.U.F. Bombay 1940	
	Unions	Member-ship	Unions	Member-ship	Unions	Member-ship	Unions	Member-ship	Unions	Member-ship
According to Provinces:										
Bengal	7	20,014	10	45,140	9	45,140	10	45,890	10	41,150
Bihar & Orissa	1	2,000	2	3,000	2	3,825	2	3,825	2	2,825
Bombay	8	29,712	10	33,089	14	35,239	16	37,309	16	43,557
C.P. & Berar	3	1,122	4	2,513	6	3,276	6	3,276	6	3,239
Madras	16	15,417	16	34,286	21	40,981	21	40,981	21	37,902
Punjab	4	9,136	4	9,136	4	9,136	4	9,136	5	11,136
Sind	—	—	2	776	2	776	2	776	2	2,176
Indian States	1	600	2	8,843	2	8,843	2	8,843	2	7,745
According to Industries:										
Railways	3	5,754	8	57,147	11	60,900 (60,200)	11	60,900	10	68,631
Shipping	7	44,737	9	45,729	8 (5)	45,729 (43,182)	9	47,729	10	42,455
Other Transport	5	2,178	5	2,857	4	2,457 (3,231)	6	3,277	3	1,459
Textile (Except Jute)	10	14,345	9	19,143	11	20,992	11	20,392	7	7,749
Jute	1	1,200	1	1,200	2	2,200	2	2,200	1	1,000
Mining	1	2,000	2	3,000	1	2,000	1	2,000	1	1,000
Engineering	3	1,062	3	886	6 (5)	3,646 (1,821)	5	3,470	9	5,446
Paper & Printing	2	1,330	2	1,505	2	1,505	2	1,505	2	1,505
Non-Manual	1	377	1	377	1	377	1	377	1	577
Agricultural	—	—	—	—	1	1,608	1	1,608	1	1,608
General	7	5,018	10	4,939	13 (17)	5,802 (9,400)	14	6,578	19	19,300
Total	40	78,001	50	1,36,783	60	1,47,216* (1,47,516)	63	1,50,036* (1,51,336)	64	1,50,730* (1,50,047)

* The figures in brackets relate to those given in the reports of the General Secretary, while all those given above are calculated from the lists of the unions. The General Secretary's Report of the Second Session classifies the membership figures according to Provinces and Industries (See P. 34-35 of the Report). Some of these figures do not tally with those given above. The difference is difficult to be accounted for

Since 1936 the T.U. Congress also published its annual reports and the strength of its two sessions and that of the Bombay Session wherein the T.U. Federation was merged in it are given below:—

TABLE No. 47

Trade Union Congress, 1936-1940

Session, Place Year	15th T.U. Congress Bombay, 1936		16th T.U. Congress, Delhi, 1938		18th T.U. Congress, Bombay, 1940	
According to Provinces	Unions	Membership	Unions	Membership	Unions	Membership
Bengal	21	9,980(19)	48	74,951	68	1,13,375
Bihar & Orissa	2	1,975	2	1,475	7	8,549
Bombay	20	21,958	24	26,910	45	1,00,100
C.P. & Berar	3	3,500	5	4,780	13	10,404
Madras	10	967(3)	3	200(1)	30	55,355
Punjab (including Delhi)	1	300	5	5,538	13	22,399
Sind	5	3,121	2	400	8	8,576
U.P.	8	8,900	9	19,400	10	16,400
Indian States	1	1,048	—	—	4	12,845
According to Industries.						
Railways	7	15,302	8	32,769	21	78,954
Shipping	3	2,130	4	5,475	17	52,545
Transport	6	2,175(5)	10	6,381	21	27,097
Textiles (Except Jute)	13	14,717	20	29,785(19)	31	65,547
Jute	3	907(2)	3	7,741	11	27,470
Mining	1	975	1	975	2	1,975
Engineering	10	4,798(8)	20	29,437	36	32,464
Paper & Printing	7	2,414(6)	6	3,948	11	11,353
Non-manual	—	—	—	—	5	5,210
Agricultural	2	200(1)	1	200	3	2,061
General	19	8,131(16)	25	16,943(24)	40	43,327
	71	51,749 of 62 unions	98	1,33,654 of 96 unions.	198	3,48,003

Note: (1) The figures in brackets show the number of unions whose membership figures are available in the Reports.
(2) In Dec. 1941, 182 unions with 3,37,695 members were affiliated to the Congress.
(3) According to the Gen. Secretary's Report the 1940 figures are 195 unions with 3,74,256 memberships.

War and T.U.C.:

The Second World War created a number of new problems—economic, industrial and political—for the Trade Union Congress. Some of these problems were rise in prices, dearness allowance and bonus, increased hours of work for increase in production, food-crisis, civil defence, war-time ordinances and labour legislation. The unity of the T.U. Congress and the N.T.U. Federation had brought together in one organisation trade unionists of diverse political opinions. However, with the progress of the war, it became impossible for all these elements with different political aspects to pull on together, with the result that a number of trade unionists, who advocated unconditional support to war-effort and who were dissatisfied with the 'neutral' attitude of the T. U. Congress, left the organisation to start another one under the name of the Indian Federation of Labour. In spite of this defection, the T.U. Congress continued to be "the premier central organisation of Indian workers."

TABLE No. 48

Trade Union Congress, 1940-1944

According to Provinces	19th Session Cawnpore, 1942		20th Session Nagpur, 1943		Membership on 1st April 1944		
	Unions	Membership	Unions	Membership	Unions	Membership	
Assam	1	620	7	1,794	7	1,794	
Bengal	78	89,194	85	96,761	103	99,832	
Bihar	9	14,736	8	12,736	9	12,186	(+ 1 union with 34 members in Orissa)
Bombay	44	93,581	48	78,742	50	74,180	
C.P. & Berar	17	11,328	19	25,200	18	24,066	
Delhi	8	14,046	5	8,825	7	10,345	
Indian States	5	22,597	8	14,714	14	26,064	
Madras	22	28,600	33	43,293	47	47,710	
Punjab	12	13,075	11	6,706	15	8,640	
Sind	8	10,572	10	6,607	13	7,575	
U.P.	14	12,591	19	17,907	20	18,489	
French India	..	..	3	4,959	3	5,049	
According to Industries:							
Railways	22	54,151	17	53,241	21	60,066	
Shipping	17	47,516	15	20,206	14	19,231	
Transport (other than shipping)	15	13,348	13	14,283	14	14,649	
Cotton	36	62,033	49	83,258	54	84,410	
Jute	10	22,705	20	31,868	23	31,555	
Mining & Quarrying	2	1,975	4	3,259	7	5,283	
Engineering	24	23,918	31	26,985	35	26,592	
Printing & Paper	11	12,395	13	7,899	15	8,018	
Non-manual	8	4,171	8	4,295	8	2,901	
Agricultural	3	1,073	4	1,458	3	1,205	
Municipal	16	18,045	17	18,279	15	13,990	
Distributive	7	5,088	12	7,618	12	7,618	
General	47	44,522	53	45,595	85	60,446	
	218	310,940	256	318,244	306	3,35,964	

In 1947, at the time of the 22nd Session of the T.U. Congress, 601 unions with 796,194 members were affiliated to it. The distribution of this membership was as follows:—

TABLE No. 48A

Membership of T.U. Congress, 1947

	Unions	Membership
According to Provinces:		
Assam	7	3,615
Bengal	164	247,213
Bihar	13	24,386
Bombay	111	158,066
C.I. & Rajputana	6	16,828
C.P. & Berar	39	22,877
Delhi	17	40,573
French India	4	7,629
Indian States	28	40,979
Madras	120	155,697
Orissa	6	1,454
Punjab	27	23,133
Sind	10	6,088
U.P.	49	47,656
According to Industries:		
Railways	22	136,470
Shipping	27	71,076
Other Transport	39	52,604
Cotton Textile	99	195,532
Jute Textile	29	40,080
Mining	15	34,483
Engineering	91	68,711
Printing and Paper	22	15,331
Non-manuals	19	10,845
Agricultural	5	6,549
Municipal	40	25,927
Distributive	27	13,478
General	126	82,225
Tobacco	38	15,839
Communications	2	27,024
al ..	601	796,194*

Indian Federation of Labour:

This organisation came into existence as a result of a resolution of the All-India Anti-Fascist Labour Conference held at Lahore on November 29th and 30th, 1941. The Trade Union Congress was condemned as 'incapable of safeguarding and advancing even the elementary economic interests

* The figures are taken from 1947 *Report* of the Congress. However, the membership 'according to industries' should be 796,174.

of the Indian workers during the period of war.' Dissatisfied with the T.U.C.'s attitude to war, 182 trade unions, with an aggregate membership of 2,88,676, joined the Federation, immediately when it was started. The growth of the Federation was rapid:

TABLE No. 49

Indian Federation of Labour, 1941-1944

Session, Place, Year	Lahore 1941		Bombay 1943	
According to Provinces	Union	Membership	Union	Membership
Ajmer-Merwar	1	250	4	1,350
Bengal	26	28,927	62	85,918
Bihar	8	53,631	12	78,922
Bombay	23	18,521	42	46,785
Delhi	4	3,565	6	19,969
Madras	7	8,640	14	14,237
Punjab	4	47,560	3	51,412
Sind	4	2,594	5	6,407
U.P.	19	11,302	43	56,085
Jodhpur	..	..	1	300
According to Industries:				
Railways	8	41,491	12	56,067
Shipping (including docks and port trusts)	10	10,037	15	59,988
Transport	10	16,352	12	5,282
Textiles (excluding Jute)	9	9,829	17	46,366
Jute	5	3,593	11	7,169
Mining	6	5,840	6	21,009
Engineering	12	50,015	46	83,902
Printing and Paper	5	2,612	9	6,332
Non-manual	1	500	2	738
Municipal	7	1,423	15	11,343
Miscellaneous	23	33,298	47	63,189
	96	1,74,990	192	3,61,385
+ Bengal National Chamber of Labour (Associated Member)	97	1,68,433	97	1,68,433
Grand Total	193	3,43,423	289	5,29,818

It is rather difficult to say whether the figures given by both the organisations of Indian Labour show the true state of affairs. For the last few years, both the organisations have denounced each other in one way or other and each claims to be the most representative body of Indian workers. The question assumed a vital importance, when Government had to nominate Indian workers' representatives to the

Philadelphia Conference (1944) of the I.L.O. It would have been possible for the Government to check the membership figures of both the organisations and then to choose the workers' representatives from the organisation commanding a majority of workers. In fact both the organisations demanded such a procedure and showed their willingness to be examined. The Government at that time chose otherwise. In a press communique they declared, "As Government have no machinery to examine which of the two organisations is more representative body.....Government have decided to adopt for the present the principle of nominating representatives alternately in agreement with each of the two organisations." Even then the Government preferred the younger organisation to the long-standing Trade Union Congress.

In May 1946, the Government of India asked Mr. S. C. Joshi, their Chief Labour Commissioner, to conduct an enquiry "in order to ascertain as to which of the two organisations, viz., the A.I.T.U.C. and the Indian Federation of Labour, is the most representative of workers in the country." After a detailed enquiry, Mr. Joshi came to the conclusion that the A.I.T.U.C. is increasingly becoming more representative from almost every point of view and that the I.F.L. is gradually losing on that score. The A.I.T.U.C. claimed 427 unions with 483,227 members, while the I.F.L. claimed 193 unions with 450,479 members. The Enquiry revealed that the former organisation had 326 unions with 696,555 members, whereas the latter had only 134 unions with 313,807 members. Mr. Joshi's *Report* gives a number of valuable statements regarding representative character of the two organisations.

The Federation was started with definite immediate issue of full-fledged support to the anti-Fascist war and its establishment brought to it the blessings of the Viceroy's Executive Councillors and Government Officials. It had 'the good fortune of being immediately recognised by the Government of India as a representative organisation of Indian labour. It was invited early in January 1942 to send its representatives to meet the Hon. the Labour Member of the Government of

India to discuss with him some points on which legislation was contemplated by the Government of India.'[26] Since then it has got representation in almost all the committees concerned with labour matters.[27]

The T.U. Congress and the I.F.L., though the most representative organisations of Indian workers, do not include a number of important labour unions. The Ahmedabad Textile Labour Association had consistently kept itself aloof from any national Labour Movement, in spite of repeated requests both by national and provincial federations of labour. This factor can be considered to be a serious loss to Indian Labour Movement, because the Ahmedabad Association has been an important organisation with sound finance and consistent membership.[28]

Indian National Trade Union Congress:

The establishment of the I.N.T.U.C. in 1947 marks a new line of approach in the attitude of the Indian National Congress towards labour problems. Even earlier (in 1938), the Labour Sub-Committee of the Gandhi Sewa Sangh had established an organisation under the name of Hindusthan Mazdoor Sewa Sangh "to organise the workers on right lines for the purpose of establishing just industrial relations, eradicating exploitation in any form, securing speedy improvement of their conditions of work and life and their status in industry and society" and to stress and apply the principles of Truth and Non-violence taught by Mahatma Gandhi in the activities of organisation of labour, in the day-to-day work of trade unions and in the handling of trade disputes. The Sangh, however, worked merely as an advisory body and not as a federation of trade unions. The Congress and pro-Congress unions co-operated with the A.I.T.U. Congress, though they looked to the Sangh leaders for guidance. In 1947, however, these unions and the

[26] *Report* of I.F.L. Session (Lahore 1941), p. 3.

[27] To a question asked on 4th April 1944 in the Legislative Assembly, Dr. Ambedkar, the Labour Member, admitted that a monthly grant of Rs 13,000 is made to the Indian Federation of Labour 'for doing propoganda to keep up the morale of Industrial Labour.' It is doubtful whether any success was achieved by the I.F.L. in this respect, but one cannot help feeling that this monetary help from the government for keeping up the morale of the workers has given a mercenary role to the organisation.

[28] See Appendix I.

Sangh, being dissatisfied with the policies of the "communist-controlled" A.I.T.U.C., decided to set up another central federation and thus was born in the first week of May 1947 the Indian National Trade Union Congress with an initial membership of 35 unions and 157,000 worker-members. The Ahmedabad Labour Association with its 60,000 members was one of the first affiliated unions. It is too early to judge this new organisation, though its relations with the National Congress and the National Government have been criticised. In December 1947, the organisation claimed 227 unions with 412,193 members.

PART V: T. U. STRUCTURE AND ADMINISTRATION

CHAPTER XV

TRADE UNION MEMBERSHIP AND FINANCE

In previous chapters we have already discussed the various limitations to trade union membership as also the relations of trade unionists to non-unionists. Some more problems of trade union membership such as the compulsory membership and the actual paying membership are still to be considered. Regarding trade union finance, we have to study the different sources of income and the ways of expenditure.

Compulsory membership of trade unions has been rightly condemned for various reasons. A worker should have the right to keep himself aloof from any organisation, if he is of the opinion that his interests would be better served thereby. The motive behind a trade combination is furthered only by voluntary action and hence any compulsion in trade union membership does distinct harm to a workers' organisation.[1] It should be left to the unions to make their activities so essential and attractive that the workers should feel an urge to enrol themselves as members.[2] Interference and compulsion from an outside authority would rather ruin the cause of labour. The urge for trade unionism must come from within and not from without. Besides, dependence by unions on the State or on the employers for compulsory membership means the loss of independent spirit of trade unionism.

Compulsory membership is generally prevalent in totalitarian States, where the labour organisations are do-

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[1] The Bihar Labour Enquiry Committee observe that compulsory membership adds to and accentuates the jealousies and rivalries in trade union leadership, which is already divided. It interferes also with the civil liberties of the workers.

[2] There are instances where expulsion from a trade union is practically equivalent to vocational death. Mr. Milne Bailey cites the examples of Yorkshire and Birmingham Unions, where trade union membership has been compulsory on account of the collective agreements signed by the unions and the employers. (*Trade Unions and the State*).

minated by government agents for the purpose of the State. We have seen how in Germany, Italy and Russia trade union membership had been practically compulsory. The labour organisations in these countries formed a part of the government machinery and hence cannot be distinguished from the State.[3]

In case of compulsory contributions the amount is generally collected through the medium of the employers by reduction in wages of the workers. For example an order of the Bulgarian Government of 15th February 1936 fixed the amount of the compulsory annual contribution to be paid by every worker, whether organised or not, to the National Confederation of Workers.[4] The amount collected in this way is generally utilised for the purpose of social insurance or welfare work. In India the practice of collecting subscriptions by the employer from the wages of the workers was in vogue till 1936 when it was made illegal under the Payment of Wages Act.[5] In Ahmedabad the employers used to collect union contributions from their workers and paid them to the union in lump sum.[6] The Royal Commission on Indian Labour observed that some employers, including at least one important State railway, had been collecting subscriptions for trade unions. In the early years of the N.W. Railway Union (1921-24), the Railway Administration took the responsibility of collecting subscriptions of members through their salary bills and remitting it to the Union Bank.

The practice of collecting union subscriptions through the wage-bill has a number of defects. Its success in Ahme-

[3] "The State differs from every other association in that it is, in the first place, an association in which membership is compulsory." (Laski—*Grammer of Politics*, p. 69). This difference between the State and trade unionism is absent in totalitarian countries.

[4] *Industrial and Labour Information*, 23rd March 1936.

[5] The *Evidence* (Vol. VII, Pt. I, p. 246) of the Labour Union, Coimbatore, before the Royal Commission reveals that in the Kaleswarar Mills of Coimbatore there had been a compulsory union entirely controlled by the clerical staff. Each labourer was compelled to pay according to the following table:—

Monthly wage		Contribution	
Rs.	10—15	annas	4
Rs.	15—20	,,	6
Rs.	20—25	,,	8
Rs.	25 and above	,,	10

[6] *Report*—Bihar Labour Enquiry Committee, Para 554.

dabad was mainly due to the co-operating spirit between the employers and the workers. In other industrial centres, where the relations of Capital and Labour are not cordial, the system cannot work. Some of the employees may not be a willing party to this agreement and though they cannot protest they may harbour the feelings of misunderstanding and suspicion. The employer by means of this practice gets indirect control of the union finances and is thus in a position to influence the policy and methods of the organisation. This dependence of the union officials on the employer may sap their vigour and the trade union itself may turn into a company union. The employer can at any time threaten to discontinue the collection of subscriptions with the probable result of dislocation of union activities. Besides, providing the employer with a list of members may in some cases amount to supplying 'blacklist' which would enable him to pick and victimise active trade unionists, especially in times of strikes and lockouts.[7]

A majority of Indian employers show a hostile attitude to trade unionism in not allowing the subscriptions to be collected within the precincts of the establishment. The Bombay Tramway Company, for example, notified in July 1922 that as the Tramway Employees' Union had not been recognised by the Board of Directors, the collection of subscription could not be allowed on the company's premises. The N. W. Railway authorities framed a set of rules as to the collection of subscriptions from the railway employees, who were union members.[8] Collectors of trade union subscription were prohibited to enter any workshop, shed, storeyard or a building, or to move about railway premises, platforms or yards. They were permitted to take up their positions at some approved spots outside the stations or workshops. The

[7] Mr. C. F. Andrews, in his Presidential Address to the 2nd Session of the All-India Railwaymen's Conference (Aug. 1922), severely criticises 'the mendicant policy' of the unions, in asking the Company to collect from wages the subscriptions of their members. According to Mr. Andrews this undignified practice puts the union in a false position and tends to weaken the character of the Unionists.

[8] *Evidence* of the Railway Board before the Royal Commission, Vol. VIII, Part I. Appendix M: Note issued by the N.W. Railway Administration for the guidance of officers in dealing with the Union.

attitude of the employers towards the problems of collection of contributions has been a natural sequel to their attitude regarding the problem of trade union 'recognition'.

Actual Paying Membership:

The subscription from members forms the major part of the income of a trade union. Both from the financial and the administrative points of view, what matters is the actual paying membership and not the total number that is on the rolls. While explaining the inadequacy and inaccuracy of statistical data, we have seen how a number of unions retain on their registers members who have long ceased to pay their contributions and how the membership figures supplied annually by some individual unions appear too smooth to be true. Generally there is a provision in the rules of most of the unions to the effect that if the subscriptions due from a member have not been paid within a prescribed period, the person ipso facto ceases to be union member. In actual practice, however, this provision is not enforced by a number of unions.[9] This fact leads to an appreciable difference between the membership given by the unions and that from which the contributions have been received. While preparing the electoral roll for the Provincial Elections of 1937 the Bombay Government scrutinised the membership figures of some unions with the following result:—[10]

TABLE No. 50

Actual Membership of Trade Unions

Name of the Union	Membership shown	Membership accepted	Percentage
1. B.B. & C.I. Rly. Employees' Union	2,870	1,012	35.3
2. G.I.P. Rly. Workers' Union	10,020	958	9.56
3. National Seamen's Union of India	18,300	1,495	7.2
4. Port Trust Employees' Union	762	431	56.6
5. Bombay Mill-workers' Union	2,849	333	11.7

The annual 'notes' published by the Central Government on the working of the Indian Trade Unions Act give a num-

[9] *Note* (1931-32) by the Central Government on the working of the T.U. Act.

[10] Speech of the Parliamentary Secretary for Labour at the 1st reading of the Bombay Industrial Disputes Bill (15-9-1938).

ber of illustrations to this effect. The Note of 1934-35 shows the disparity between the actual income from subscriptions and that which would have accrued on the basis of the prescribed membership. In Bengal, for example, the Kanchropara Railway Workmen's Union, which in 1934-35 claimed 1326 members with an annual subscription of one rupee each, realised Rs. 116-4 only. Similarly out of Rs. 2.67 lakhs, which represented the total assets of the National Seamen's Union of India, Rs. 2.65 lakhs were stated to be "unpaid subscriptions due." In the Punjab, the income from membership fees etc. of the N.W. Railway Industrial Workers' Union, in which there was a reported increase of membership from 243 to 27,642, amounted only to Rs. 432 in 1934-35 and to Rs. 373 in 1935-36. The income derived from 35,227 members of the N.W. Railway Union was Rs. 5,874 in 1935-36 and Rs. 2,460 in 1936-37. In 1937-38 it was Rs. 6,948 from 28,667 members. The total assets of the National Seamen's Union of India were Rs. 1.05 lakh out of which Rs. 1.03 lakh were stated to be unpaid subscriptions. In 1936-37 they increased to Rs. 1,29,662. In the case of the Bombay Girni Kamgar Union, the assets were also almost equal to unpaid subscriptions due. In 1936-37 out of the 39 Bombay unions, from whom returns were received, only 5 had collected subsriptions in full.[11] The Bombay Government mentions the practice of some unions in writing off arrears of subscriptions but continuing to keep the defaulting members on the rolls even in contravention of the rules of their constitutions. The Whitley Commission found one union which claimed no subscriptions from its members at all.[12] The Kamgar Hitwardhak Sabha whose membership fee was one rupee per annum did not collect any subscription during 1923-26.[13]

[11] The 1939-40 'Note' reveals that in the Bombay Province the unpaid, subscriptions amounted to Rs. 78,151 out of the total assets of Rs. 2,38,151 (i.e. 32.8 p.c.). The income of a Punjab Union with 17,538 members was Rs. 14 only. In 1942-43 again, out of the total assets of Rs. 4,93,181 in Bombay, Rs. 1,36,061 or 27.59 per cent. represented the amount of unpaid subscription due. Five unions were alone responsible for Rs. 90,685 or 66.7 per cent. of the amount of unpaid subscription.

[12] *Report*, p. 321—See also *Evidence*, Vol. V, Part I, p. 145 for Bengal Jute Workers' Union.

[13] *Labour Gazette*, Feb. 1926, p. 561.

There was thus no actual paying membership, though the rolls showed 300 members. The main reasons behind this failure in collecting the subscriptions are the poverty and indebtedness of the industrial workers, lack of proper organisation and absence of interest by the workers in unionism.[14]

Both the rate of subscription and the method of its collection vary from union to union. During his enquiry into the representative character of the Trade Union Congress and Indian Federation of Labour, Mr. S. C. Joshi found that the rates of subscription of the unions vary to a large extent. The least rate is Re. 0-2-0 per annum and the maximum is Rs. 32 per annum. He thinks that the rate should not ordinarily be less than 12 as. per annum or one anna per month — and cites the example of the A.I.T.U.C., which decided in 1943, that affiliation should not be granted to a union unless its rate of membership subscription is not less than 12 as. per annum. Mr. Joshi, however, found among A.I.T.U.C.'s affiliated unions, 69 unions with 152,562 members, paying subscription below 12 as. per annum. In many cases while deciding the rate of subscription the wage of a member is taken into consideration. A certain fraction of the wage, such as one day's wage, is taken as the annual rate of subscription. The federation of labour unions in similar cases may levy a certain fraction of the income of the affiliated unions from membership fees. The following table, prepared from the details given in the *Directory of Trade Unions* (1924), is of some importance in this respect.

[14] The Madras Government, in its evidence before the Royal Commission, gives an interesting example of "a union of actual paying members." An association called the Progressive Labourers' Union was formed at Negapatam as a small inner association formed among the members of a wider Railway Labour Union and consisted of those few members, about 200 in number, who alone paid their subscriptions regularly and objected to the continual alterations of the rules of the larger union. The majority of the members of the larger union were in default and hence tried to get refund of their subscriptions paid. (*Evidence*, Vol. VII, Part I, p. 54).

TABLE No. 51

Rate of Subscription as a Fraction of Earnings

Name of the Union or Federation	Rate of subscription per annum
1. Bengal T.U. Federation	5 per cent of collection (Rs. 10 entrance fee).
2. S.I. Railway Labour Board (each affiliated union to this Board)	25 per cent of collection: 4 annas per month (One day's pay as entrance fee).
3. Punjab Press Association	1 per cent of pay or income.
4. Barsi Light Railway Employees' Union	1 day's pay as drawn on 1st January.
5. B.N. Rly Indian Labour Union	1 day's pay as drawn on 1st January.
6. E.B. Railway Indian Employees' Association	1 day's pay for those earning below Rs. 15.
7. N.W. Railway Union (Karachi and Sukkur branches)	½ per cent of monthly pay.
8. Bombay Provincial Postmen's Union	1 pice per rupee in the substantive pay.

The National Union of Railwaymen of India and Burma has different rates of monthly subscription varying as follows according to monthly salaries the members get:—

Class	Monthly pay	Rate of monthly subscription
A	Over Rs. 100	Rs. 1-8-0
B	Rs. 50 to Rs. 100	Re. 1-0-0
C	Rs. 25 to Rs. 50	,, 0-12-0
D	Less than Rs. 25	, 0-6-0
E	Menials	,, 0-3-0

The Indian Staff Association of the Imperial Bank of India levied similar rates varying from annas 4 to Rs. 2 according to pay. Such a progressive rate of subscription enables all classes of workers to subscribe to the union. Frequently, however, the unions levy a uniform rate for all the members, though in some cases distinction is made between the clerical and menial classes or between the ordinary and executive members, as can be seen from the following table compiled from the details given in the *Trade Union Directory* (1924):—

TABLE NO. 52

Flat Rates of Subscription

Name of the Organisation	Rate of subscription (per annum)	
1. All-India Currency Union, Calcutta.	8 as. for clerks. (p.m.)	2 ans. for menials. (p.m.)
2. All-India Postal & R.M.S. Association.	4 as. for clerks. (p.m.)	1 anna for menials. („)
3. Currency Office Association, Bombay Branch.	Rs. 2 for clerks.	8 as. for menials.
4. Currency Office Association, Calcutta.	Rs. 3 for clerks.	Rs. 1-8 for menials.
5 Mechanical Engineers' Association, Bombay.	Rs. 6 for active members.	Rs. 1 for associate members.
6. Mechanical Engineers' Association, (C.P., Berar & Khandesh).	Rs. 4 for members.	Rs. 5 for outsiders.
7. Howrah Labour Union.	Rs. 3 for Executive members.	12 as. for ordinary members.
8. Calcutta Corporation Outdoor Employees' Association.	Rs. 150 for life membership.	Rs. 6 for members.
9. Civilian Clerks' Association.	Rs. 30 for life membership.	Rs. 3 for members. Rs. 10 for 5 years.
10. Madras Presidency Postmen's Union.	Rs. 3 for postmen.	Rs. 1-8 for others.
11. Jamshedpur Labour Association.	Rs. 25 for life membership.	Rs. 2-8 for members.
12. Indian Seamen's Union.	Rs. 6 for all members.	
13. Coimbatore Labour Union.	Rs. 3 for men. Rs. 1-8-0 for women.	
14. Drivers', Oilmen's and Firemen's Union.	Rs. 4-8 for oilmen Rs. 6 for drivers and firemen.	
15. Throstle Union, Ahmedabad.	Rs. 3 for labourer, Rs. 1-8 for doffer and 12 annas for half-day workers.	
16. Mazdoor Sabha, Cawnpore.	8 annas with 4 instalments.	
17. Motor Drivers' Union.	Entrance fee	Subscription
	Rs. 5	Rs. 12 for public motor driver.
18. Victoria Owners' and Drivers' Union.	Rs. 2.	
	Rs. 12 for owners, Rs. 3 to Rs. 6 for drivers.	Rs. 6 for private motor driver.

The above table shows that the rates of subscriptions of unions vary not only from union to union but also for the various classes in the case of individual unions. The figures given above, though not of recent date, illustrate the variety of trade union subscriptions. Even in the collection of these subscriptions different methods are used. The subscription of a member of the Seamen's Union is not generally collected monthly, but is collected when a member either starts or returns from voyage.[15] In a number of cases the membership fees are collected yearly or half-yearly. The Ahmedabad Labour Association has successfully introduced the system of collecting subscriptions by localities. The rates are also not uniform. In 1935, in view of the lower earnings of workers due to the wage cut of six and a quarter percent, the Ahmedabad Association passed resolutions reducing the Scale of Subscriptions of all workers.

Income: Membership Fees:

Mr. Joshi's enquiry into the representative character of Trade Union Congress and Indian Federation of Labour reveals a number of irregularities. "Membership registers in many cases have not been properly maintained. In some cases they are prepared each year merely from the counterfoils of the receipts. The membership forms are not either taken or maintained and there is nothing to find out the continuity of membership ..... There are a large number of unions the constitutions of which instead of providing a definite rate of subscription payable by the members, merely provide that the subscription payable by a member shall be such as may be fixed by the Managing Committee from time to time. Cases were not wanting where the Managing Committee had decided not to levy any subscription but to receive from the members such amount as they would like to pay by way of donation." Mr. Joshi gives a number of examples of exaggerated membership and disparity in income and membership.

[15] Joshi N. M.—*Trade Union Movement in India*, p. 12.

TABLE NO. 53

Income of Registered Trade Unions, Bengal

Unions in	1928-29 Total income Rs.	1928-29 Subscription fees Rs.	1929-30 Total income Rs.	1929-30 Subscription fees Rs.	1938-39 Total income Rs.	1938-39 Subscription fees Rs.
1. Railways	23,934	19,806	36,706	30,257	80,795*	27,844*
2. Tramways	532	532	2,835	2,560	116	116
3. Textiles	229	229	772	772	3,14,935*	1,76,542*
4. Printing Press	—	—	4,491	3,965	2,685	2,685
5. Seamen	16,457	15,701	19,395	18,482	33,635	33,106
6. Dock & Port Trust	—	—	—	—	5,883	5,621
7. Municipal	—	—	—	—	3,813	2,664
8. Engineering	—	—	—	—	3,284	3,284
9. General	—	—	4,491	3,965	35,809	33,331

* These appreciable differences are due to the existence of employers' associations, which were registered as trade unions under the Act. These associations have many other sources of income than merely the contribution from their members.

The income from membership fees forms the major part of the total revenue of a trade union.[16] Table No. 53 prepared from the annual notes of registered trade unions in Bengal will prove this statement.

The other sources of income of a trade union are not so important. They include donations, special funds, publication receipts and the like.[17]

Expenditure

The major heads of expenditure in the case of a trade union are the management or secretarial work and the grant of benefits. In 1938-39, the registered trade unions in Bengal spent in all Rs. 4,15,430-15-10 out of which Rs. 1,14,965-6-8 were spent on management, Rs. 1,03,199-1-3 on educational, religious and social benefits and Rs. 2,192-2-3 on social insurance activities. The other items on which the general funds of an Indian trade union are spent are not very significant.

The general financial position of Indian trade unions is far from satisfactory as can be seen from the Tables in Appendix No. 2. In 1935-36, 4 registered unions in Bombay, 9 in Bengal and 6 in the Punjab had either deficits or

[16] A Royal Decree (No. 1529 of 29th October 1922) of Italy laid down that the contributions of the members of a Union must cover at least three-fifths of the total income of the Association (*Organised Labour in Four Continents*, p. 207).

[17] The Jute Mills Strike of Bengal in 1929 revealed one of the most interesting financial mysteries in the Indian Trade Union world. Dr. Miss Probhavati Das Gupta, a highly educated lady, who was the President of the Bengal Jute Workers' Union, claimed that the Union had not a single paying member and that both the Union and the strike conducted by it had been solely financed from her own private earnings. The strike had cost a good deal of money, but Miss Das Gupta, in a letter in Basumati (12th Sept. 1929) refused to disclose the financial source, saying that the money was not of union. A rumour, accepted by many, was to the effect that the money came from some hessian dealers, who recognised in the strike an opportunity of lessening the loss, which they had incurred as the result of a fall in the hessian market. The Union broke down on this point. (For details of this interesting episode see the *Evidence* of the Bengal Government before the Royal Commission on Labour, Vol. V, Part I, pp. 145-150).

The 1942-43 'Note' on the working of the T.U. Act states: In case of several unions the expenditure was "out of all proportion to their income and had it not been for the large donations which they received they would hardly have been able to keep functioning." This was thought undesirable "giving as if it does the impression that the unions are subsidised bodies."

a nil balance.[18] The Reserve Funds of very few unions are large. The following table gives some figures to this effect:

TABLE No. 54

Reserve Funds of Trade Unions in 1927

Organisation	Membership	Reserve Fund
Ahmedabad Labour Association	14,000	1,00,000
Postal & R.M.S. Association	30,000	1,00,000
G.I.P. Workers' Union	2,000	30,000
B.B. & C.I. Railwaymen's Union	1,000	15,000

(From details given in *T.U. Movement in India* by Mr. N. M. Joshi).

General Fund:

Section 15 of the Indian Trade Unions Act gives a list of objects on which the general funds of a registered trade union can be spent. These objects include secretarial and administrative work, legal proceedings, trade disputes, social insurance, welfare work and publications on behalf of the union. These are generally known as legitimate trade union activities. The Government have reserved the right to add to the list of objects and thus make the clause elastic.

The extraordinary circumstances in which a trade union has to spend a good deal of money can be seen from the instance of the Indian Seamen's Union, Bombay. In 1926 the Union resorted to active picketing, when government shipping brokers began to recruit non-unionists for employment. The strike cost the Union about Rs. 20,000 and eventually resulted in its split, when a new Union, the Bombay Seamen's Union, was started. This new Union raised a special fund of Rs. 3,000 for the legal expense in connection with the prosecution of the President of the old Union on a charge of alleged criminal misappropriation of funds

[18] *Note* on the working of the T. U. Act published by the Central Government (1935-36).

amounting to over Rs. 18,000. The charge failed but the cost of the protracted trial crippled the financial resources of both the Unions.[19]

Political Fund:

Section 16 of the Indian Trade Unions Act, which is based on Section 3 of the British Act of 1913, provides for the constitution of a separate fund for political purposes such as the expenses incurred on parliamentary activities. While drafting the Trade Union Bill in 1926 the Government of India after careful consideration excluded political objects from the list of those upon which funds can be expended so as to ensure "that funds contributed primarily for trade union purposes are not expended on causes in which the bulk of the members have little interest."[20] Indian trade union legislation had before it the English model according to which the general funds of a Trade Union may be spent only on industrial and benevolent objects. The political fund is strictly voluntary, even for the contributors to the general fund. The main difference regarding the political fund under the British and the Indian Trade Union Acts is that the voluntary contributions in England are raised on the basis of "contracting out," while in India they are raised on that of contracting in.

Because of the peculiar trade union conditions in India, only 9 registered unions had so far made provision for the political fund. Even these rare activities have been irregular, intermittent and inadequate as can be seen from the following table compiled from the annual '*notes*' of registered trade unions.

[19] *Evidence* of Department of Commerce before the Royal Commission, Vol. II, Part I, p. 334.

[20] Circular issued by the Government of India, Vide Sir B. N. Mitra's speech on 4th February 1925, while referring the Indian T. U. Bill to Select Commitee. See also his speech on 25th June 1926.

TABLE NO. 55

Indian Trade Unions: Political Fund

Name of the Organisation.		1930	1931	1932	1933	1934	1935	1936	1937	1938	1939
1. National Union of Railwaymen of India and Burma	S	Rs. 25- 0	1389- 0	1206-0	1324-0	2295- 0	3404- 0	—	—	—	—
	I	Rs. 32-12	947- 0	604-5	618-7	1134 3	2170-10	—	—	Closed	
	E	Rs. —	32-12	947-0	604-5	1752-10	1380- 5	753-3	37-2		
2. E. B. Railway Workers' Union, Bengal	S	6-0	—	—	closed	—	—	closed	—	—	
	I	4-0									
	E	—									
3. Madras Labour Union	S				325- 0	—	—	—	closed	—	
	I				87-14	—	140-0				
	E				237-14	—	—				
4. Ramchandrapuram Taluk Labour Union, Madras	S				270- 0	724-0	—				
	I				25-12	20-8	2248-0	—	closed	—	
	E				22- 0	24-0					
5 South Suburban Workers' Union	S				11- 0						
	I				0- 8		—	closed			
	E				—						
6. Municipal Workers' Union, Bombay	O.B.										
	I							6-7-6			
	E							6-7-6	— closed	—	
7. The Punjab Labour Board, Lahore	S						—				
	I						150-0				
	E						—	—	closed	—	
8. Textile Labour Association, Ahmedabad	O.B.						21714-	21714-0	17513-29	16243-5-6	
	I						—	—	—	—	
	E						—	4200-13-3	1269-13-3	199-8-3	
9. Central Labour Board, Lahore	S								—		
	I								17-12	closed	
	E								17-12		

Note: (1) S—Subscriptions: O.B.—Opening Balance I—Income. E—Expenditure
(1) The last three are federations of trade unions.

The table shows that only one union, the National Union of Railwaymen of India and Burma, had a regular political fund, which was closed down in 1937. Even the figures of this Union show one curious feature that for the first four years the income exactly equalled the expenditure of the succeeding year.

Full details of political funds maintained by trade unions are not available for subsequent years, except 1944-45. During this year, one union in Bengal, one in U. P. and one Central Union from Bombay maintained such funds.

TABLE No. 55A

Political Funds: 1944-45

Union	Opening Balance	Income	Expenditure	Closing Balance
	Rs.	Rs.	Rs.	Rs.
Bengal ..	12	..	..	12
Bombay ..	..	10	10	..
U. P. ..	1,891	1,087	.. .	2,978
Central ..	..	447	447	..

Income of Federation:

In the case of trade union federations the important sources of income are affiliation fees, delegation fees and donations. The following table compiled from the Statements of Accounts of some federations, is useful in this respect:—

TABLE No. 56

Income of T. U. Federation

Name of Federation.	Period	Total Income	Main Sources of income.			
			Affiliation fees	Delegation fees	Donation	Special funds
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Trade Union Congress	1- 1-1927 to 10-11-1927	14,416- 3- 0	950- 0- 0	—	13,775- 0- 0	1,630- 6- 9
Trade Union Congress	11-11-1927 to 30-11-1928	17,108-12- 7	1,260- 0- 0	—	14,956- 2- 1	19-13- 1
Indian T. U. Federation	10- 7-1932 to 9- 5-1933	5,496-15- 2	350- 0- 0	—	1,543-12- 9	1,319- 9- 4
National T. U. Federation	10- 5-1933 to 15-12-1933	3,264- 4- 2	95- 0- 0	—	—	—
National T. U. Federation	16-12-1933 to 21-12-1935	3,447- 9- 2	915- 0- 0	108- 0- 0	—	269- 3- 0
National T. U. Federation	22-12-1935 to 14-12-1937	2,113-14-11	1,721- 9- 4	112- 0- 0	—	241-11- 9
National T. U. Federation	17-12-1937 to 20-12-1940	1,421-12- 7	963- 6- 8	74- 0- 0	—	—
National T. U. Federation	21-12-1940 to 9- 4-1941	657- 8- 7	560- 0- 0	—	—	—
Trade Union Congress	June 1936 to Dec. 1937	1,003- 4- 0	986- 4- 0	—	—	—
Trade Union Congress	27- 4-1938 to 22- 9-1940	1,484- 3- 9	1,227- 8- 9	—	—	5- 0- 0
Trade Union Congress	23- 9-1940 to 30-11-1941	3,178- 0-10	2,130- 0- 0	318- 0- 0	—	—
Trade Union Congress	1-12-1941 to 31- 3-1943	5,037- 2- 1	2,905- 0- 0	340- 0- 0	50- 0- 0	—
Indian Federation of Labour	1-12-1941 to 25-12-1943	8,345- 0- 0	5,195- 0- 0	—	3,150- 0- 0	—
Indian Federation of Labour	26-12-1943 to 31-12-1944	11,616- 5- 0	2,555- 0- 0	—	3,725- 0- 0	—
Trade Union Congress	1945	16,212-11- 3	7,975- 0- 0	1,710- 0- 0	438- 0- 0	2,056-15- 0 2,896- 0- 0

Donations are collected for various purposes. The Trade Union Congress for example collected them for flood relief, strikes, organisation in particular industries, political propaganda and such other purposes. Delegation and reception committee membership fees are generaly collected at the time of the periodical session of the federation and are used for the expenses of the session. Special funds are raised for special purposes such as the holding of the Asiatic Labour Congress or to bring into action some definite programme. The most definite and reliable source of income of a trade union federation is that from affiliation fees. Even in this case, the majority of unions fail to pay the fees in time. Frantic efforts are generally made by the office-bearers of the labour federations to collect the affiliation fees at the time of the annual sessions from the delegates attending.[21] The following table compiled from the details in the reports of the T.U. Congress and T.U. Federation shows the percentage of unions, paying affiliation fees, to the total number:

TABLE NO. 57

Unions Paying Affiliation Fees

Organisation	Year	Total No. of Unions	Unions paying affiliation fees.	Percentage
Trade Union Congress	1926	57	17	29.8
Trade Union Congress	1927	59	30	50.8
Trade Union Congress	1928	43	32	74.4
Trade Union Congress	1936	98	79	80.6
Trade Union Congress	1940	198	70	35.4
Trade Union Congress	1942	218	163	74.7
Trade Union Congress	1943	256	233	91.0
I.T.U. Federation	1932	40	15	37.5
N.T.U. Federation	1935	60	27	45.0
N.T.U. Federation	1937	63	25	39.7

[21] See the Reports of the General Secretary of the National T. U. Federation 1st Session (1933) and 2nd Session (1933) wherein the tendencies to pay the affiliation fees on the eve of the annual sessions and to pay a minimum contribution in spite of high membership are criticised. The practice of holding the session once in two years increased the fear of the Secretary that affiliation fees could not be collected annually. The Secretary of the T.U.C. (15th session 1936) deplores the failure of the affiliated unions in payment of their fees.

In 1941, the T. U. Congress appointed two Committees in Bengal and Bombay to investigate into conditions of all affiliated unions in these Provinces, to recommend to the General Council the disaffiliation of unions that do not function, and to suggest ways and means to amalgamate overlapping or rival unions working in the same field.

In 1942 the General Council of the Congress disaffiliated 43 unions for non-payment of affiliation fees.

If the representation in the central organisation is in proportion to the membership fees paid, then there is a tendency on the part of the affiliated unions to pay higher fees, thereby pretending to have a large number of workers. Otherwise, they register a smaller membership in order to avoid payment of full affiliation fees.

As for the rate of the affiliation fees the Trade Union Congress fixes the annual contribution (i) of Rs. 15 for 500 membership and below and (ii) at the rate of three pies per member with a minimum of Rs. 20 for unions with a membership above 500. The Indian Federation of Labour has a flat rate of Rs. 10 for membership of 1,000 and below.

Expenditure of a T. U. Federation:

The main items of expenditure in the case of a trade union federation are the secretarial and capital expenses, assistance given to organisation and to strikes and publications of journals and books. Very little is spent on welfare work or social insurance, as it is considered to be the work of individual unions. The following table prepared from the Statements of Accounts of the T.U. Congress and T.U. Federation shows the major heads of expenditure:—

TABLE No. 58

Expenditure of T. U. Federation

Name of Federation	Period	Total Expenditure	Secretarial Expenses	Organisation & Strike help	Journal Publication etc.
		Rs. as. ps.	Rs. as. ps.	Rs. as. ps.	Rs. as. ps.
T. U. Congress	1- 1-1927 to 10-11-1927	1,447- 1- 6	1,236-15- 6	100- 0- 0	—
T. U. Congress	11-11-1927 to 30-11-1928	13,961- 4- 0	2,026- 9- 6	8,980- 0- 0	79-12- 6
Indian T. U. Federation	10- 7-1932 to 9- 5-1933	2,353- 5- 0	1,168- 2- 9	900- 0- 0	235- 2- 3
National T. U. Federation	10- 5-1933 to 15-12-1933	1,188-12- 0	393- 1- 0	600- 0- 0	195-10- 6
National T. U. Federation	16-12-1933 to 21-12-1935	3,265-13- 3	2,037-11- 3	644- 0- 0	471-15- 9
National T. U. Federation	22-12-1935 to 14-12-1937	1,729- 9- 0	964- 9- 6	79- 0- 0	492- 3- 6
National T. U. Federation	17-12-1937 to 20-12-1940	1,335- 4- 0	493- 6- 9	—	94-10- 0
National T. U. Federation	21-12-1940 to 9- 4-1941	321-12- 0	321-12- 0	—	—
Trade Union Congress	June 1936 to Dec. 1937	626- 2- 0	601- 2- 0	—	—
Trade Union Congress	27- 4-1938 to 22- 9-1940	1,130- 4- 6	1,130- 4- 6	—	—
Trade Union Congress	23- 9-1940 to 30-11-1941	1,542- 0- 9	1,451-13- 0	—	90- 3- 9
Trade Union Congress	1-12-1941 to 31- 3-1943	2,457-14- 9	1,815- 6- 0	—	610-14- 9
Indian Federation of Labour	1-12-1941 to 25-12-1943	8,182-13- 0	6,371- 4- 0	1,461- 2- 0	—
„ „ „ „	26-12-1943 to 31-12-1944	11,616- 5- 0	3,462- 0- 0	4,470- 6- 0	—
Trade Union Congress	1- 1-1945 to 1-12-1945	13,979-14- 0	5,013- 4- 0	945- 8- 0	1,122- 5- 6
Trade Union Congress	1- 1-1946 to 1-12-1946	12,859- 9- 0	7,414- 4- 0	266-13- 6	1,399- 4- 9

CONCLUSION

More than twenty-eight years have gone by, since the intense industrial unrest created by the Great War (1914-18) gave birth to the Trade Union Movement in India. The world today has experienced another great war, which has brought about catastrophic changes in the Labour Movements of all the countries affected thereby. Standing amidst the passing clouds of the World War II, we can have a panoramic view of the chequered growth of the Indian Trade Union Movement. The period of thirty years between the two world-wars may be a short span in the life of a Movement: it is, however, long enough to reveal the main characteristics and to indicate the complicated problems, created by that Movement.

We have seen in the foregoing pages that the genesis of the Indian Trade Union Movement is to be sought not in the gild system, but in the grave economic difficulties created by the World War. The rise of class-consciousness and of class solidarity among the workers, the influence of the Swaraj Movement and of the Russian Revolution and the establishment of the I.L.O. and of the T.U.C. stimulated the growth of Indian trade unions. The Indian Labour Movement has passed through the stages of friendly societies and of trade unions and has now reached the stage of the formation of a Labour Party. Reliance on the National Congress or any other political party proves inadequate to solve some of the problems peculiar to Indian Labour.

Indian Trade Unionism has been handicapped by a number of difficulties of labour organisation. Some of the difficulties like illiteracy, low wages, indebtedness, lack of consciousness and migratory character are peculiar to the Indian worker alone: while some others like the malevolent neutrality of the State, the hostile attitude of the employers, the indifference of the general public, legal inadequacy, communalism and rivalry among leaders are generally common in case of industrial relations of any country.

For an efficient Trade Union Movement, it is necessary to follow all the three methods of trade unionism. The

Method of Mutual Insurance, as manifested in social insurance and welfare-work, is absent in India, because of the unsound financial position of our unions. The Method of Collective Bargaining, as practised in India, lacks organised negotiation between trade unions and employers' associations and is manifested only in the familiar weapon of the strike. Inadequacy of labour representation in Legislatures and the absence of a Labour Party prohibit Indian unions to follow the Method of Legal Enactment.

Indian Trade Unionism has got a loose unco-ordinated structure, with a number of weak national federations at the top, having little touch with the primary unions at the base. Out of about 67½ millions of workers that can be organised into trade unions, only about 15 lakhs have been organised. The A.I.T.U. Congress, the I.N.T.U.C. and the I.F.L. as representative organisations of Indian workers, claim about 12 lakhs of membership. They however need closer co-ordination and more strengthening of their Provincial branches.

The progress achieved by Indian trade unions during the last thirty years indicates bright future for industrial workers. The workers have realised the value of organisation and of participation in the international conferences; the State and the employers admit that sound trade unionism is a pre-requisite to industrial peace; while the general public has been taking keen interest in labour problems. Political consciousness among the workers, extension of franchise, increase in labour representation in Legislatures, introduction of welfare work, establishment of machinery for industrial peace and legislation in favour of workers have brought the labour problems to the forefront.

APPENDIX I

THE AHMEDABAD TEXTILE LABOUR ASSOCIATION

The Ahmedabad Textile Labour Association deserves to be studied rather in detail. Its welfare work, its successful co-operation with the millowners, its system of joint conciliation and arbitration, its structure on the basis of craft-unionism and its success in the maintenance of industrial peace mark it quite distinct from other unions in India. Opinion is not unanimous as to the nature of this Union. The Communists denounce it as the nearest approach in India to a company union;[1] other hostile critics take it to be only a vigorous social centre instead of a trade union; while its advocates think it to be the most remarkable outgrowth of the Indian Trade Union Movement. It is interesting to note that a number of superficial causes are given to condemn this Association—that it calls itself 'Major Mahajan' (i.e. an Association) and not a trade union, that it upholds the principle of co-operation between Labour and Capital, that Ahmedabad is free from any major strike since 1923, that the sister of the biggest millowner of Ahmedabad is the President of the Association for the last thirty years and that it was under the control of Mahatma Gandhi who received considerable support from the mill-owners. It is not to these reasons that we should look when we characterise the Ahmedabad Association as a purely economic organisation. We should better find out why the Association has an aversion to strikes, why the system of collection of subscriptions through the employers was in vogue, why the Association had kept itself aloof from All-India organisations, why it did not register under the T. U. Act till 1935 and above all why its activities are primarily confined to the economic field. Dr. Ahmed Mukhtar in his *Trade Unionism and Trade Disputes in India* devotes a separate chapter to the working of the Ahmedabad Labour Association. Mr. Gennings, the then Bombay

[1] Lester Hutchinson—*Conspiracy at Meerut*, p. 106.

Commissioner of Labour, justifies this action of Dr. Mukhtar on the ground that the Association has set up an example of common sense in labour matters by co-operating wholeheartedly with the employers.[2]

Ahmedabad Association as a Federation:

The Ahmedabad Association is an industrial federation of local craft-unions. Some critics, however, think that the association is not exactly a federation of individual trade unions, but rather a Central Bureau controlling the administration of these unions.[3] In spite of repeated requests by the A.I.T.U. Congress and its provincial branch of Bombay, the Ahmedabad Association refused to participate in the movements started by the Indian national federations. On the contrary, during 1929-31 it started a number of unions in centres like Indore, Baroda, Ujjain, Kadi, Kalol, Petlad, Bhavanagar, Mahuwa, Wadhwan and Cambay and held a conference of the representatives of all these unions in Ahmedabad on the 14th and 15th of November 1931. The Conference decided to form a National Federation of Textile Labour in India, following the principles laid down by Mahatma Gandhi. The Federation was to consist of provincial or local organisation of textile labour. The Ahmedabad Association itself was to become one of these federating units, thereby ceasing to be the central organisation. The plan does not seem to have materialised. Since 1938 an All-India Federation, under the name of Hindoostan Mazdoor Sangh, has been started on Gandhian lines. This is followed nine years later by the Indian National Trade Union Congress.

In India the most notable arbitration machinery without any State intervention functioned in Ahmedabad. It was in fact a system of joint conciliation and arbitration to settle disputes between the Ahmedabad Labour Association and the local Millowners' Association. Each mill had one or two members of the Council of Representatives of the

[2] Foreword to Dr. Mukhtar's Book—*'Trade Unionism and Trade Disputes in India.'*

[3] *Evidence* of Bombay Government before Royal Commission, Vol. I, Part I, p. 107, also p. 103.

Union. If any worker had a grievance he reported it to these members, who tried to redress it by negotiating with the head of the department concerned. If this primary attempt at settlement failed the complaint was referred to the Labour Union. The Secretary of the Union after ascertaining the correctness of the complaint used to discuss the matter with the mill-officials. Failure at this stage led to the negotiations between the Labour Union and the Mill-owners' Association. If both these organisations failed to reach a settlement, the matter was finally referred to the Permanent Arbitration Board, composed of two members—one representing labour and other the employers.[4] In case of disagreement between these two members, the dispute was referred to an Umpire acceptable to both the parties.

The system was admirable and successful as can be seen from the fact that during its working for about 18 years, only once (in 1923) a serious strike occurred in the textile mills of Ahmedabad. The system had the usual defects of an arbitration machinery. Its structure was complicated and its work dilatory. The Royal Commission observed that out of the complaints pending at the beginning of 1929, 50 were said to have been outstanding since 1922[5] There was some difficulty in obtaining a suitable umpire, commanding the respect of both the parties. The same difficulty would have arisen in the case of the representative of Labour, had not the unique personality of Gandhiji been there.

Economic and Social Activities:

(1) *Trade Benefits.*—The Ahmedabad Association grants victimisation benefits and strike aids, represents cases for compensation under the Workmen's Compensation Act, maintains a Saving Bank and a hospital, conducts a number of Schools and carries on other welfare work.[6] The Asso-

[4] This Board, composed of Mahatma Gandhi and Seth Mangaldas (then President of the Millowners' Association), had its origin in a resolution adopted by the Millowners' Association on the 4th April 1920. It has been superseded since 1938 by the permanent conciliatory machinery created by the Bombay Industrial Disputes Act.

[5] *Report*, p. 337.

[6] This and the following information regarding benefits is from the reports of the Association, from the *Report* of the Bombay Textile Labour Enquiry Committee (1941) and from Dr. Mukhtar—*Trade Unionism and Trade Disputes in India*, Ch. IV.

ciation pays victimization benefits to its members who are victimised by employers for taking an active part in the work of the Union. During ten years upto 1936, Rs. 45,000 in all were paid in this way out of which Rs. 8,193-14-8 were paid to 90 persons in 1930, Rs. 7,372-2-0 in 1933 and Rs. 3,400 to 95 members in 1936. The amounts of the strike aid were Rs. 3,422-5-6 in 1930 and Rs. 684-7-9 in 1933. The Association takes up all cases of accidents in mills involving employer's liability for compensation. For this purpose it has opened a compensation department which arranges for all steps including medical examination, medical certificates, service of notice and applications and proceedings before the Commissioner for the Workmen's Compensation Act. The Association dealt with 202 claims in 1930 and 128 in 1933 out of which 166 and 61 were successful respectively. The Association has further made arrangements for depositing, in the Labour Union Savings Bank, the compensation money due to minors and others who agree to draw convenient instalments at regular intervals. Fresh deposits are annually added. They had been to the extent of Rs. 2,712-8-0 in 1930 and Rs. 10,061-1-6 in 1933.

(2) *Social Benefits.*—The Association maintains a hospital with 15 beds and also a dispensary which is attended on an average by 75 to 80 persons per day. Medical aid is free to members and the Union spends about Rs. 12,000 a year on this work. Arrangements are made for a resident house physician and for a visiting doctor, who goes round to working-class locality and gives general medical advice. The extent of the medical work can be seen from the fact that the number of outdoor and indoor patients were 7,518 and 345 in 1930 and 53,311 and 7,578 in 1933 respectively. The Association has made excellent provision for education. It conducted 24 institutions with 1,579 students in 1930, which increased to 25 institutions and 1,672 students in 1933. These institutions comprised day, night and nursery schools and residential schools for boys and girls. The following table indicates the educational work of the Association in 1938.

Types of Education	No. of Classes	Nos. enrolled Males	Females	Total	Average daily attendance
Day & Night Schools	14	519	158	677	527
Adult Education Classes	59	1063	191	1254	852
Total ..	73	1582	349	1931	1379

(Taken from *Report*, Vol. II—Bombay Textile Labour Enquiry Committee P. 282).

The expenditure of the Association on education work amounted to Rs. 42,328 in 1929, Rs. 43,343 in 1930, Rs. 54,864 in 1933, Rs. 41,000 in 1936 and Rs. 26,000 in 1938. The Union has a permanent annual income of Rs. 15,000, being interest on the amount of Rs. 3 lakhs collected in 1921 by the mill-owners of Ahmedabad as the Ahmedabad Mills' Tilak Swaraj Fund. For other expenses, the Association depends partly upon the subscription of members and partly upon educational grants and donations.

(3) *Recreation and General Welfare Work.*—The Association at present conducts 25 reading rooms and libraries at an annual cost of Rs. 8,000 and seven physical culture centres and the expenditure amounted to Rs. 1,378-10-7. The system of circulating library was started in 1928 and at present covers the chief working class localities. Temperance work was the most dominant activity of the Association in the hey-day of the Second Civil Disobedience Movement (1930).

Some recent facts about the Association are available from an A.I.C.C. publication—"*Congress and Labour Movement in India.*" It states that the Association maintains 20 social centres; it conducts 30 reading rooms and 20 libraries, with an average daily attendance of 1,000. It runs 10 physical culture centres, six day schools, one night school and two residential boarding schools; the total number of scholars is 566 and the expenses amounted to Rs. 30,907 and Rs. 37,569 in 1942-43 and 1943-44 respectively. The average annual attendance in the three dispensaries run by the Association is 75,747. In addition, the Kasturba Maternity Home has ten beds; it was attended by 293 indoor patients during 1946. The Association issues about 30,000 copies of

its fortnightly organ—"Majur Sandesh." The office of the Association has a staff of about 236 persons. The main income is from subscriptions and it amounts to about Rs. 2½ lakhs a year. The Association also gets educational grants amounting to Rs. 30,000 per annum.

These are in short the activities of the Ahmedabad Association which come under the term 'welfare work'. The 'chart of activities' given at the end of this Appendix will give an idea of the work done by the Association.

It will be seen from the chart that the Association carried the method of mutual insurance to perfection. Its other activities are inadequate. Throughout the chart we do not see anything which can go under the term of political functions of trade unions. The only political work during 1930-33 that was taken up by the Association can be said to be the boycott of foreign cloth and the recruitment of volunteers in connection with the C. D. Movement. The Ahmedabad Association seems to be primarily a social and economic organisation. It wields no doubt the methods of strike and labour representation. The first is rarely used while the second has found its utilisation in the election to the Bombay Legislative Assembly of two representatives of the Association. Till 1935, the Association did not register under the T.U. Act, when the prospects of provincial autonomy lured it to register. The strength of the Association lies in its social and economic activities and also the support of the employers. For this reason Mr. A. A. Purcell, an eminent English trade unionist called it an Association and not a trade union.[7]

Factors for the success of Ahmedabad Association:

While giving credit to the work of the Association we should not forget that the success it has achieved is in part due to the unique influence of Mahatma Gandhi both on the employers and the employees. It is, therefore, doubtful whether the Ahmedabad example can be copied in other industrial centres of India. Mr. Harold Butler, once the director of the I.L.O., finds no reason to suppose that what

[7] Quoted by Mr. S. Jhabwala in his speech on 3rd September 1938, on the Bombay Industrial Disputes Bill, 1938.

has been done in Ahmedabad could not be initiated in other places, provided that there was mutual goodwill.[8] Similarly the Bombay Government thinks that the Ahmedabad Association offers an interesting and encouraging example of what can be done in the way of organising labour.[9] The Royal Commission, on the other hand, observe some local factors, assisting the Ahmedabad Association, which cannot be reproduced elsewhere.[10] These factors are the local supply of labour and the influence of Mahatma Gandhi. Most of the work-people have the same religion and the same mother-tongue as of their employers. The Commission observe that the Musalman weavers in general are outside the Labour Union. It has also been asked by a labour leader why the mofussil branches of the Ahmedabad Union are not as successful as the parent body.[11]

Support from the Employers:

There is no doubt that the Association reaped to a high degree the benefits of the co-operation with the employers. It secured, right from its beginning, recognition from the employers. In consequence all the benefits that 'recognition' gives were obtained by the Association. The arrangements for the representation of workers' grievances to the employers has been very efficient, mainly because of this Labour Capital co-operation. The employers have further financed liberally the educational activities and other welfare work of the Union.

Even then all is not well with this Labour Capital Collaboration. The Association often complains about the hostile attitude of the employers. The Report of 1930 gives 159 complaints which reflect "feelings of hostility towards the union entertained by the management of certain mills." These complaints were for obstruction, victimization, harassment and favouritism. The Report of 1936 complains that extension of union membership has become impossible without provoking mass-dismissals and large scale victimisation. The work of the Association is further

[8] Report after his Indian Visit in 1937: *'Problems of Industry in the East.'* p. 20.
[9] White Paper on Labour Situation 1929.
[10] *Report*, p. 237.
[11] Speech on Industrial Disputes Bill by Mr. R. A. Khedgikar on 2-9-38.

hampered by the large influx of workers into the City from outside and by the rise of communist influence in Ahmedabad. The membership figures, though always above 10,000 throughout the last twenty years, show wide divergence in case of different departmental unions. The Winders' Union which commanded a membership of 1500 at the time of its formation in 1920, had not a single member in 1926. The Weavers' Union with 6,000 members in 1920 could show hardly a membership of 825 in 1928. The various departmental unions had often been reorganised and reconstituted for proper distribution membership. Some of the unions like the Folders,' the Sizers,' the Reelers' and the Municipal Sweepers' could not stand independently and hence had either to be abolished or to be joined with stronger unions.

The recent position of the Association can be summarised as follows: It has a general fund of Rs. 1,03,071, a political fund of Rs. 11,111, a staff provident fund of Rs. 26,914, Shahpur Society Sinking Fund of Rs. 22,106 and other liabilities amounting to Rs. 2,57,185. In 1943-44, the Association paid Rs. 37,569 by way of educational, social and religious benefits and granted other benefits such as funeral, old age, sickness, unemployment, etc. to the extent of about Rs. 15,500. The unions affiliated to this Federation were reported to have a total membership of 54,318 on 1st December 1943.[12]

Ahmedabad Textile Labour Association

Membership and Finance

Year	Membership	Monthly Income	Monthly Expenditure
		Rs.	Rs.
1920	16,450	5,037	471
1925	13,300	3,084	927
1930	21,874	9,637	8,642
1935	25,732	Not available	
1939	23,766	9,627	11,964
1940	28,398	10,504	13,215
1941	29,535	11,378	13,094
1942	45,614	21,857	19,680
1943	42,899	23,072	16,061
1944	58,208	27,789	21,739
1945	60,619	24,796	26,543
1946	51,795	23,042	26,209

[12] Bombay 'Note' on the working of the T. U. Act, 1943-44 (*Indian Labour Gazette*, September 1945, p. 80).

THE TEXTILE LABOUR ASSOCIATION AHMEDABAD

CHART OF ACTIVITIES

Standing Order No. 1: 28-12-1939.

The following revised chart of activities is to be adopted for the administrative work of the Textile Labour Association, Ahmedabad:—

HEAD	Serial sub-division No.
I. Election and Meetings:	
(1) Elections under the Constitution:	
(a) Departmental Unions	1
(b) Ward Unions	2
(2) Meetings under the Constitution:	
(a) Advisory Committee	3
(b) Central Executive Committee	4
(c) Executive Committees of constituent Unions	5
(d) Joint Board of Representatives	6
(e) Boards of representatives of constituent Unions	7
(f) Ward Union Meetings	8
(3) Other Meetings:	
(a) Standing Committee	9
(b) Special Committee	10
(c) General Meetings	11
(d) Mill Meetings	12
(e) Ward Meetings	13
(f) Staff Administrative Meetings	14
(g) Miscellaneous Meetings	14
II. Membership Fees:	
(1) Collection:	
(a) Departmental Unions:	
Group A	15
Group B	16
Group C	17
(b) Ward Unions	18

(2) Recording:
(a) Departmenal Unions 19
(b) Ward Unions 20
III. Union Development:
(1) Propaganda and Organization:
(a) Departmental Unions 21
(b) Ward Union 22
(2) Vigilance:
(a) Departmental 23
(b) Ward 24
IV. Conditions of Work and Disputes:
(1) Conditions: 25
(2) Complaints:
(a) Departmental Unions:
Group A 26
Group B 27
Group C 28
(b) Ward Unions 29
(3) Action under the Bombay Industrial Disputes Act 30
(4) Arbitration 31
(5) Labour Legislation 32
V. Trade Benefits:
(1) Victimization Benefit 33
(2) Legal Aid:
(a) Industrial 34
(b) General 35
(3) Strike Aid 36
(4) Help in compensation of accidents 37
(5) Employment Aids:
(a) Secondary Occupations 38
(b) Other Aids 39
VI. Social Centres:
(1) Recreation 40
(2) Health 41
(3) Instruction:
(a) Libraries and Reading Rooms 42
(b) Visual Education 43
(4) Miscellaneous 44

VII. Social Betterment:
(1) Education:
(a) Day Schools 45
(b) Night Schools 46
(c) Adult Literacy Classes 47
(d) Nursery School 48
(e) Girls' Hostel 49
(f) General 50
(2) Medical Aid 51
(3) Cheap Credit and Savings 52
(4) Work for Backward Communities 53
(5) Cheap Stores 54
(6) Welfare Work among Women 55
(7) Miscellaneous 56

VIII. Civics:
(1) Civic conditions 57
(2) Municipal complaints 58
(3) Labour representation in the Municipality .. 59

IX. Information Bureau:
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(2) Cuttings 61
(3) Bibliography and Reference 62
(4) Investigations 63
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X. Publicity:
(1) Periodical:
(a) Majur Sandesh 65
(b) Sarvodaya 66
(2) Miscellaneous 67

XI. Relations with other Sections of Labour:
(1) Local 68
(2) Textile Federation 69
(3) Other Centres 70

XII. Office Administration:
(1) Constitution and Bye-laws 71
(2) Returns and Procedure under Govt. Acts and Rules 72
(3) Organization of work:

(a) Plan and Time Studies 73
(b) Distribution of work 74
(c) Rules and Instructions 75
(4) Staff 76
(5) Records 77
(6) Reports 78
(7) Other Arrangements 79
(8) Office Information 80
(9) Central Correspondence 81
(10) Cash 82
(11) Stationery, Store and Stock 83
(12) Accounts 84
XIII. Subsidiary Activities:
(1) Press 85
(2) Studio 86
XIV. General 87

APPENDIX II

TRADE UNIONS AND TRADE DISPUTES STATISTICS

TABLE No. 1

Registered Trade Unions in India

Year	No. of regd. unions	No. of unions submitting returns	Total Membership	Average Membership	Female Membership	Income	Balance
1	2	3	4	5	6		8
						Rs.	Rs.
1928	29	28	100,619	3,594	1,168	1,63,581	1,60,578
1929	75	65	181,077	2,786	3,842	3,16,863	2,94,301
1930	104	90	242,355	2,693	3,299	4,32,638	3,11,765
1931	119	106	219,115	2,067	3,151	4,07,379	3,77,189
1932	131	121	235,693	1,948	3,454	4,78,265	5,46,690
1933	170	147	237,369	1,615	5,090	5,56,953	5,61,024
1934	191	160	208,071	1,300	2,999	5,03,257	5,50,180
1935	213	183	284,918	1,557	4,837	5,28,697	5,69,981
1936	241	205	268,326	1,309	7,309	5,28,712	5,87,092
1937	271	228	261,047	1,145	9,025	4,88,431	6,22,610
1938	420	343	390,112	1,137	14,703	6,93,444	5,06,970
1939	562	394	399,159	1,013	10,945	8,89,822	6,11,464
1940	667	450	511,138	1,136	18,612	11,21,797	7,39,937
1941	727	483	513,832	1,064	19,417	12,12,927	7,86,120
1942	747	455	573,520	1,260	17,094	17,67,446	12,26,900
1943	693	489	685,299	1,401	25,972	15,96,984	12,10,630
1944	761	563	780,967	1,387	20,866	23,18,780	19,72,201
1945	865	573	889,388	1,552	36,315	19,39,969	18,28,508
1946	1,087	585	864,031	1,480	38,570	24,67,607	22,52,876

TABLE No. 2A

Registered Trade Unions in Indian Provinces

Province	Year	No. of Rgd. Unions	No. of Unions submitting returns	Membership	General Fund	
					Income	Expenditure
1	2	3	4	5	6	7
					Rs.	Rs.
AJMER MERWARA	1930	1	1	1,745	1,037	1,035
	1931	2	2	1,779	17	11
	1932	2	1	34	..	..
	1933	2	1	34	..	5
	1934	1	1	59	42	38
	1935	1	1	193	180	183
	1936	1	1	269	34	10
	1937	3	3	845	1,678	913
	1938	3	2	304	134	129
	1939	2	2	302	25	11
	1940	3	3	3,466	613	982
	1941	4	3	281	17	8
	1942	1	1	238	33	5
	1943	3	3	4,794	2,550	999
	1944	3	3	1,047	1,339	2,077
	1945	3	3	946	1,262	1,183
	1946	4	4	3,159	2,613	2,861
ASSAM	1939	3	Nil.	..	..	..
	1940	11	3	982	378	380
	1941	6	6	1,476	930	908
	1942	5	5	1,502	692	680
	1943	5	5	1,948	610	533
	1944	7	7	1,580	834	789
	1945	9	9	2,486	2,117	1,733
	1946	19	12	3,680	3,026	2,664
BENGAL	1928			2,029		
	1929	9	9	37,645	..	..
	1930	19	17	55,268	64,200	62,525
	1931	24	21	73,956	1,07,495	99,667
	1932	28	27	81,725	2,10,585	2,01,885
	1933	31	29	71,860	2,29,163	2,35,046
	1934	46	40	79,182	2,38,431	2,38,271
	1935	56	48	93,113	2,70,532	3,00,389
	1936	69	59	80,816	2,97,953	3,02,861
	1937	76	72	86,355	2,37,206	2,61,900
	1938	171	146	1,44,728	4,08,679	4,49,352
	1939	191	130	95,938	4,80,946	4,15,422
	1940	188	134	1,22,368	2,22,003	2,02,869
	1941	211	139	1,03,662	2,82,987	2,37,332
	1942	228	133	1,75,595	11,34,100	8,17,797
	1943	229	147	2,21,635	9,68,696	8,06,002
	1944	297	189	2,89,658	14,27,184	11,68,038
	1945	330	134	2,86,255	10,03,201	8,28,141
	1946	417	99	2,61,511	13,01,872	10,40,176

TABLE No. 2A *(continued)*

1	2	3	4	5	6	7
BIHAR AND ORISSA (Up to 1936)	1928	..	..	25,203	..	..
	1929	2	2	41,682	..	..
	1930	3	Nil.	..	..	..
	1931	3	1	36	137	137
	1932	3	1	1,378	1,468	1,572
	1933	4	3	2,397	4,578	5,237
	1934	4	4	4,052	3,006	3,018
	1935	5	5	7,859	4,302	4,111
	1936	5	5	15,029	4,392	8,534
BIHAR	1937	5	4	16,685	9,225	4,673
	1938	10	4	5,710	2,264	1,565
	1939	18	10	23,992	11,368	11,691
	1940	27	11	13,596	9,929	9,131
	1941	34	20	29,925	19,621	16,769
	1942	38	16	10,337	5,333	5,185
	1943	41	11	18,738	3,732	3,779
	1944	49	20	21,947	10,244	10,161
	1945	49	31	73,428	28,855	28,927
	1946	53	31	50,203	81,975	35,490
ORISSA	1937	1	1	18	..	28
	1940	2	2	374	336	245
	1941	2	2	323	253	206
	1942	3	3	535	525	537
	1943	3	3	359	150	163
	1944	3	3	653	259	335
	1945	4	4	1,494	1,541	1,312
	1946	7	5	1,148	2,001	1,662
BOMBAY AND SIND (Up to 1936)	1928	..	..	52,559	..	..
	1929	35	35	53,595	..	..
	1930	38	32	94,665	3,00,129	4,00,894
	1931	38	35	75,214	2,45,724	2,00,846
	1932	32	32	68,306	2,18,110	1,49,292
	1933	44	36	64,169	2,38,889	2,37,157
	1934	45	39	52,513	1,96,695	1,79,536
	1935	49	41	53,552	1,91,850	1,56,349
	1936	55	50	51,882	1,75,946	3,01,750
BOMBAY	1937	42	39	52,852	1,73,431	1,18,207
	1938	50	45	76,072	1,78,963	2,71,880
	1939	52	40	50,997	71,601	59,816
	1940	72	56	1,05,799	2,14,877	1,71,073
	1941	70	57	1,21,886	2,55,958	2,28,346
	1942	74	59	1,20,153	2,87,169	2,17,692
	1943	77	69	1,30,688	2,61,981	2,33,329
	1944	82	70	1,49,359	4,52,003	2,97,564
	1945	93	79	1,72,679	4,05,532	3,85,992
	1946	104	78	1,82,943	4,38,748	4,03,056
SIND	1937	17	17	7,929	19,744	14,650
	1938	22	22	9,575	26,022	21,630
	1939	23	21	9,589	29,735	25,739
	1940	29	22	7,829	25,027	20,220
	1941	28	28	11,051	25,672	29,139
	1942	35	33	11,500	27,284	26,626
	1943	28	28	8,934	21,855	20,079

TABLE No. 2A *(continued)*

1	2	3	4	5	6	7
	1944	32	32	10,677	29,639	26,485
	1945	39	39	12,431	29,052	32,304
	1946	50	45	16,906	37,755	35,432
C.P. & BERAR	1928	..	..	2,137	..	..
	1929	3	3	2,514	..	..
	1930	7	7	3,499	764	731
	1931	7	7	4,331	1,116	726
	1932	10	10	6,788	2,799	2,935
	1933	11	11	7,305	1,547	1,330
	1934	12	12	8,968	1,744	2,312
	1935	15	15	10,260	2,094	1,945
	1936	17	14	10,815	3,421	2,819
	1937	16	11	6,133	1,691	2,118
	1938	27	26	8,928	2,023	1,787
	1939	35	30	13,377	11,432	9,756
	1940	41	31	11,560	15,534	11,709
	1941	52	38	17,261	64,077	59,968
	1942	55	38	23,984	84,590	74,652
	1943	49	35	29,430	75,085	65,810
	1944	48	29	14,883	55,413	44,553
	1945	53	27	13,748	25,957	24,366
	1946	45	32	17,779	30,347	30,265
DELHI	1930	2	2	2,676	8,327	7,468
	1931	3	2	4,043	102	33
	1932	4	2	3,482	75	32
	1933	10	8	11,749	7,941	5,326
	1934	10	9	10,581	4,002	4,077
	1935	12	10	7,702	7,811	5,944
	1936	14	13	8,259	12,094	9,138
	1937	15	14	10,608	7,965	6,762
	1938	18	17	15,310	8,299	7,029
	1939	23	22	21,492	15,430	12,988
	1940	27	26	24,376	28,794	26,154
	1941	29	28	24,189	5,399	5,982
	1942	29	20	21,546	3,554	7,835
	1943	30	23	16,895	13,781	5,239
	1944	32	24	24,712	12,434	7,833
	1945	40	19	30,504	25,086	14,594
	1946	47	25	34,173	46,416	31,296
MADRAS	1928	..	..	9,557	..	..
	1929	10	10	16,613	..	..
	1930	12	12	45,346	29,733	25,208
	1931	17	16	36,876	41,526	31,597
	1932	23	22	42,402	32,875	40,417
	1933	34	32	48,054	57,225	56,922
	1934	38	25	21,708	33,797	34,221
	1935	32	28	24,889	21,405	22,220
	1936	32	25	22,204	17,072	15,688
	1937	43	27	19,010	17,473	16,373
	1938	54	41	49,372	31,765	23,673
	1939	87	66	49,376	67,531	51,875

TABLE No. 2A *(continued)*

1	2	3	4	5	6	7
	1940	110	83	71,092	64,865	53,827
	1941	124	80	53,637	56,372	39,426
	1942	137	76	42,924	36,010	27,511
	1943	143	86	49,451	54,415	43,897
	1944	174	99	64,567	82,452	54,392
	1945	154	141	88,270	1,32,095	1,08,615
	1946	232	180	1,27,414	2,22,249	1,77,109
N.W.F.P.	1928	1	1	2,194	..	..
	1929	1	1	2,194	..	..
	1938	3	2	155	1,502	1,365
	1939	6	4	307	641	376
	1940	7	5	684	742	227
	1941	6	5	619	295	344
	1942	6	4	317	180	225
	1943	6	3	418	237	171
	1944	3	3	423	288	246
	1945	4	2	328	242	267
	1946	6	4	409	1,152	352
PUNJAB	1928	..	..	5,799	..	..
	1929	10	10	14,507	..	..
	1930	16	12	26,318	21,469	14,703
	1931	18	15	9,931	5,364	5,376
	1932	22	19	21,627	7,610	8,646
	1933	27	21	21,863	12,187	11,088
	1934	28	24	22,053	18,293	15,358
	1935	30	23	75,846	22,992	21,373
	1936	30	22	64,053	8,253	8,806
	1937	34	19	46,792	9,872	10,283
	1938	44	22	56,544	24,012	22,106
	1939	55	22	24,878	18,449	18,626
	1940	65	27	11,051	20,466	18,374
	1941	73	15	6,742	12,853	12,710
	1942	69	11	7,191	14,885	12,549
	1943	24	23	12,693	20,483	16,446
	1944	27	25	13,714	27,580	21,695
	1945	22	21	8,308	52,082	36,613
U. P.	1928	..	..	3,119	..	..
	1929	4	4	12,179	..	..
	1930	5	5	12,738	5,999	6,202
	1931	6	6	12,843	5,604	6,003
	1932	6	6	9,895	4,337	6,852
	1933	6	5	9,823	4,998	6,422
	1934	5	4	7,811	4,932	4,974
	1935	8	7	8,978	2,238	2,468
	1936	10	10	10,310	4,017	3,643
	1937	10	10	10,081	3,803	3,708
	1938	18	16	23,414	8,781	6,291
	1939	35	23	11,759	7,451	7,147
	1940	43	24	15,811	10,887	9,172

TABLE No. 2A *(continued)*

1	2	3	4	5	6	7
	1941	40	29	14,807	12,817	10,320
	1942	42	25	17,493	11,937	11,099
	1943	28	27	20,976	9,580	8,071
	1944	31	31	32,944	15,209	12,578
	1945	34	34	36,734	24,889	21,788
	1946	70	43	35,626	71,734	69,176
CENTRAL						
TRADE UNIONS	1939	32	24	97,152	1,75,213	1,57,265
(i.e. trade	1940	42	23	1,22,150	5,07,346	4,73,800
unions whose	1941	46	33	1,27,973	4,75,676	5,50,124
objects were	1942	25	23	1,40,205	1,61,154	1,31,643
not confined	1943	27	26	1,68,540	1,63,829	1,39,306
to one	1944	30	28	1,54,803	2,03,902	1,92,303
Province)	1945	31	30	1,61,777	2,08,058	2.07.171
	1946	32	46	1,28,744	2,27,242	1,87,879

TABLE No. 2B

Registered Federations of Trade Unions

Year	Province	No. of Federations	No. of federations whose figures are available	No. of unions (members of federations.)	Income	Expenditure
1	2	3	4	5	6	7
					Rs.	Rs.
1929	Bombay	1	1	24*	..	..
	Punjab	3	3			
1930	Bombay	1	1	48*	7,483	6,862
	Punjab	3	3		1,166	1,086
1931	Bombay	1	1		3,886	4,665
	Delhi	1	1	55*	20	20
	Punjab	3	3		407	558
1932	Punjab	3	3	49	1,000	915
1933	Punjab	3	3	55	734	892
1934	Bengal	1	1	14	50	60
	Punjab	3	3	58	681	694
1935	Bengal	1	1	14	25	12
	Delhi	2	1	12	152	128
	Punjab	3	3	48	1,228	1,082
1936	Bengal	1	1	14	..	6
	Bombay	1	1	6	1,63,706	1,78,107
	Delhi	2	1	12	230	209
	Punjab	3	3	44	556	718
1937	Bengal	1	1	18	65	34
	Bombay	1	1	6	1,37,750	1,84,715
	C.P. & Berar	1	1	1	10	10
	Delhi	2	1	12	189	190
	Punjab	3	2	14	62	58
1938	Bengal	3	2	122	909	882
	Bombay	1	1	6	1,15,164	1,16,104
	C.P. & Berar	1	1	2	15	5
	Delhi	2	1	12	..	..
	Punjab	4	4	34	548	690
	Sind	1	1	11	1,257	413
1939	Bengal	2	2	131	2,879	2,861
	Bombay	1	1	6	1,17,615	1,16,839
	C.P. & Berar	1	1	2	15	1
	Delhi	1	1	8	70	64
	Punjab	4	2	16	227	301
	Sind	1	..	..	..	..
1940	Bengal	2	2	133	3,845	3,846
	Bombay	1	1	6	62,224	77,903
	C.P. & Berar	1	..	..	..	..
	Delhi	1	1	8	..	..
	Punjab	4	4	35	307	340
	Sind	1	1	8	225	801

TABLE No. 2B *(continued)*

1	2	3	4	5	6	7
1941	Bengal	2	..	..	..	..
	Bombay	1	1	6	50,091	45,579
	C.P. & Berar	1	..	..	..	..
	Delhi	1	1	8	420	241
	Punjab	4	2	94	520	505
	Sind	1	1	8	297	357
	U.P.	1	..	..	..	..
1942	Bengal	2	..	..	..	..
	Bombay	1	1	6	63,566	53,006
	C.P. & Berar	1	..	..	..	..
	Delhi	1	1	8	391	170
	Madras	1	1	14	2,600	2,213
	Punjab	3	3	109	1,080	1,006
	Sind	1	1	8	1,321	1,077
1943	Bengal	1	1	141	2,326	1,899
	Bombay	1	1	6	50,443	48,078
	Delhi	1	1	8	418	182
	Madras	1	1	18	3,200	2,142
	Punjab	2	2	138	2,329	1,951
1944	Bengal	1	1	171	7,225	7,176
	Bombay	1	1	6	68,905	56,083
	Delhi	1	1	8	503	180
	Madras	1	1	16	2,900	2,319
	Punjab	3	3	186	4,193	4,262
1945	Bengal	2	1	204	19,474	19,386
	Bombay	1	1	6	70,541	73,413
	Delhi	1	..	..	..	..
	Madras	1	1	21	3,600	2,718
	Punjab	2	2	180	7,580	7,193
1946	Bengal	2	..	..	..	..
	Bombay	1	1	6	79,394	..
	Madras	1	1	23	4,560	..

* Separate figures for Provinces are not available.

TABLE NO. 3

Registered Unions and Membership Classified according to Industries

Year.	Branch of Industry									
	Railways*		Tramways		Textiles		Printing Presses		Municipal	
	Unions	Membership	Unions	Membership	Unions	Membership	Unions	Membership	Unions	Membership
1930	28	159,444	3	4,074	10	16,183	5	3,404	6	2,455
1931	28	127,689	3	2,148	16	19,153	5	2,534	10	3,094
1932	26	127,123	4	2,438	21	26,310	3	1,440	8	2,829
1933	28	122,667	3	1,834	21	21,485	6	2,966	11	3,830
1934	27	98,682	3	2,007	22	20,727	7	3,182	14	5,039
1935	46	156,103	3	3,519	25	23,721	13	5,642	20	7,061
1936	50	149,798	3	1,279	26	26,709	13	5,504	21	9,647
1937	55	118,652	4	2,899	29	28,971	14	5,443	21	9,727
1938	57	158,068	4	2,425	84	69,444	18	6,566	27	11,698
1939	78	144,991	6	4,357	75	73,074	28	10,442	39	14,409
1940	86	179,381	7	6,080	85	136,931	32	11,890	37	19,546
1941	90	171,572	5	5,669	87	154,867	27	8,450	33	23,037
1942	92	219,086	5	5,458	81	155,007	22	6,610	34	15,264
1943	80	254,510	6	7,400	98	161,133	27	6,973	36	27,701
1944	82	263,262	6	9,474	122	222,667	27	9,558	30	15,874
1945	82	304,486	4	10,390	113	210,712	24	13,560	23	11,928
1946	75	269,461	4	10,339	91	234,751	37	15,248	30	23,070

* 'Railways' include workshops and other transport but exclude tramways.

TABLE NO. 3 *(continued)*

	Seamen		Dock & Port Trust		Engineering		Miscellaneous		All Industries	
	Unions	Membership	Unions	Membership	Unions	Membership	Unions	Membership	Unions	Membership
1930	3	37,121	9	6,170	1	445	25	13,059	90	242,355
1931	5	46,094	6	5,458	3	812	39	12,133	106	219,115
1932	6	54,403	7	5,646	4	598	42	14,906	121	235,693
1933	7	52,361	9	6,910	a	a	62	25,316	147	237,369
1934	9	45,691	10	7,466	a	a	68	25,277	160	208,071
1935	7	55,414	10	7,691	8	1,018	51	24,749	183	284,918
1936	8	26,511	13	9,098	8	2,649	63	37,131	205	268,326
1937	7	24,527	12	11,868	4	810	73	54,411	219	257,308
1938	9	46,057	14	16,047	12	3,505	118	76,302	343	390,112
1939	6	45,121	16	16,645	22	8,729	124	81,391	394	399,159
1940	8	52,742	23	23,465	20	6,768	152	74,335	450	511,138
1941	9	20,036	21	25,036	28	9,547	174	95,618	483	513,832
1942	10	56,628	21	27,564	26	9,292	164	78,611	455	573,520
1943	11	78,826	21	38,216	40	17,754	170	98,786	489	685,299
1944	8	70,401	21	39,815	47	27,417	220	122,499	563	780,967
1945	9	79,501	24	37,098	53	35,513	241	186,200	573	889,388
1946	9	79,142	19	26,625	56	31,875	264	173,520	585	864,031

a Figures for 'Engineering' are included under 'Miscellaneous.'

TABLE NO. 4

Concentration of Membership of Registered Trade Unions from whom Returns were received.

Year	Membership Groups									
	Below 50		50 — 99		100 — 296		300 — 499		500 — 999	
	Unions	Membership	Unions	Membership	Unions	Membership	Unions	Membership	Unions	Membership
1930	2	29	4	302	20	4,106	11	4,303	22	15,802
1931	10	318	5	327	26	4,746	17	6,419	15	11,093
1932	8	242	12	726	31	6,553	15	5,881	23	15,953
1933	19	497	17	1,105	34	6,872	19	7,342	20	13,617
1934	22	553	20	1,294	38	7,393	19	7,118	25	17,555
1935	20	498	29	2,052	51	9717	17	6,591	22	14,366
1936	24	668	23	1,664	60	11,743	30	11,564	28	16,359
1937	25	607	25	1,707	75	15,062	29	11,081	30	19,315
1938	46	312	34	2,594	104	20,250	48	18,923	50	34,173
1939	53	1,475	33	2,505	121	23,050	50	19,504	65	45,898
1940	72	1,913	34	2,637	143	26,812	52	20,549	63	43,027
1941	81	2,032	43	3,296	148	27,971	52	20,309	71	48,664
1942	72	2,181	33	2,372	149	27,646	48	18,508	59	42,462
1943	54	1,521	41	3,135	146	27,458	52	20,218	87	58,637
1944	49	1,479	49	3,650	140	26,434	90	34,798	101	70,840
1945	44	1,311	54	4,006	147	27,479	84	33,354	94	64,034
1946	55	1,517	68	4,952	147	26,635	61	23,724	108	75,727

TABLE No. 4 *(continued)*

	1,000 — 1,999		2,000 — 4,999		5,000 — 9,999		10,000 — 19,999		20,000 and over	
	Unions	Membership	Unions	Membership	Unions	Membership	Unions	Membership	Unions	Membership
1930	12	18,461	7	18,373	5	33,696	4	51,290	3	95,993
1931	14	19,009	8	22,900	5	32,278	2	28,862	4	93,163
1932	10	14,149	14	44,358	1	5,630	4	62,286	3	79,935
1933	18	23,394	11	36,776	2	11,826	5	76,711	2	59,229
1934	17	22,955	10	28,342	2	11,359	6	90,833	1	20,669
1935	17	25,042	17	53,597	2	13,704	5	70,587	3	88,764
1936	11	16,198	17	50,406	8	61,280	1	15,977	3	79,467
1937	11	14,356	20	57,331	10	70,427	2	35,934	1	35,227
1938	20	27,552	22	66,556	13	92.118	3	46,991	3	79,643
1939	30	41,269	26	79,944	9	63,948	6	98,072	1	23,494
1940	33	46,805	27	73,769	15	1,00,834	9	1,44,887	2	49,905
1941	35	49,719	31	96,001	10	71,580	11	1,57,260	1	37,000
1942	38	50,993	30	95,085	10	71.284	13	1,93,880	3	69,109
1943	43	59,156	33	98,682	14	99,276	16	2,33,335	3	83,881
1944	63	85,133	36	1,08,184	17	1,17,681	13	1,81,478	5	1,51,290
1945	64	88,072	52	1,54,978	16	1.13,838	9	1,23.570	9	2.78,746
1946	55	76,523	53	1,56,083	16	1,11,936	16	2,33,599	5	1,53,335

TABLE No. 5

Industrial Disputes in India, 1921-1946.

Year	No. of disputes	Workers involved	Man-days lost	Analysis of disputes by demands					Analysis of disputes by results			
				Wages	Bonus	Personnel	Leave and hours	Others	Successful	Unsuccessful	Partially successful	In progress
1921	396	600,351	6,984,426	167	75	68	11	75	92	211	87	6
1922	278	435,434	3,972,727	127	32	50	19	50	34	215	25	4
1923	213	301,044	5,051,704	95	14	54	9	41	34	159	19	1
1924	133	312,462	8,730,918	53	7	32	34	37	23	88	21	1
1925	134	270,423	12,578,129	65	6	35	..	28	17	89	27	1
1926	128	186,811	1,097,478	60	4	31	11	22	12	104	12	..
1927	129	131,655	2,019,970	61	..	36	5	27	15	79	32	3
1928	203	506,851	31,647,404	109	1	44	6	43	27	128	41	7
1929	141	531,059	12,165,691	54	2	55	3	27	31	80	27	3
1930	148	196,301	2,261,731	69	4	34	7	34	36	89	22	1
1931	166	203,008	2,408,123	69	2	39	20	36	23	99	42	2
1932	118	128,099	1,922,437	68	3	31	2	14	14	74	27	3
1933	146	164,938	2,160,961	95	2	19	5	25	20	96	23	7
1934	159	220,808	4,775,559	107	1	24	6	21	32	100	25	2
1935	145	114,217	973,457	91	2	21	10	21	25	87	29	4
1936	157	169,029	5,358,062	96	1	24	6	30	31	76	43	7
1937	379	647,801	8,982,257	234	4	73	12	56	51	198	117	13
1938	399	401,075	9,198,708	209	3	92	21	74	51	206	130	12
1939	406	409,075	4,992,795	232	2	74	12	86	63	185	144	14
1940	322	452,539	7,577,281	202	9	54	10	47	86	150	80	6
1941	359	291,054	3,330,503	218	9	55	15	62	75	168	111	5
1942	694	772,653	5,779,965	359	79	63	7	186	117	378	169	30*
1943	716	525,088	2,342,287	342	55	53	14	252	138	314	210	54*
1944	658	550,015	3,447,306	372	55	82	35	118	119	297	175	62*
1945	820	747,530	4,054,499	356	110	145	56	147	134	370	155	160*
1946	1629	1,961,948	12,717,762	604	79	280	130	534	278	696	274	346*

* These figures also include the disputes, whose results were 'indefinite.' Their number was 17 in 1942, 49 in 1943, 49 in 1944, 135 in 1945 and 317 in 1946.

APPENDIX III

TRADE UNIONISM IN INDIAN STATES.

The Indian Workers' Delegate to the XXVIth International Labour Conference (Philadelphia, 1944), while speaking about the Indian States' people, said, "In India, there were 93 million people living in Indian States who had no position in the International Conference and in respect of whom recommendations and declarations of that Conference were not applicable. I.....urged that Conference to take the most appropriate steps at the earliest possible time to bring all these 93 million peoples of India whom I consider as no better than 'International Orphans' within the benefits of the Convention and agreements passed at the Conference." These strictures passed on the States may be rather harsh but it is no use denying a fact that industrially and socially Indian States lag far behind the Indian Dominion,[1] which itself must traverse a long distance to achieve the internationally approved standards, embodied in the Conventions and Recommendations adopted by the International Labour Conference. In a previous chapter, it was observed that India has so far ratified only 15 out of the 80 Conventions adopted by the 30 Sessions of the International Labour Conference. Even this meagre progress has not been achieved by the Indian States.

Because of the natural resources or manufacturing processes, some of these States are of some industrial importance. These are:

State	Important industries in the State
1. Baroda	Cotton; Cotton ginning and pressing; Cement; Chemicals and pharmaceuticals; and Manganese.
2. Cochin	Cotton; Rubber; Coir mats and matting; Brick and Tile works; Soap; and Dockyards.
3. Gwalior	Cotton; Potteries; and Carpet weaving.
4. Hyderabad	Coal; Sugar; Cement; and Rice Mills.
5. Indore	Cotton; and Cotton ginning and pressing.
6. Kashmir	Silk; Woollen; and Carpet weaving.
7. Mysore	Cotton; Silk; Woollen; Paper; Potteries; Chemicals; Glass; Iron and Steel; Matches; Gold; and Coffee.
8. Travancore	Glass; Paper; Potteries; Tea; Rubber; and Coir mats and matting.

[1] Labour Investigation Committee—*Main Report*, p. 41.

Besides, some of the minor States are famous for mineral resources, e.g., mica mines in Jaipur and Udaipur, iron ore in Keonjhar and Mayurbhanj and manganese in Sandur State. According to the information collected by the Commerce Minister of the Holkar State,[2] the total population of industrial workers in all the Indian States is 2,91,124, out of which 2,38,295 or 81.7 per cent are concentrated in the eight major States mentioned above; the remaining 18.3 per cent. are scattered among a large number of States in Rajputana, Eastern States, United Provinces States, Bombay States and Western India States.

Such a considerable industrial labour force naturally raises the problems of right of association, which in its turn necessitate the enactment of trade union legislation. Information for all the States is not available and wherever it is available it is not adequate. It seems, however, that the Indian Trade Unions Act, 1926, has been adopted with slight variations by Cochin (1936), Travancore (1936), Baroda (1938), Indore (1939) and Hyderabad (1945).[3] Even in the absence of trade union law, trade unions may exist as can be seen from the fact that some unions from minor States like Kolhapur, Sangli, Aundh, Jamnagar and Rajkot have been affiliated to the All-India Trade Union Congress. In this respect, the Travancore Act seems to be unique as it forbids all trade unions, which are not registered under the provisions of the Act. Any person forming a trade union in contravention of this provision or taking any part in the functions of any trade union so formed is liable to be punished with a fine which may extend to five hundred rupees.

[2] Indore Pamphlets, No. 5: *Industrial Peace in Indore*, Part II. The material was collected for the International Labour Conference (Paris, 1945).

[3] There is no Trade Unions Act in Mysore; the State, however has enacted the Mysore Labour Act, 1942, which confers the right of association on labour, though it avoids rival associations by prescribing a single association for each industrial establishment, thereby preventing the growth of horizontal unions in the same trade. (L.I.C.—*Main Report*, p. 41). The Act confers statutory recognition on each association on registration. Such registered associations, however, have to send information regarding income, expenditure and administration, twice a year, though its submission is voluntary. Kashmir and Gwallor, it seems, have not enacted trade union laws.

A comparative study of the provisions of trade union legislation in India and the five Indian States reveals the main differences on the following three points:

(1) *Political Fund:* Section 16 of the Indian Act allows for the constitution of a separate fund for specified political purposes. The Baroda Act does not provide for such a fund. The Hyderabad and Travancore Acts, though they make a provision for political fund, omit from its political purposes the following clause, which occurs in the Indian Act: "the holding of political meetings of any kind, or the distribution of political literature or political documents of any kind."

(2) *Criminal Conspiracy in Trade Disputes:* Section 17 of the Indian Act confers on trade union members immunity against criminal proceedings under certain circumstances. Such a provision does not occur in the Baroda, Cochin and Travancore Acts.

(3) *Proportion of Officers to be connected with the Industry:* Section 22 of the Indian Act lays down that not less than one-half of the total number of the officers of every registered trade union shall be persons actually engaged or employed in an industry with which the trade union is connected. In Baroda and Travancore, the proportion laid down is three-fourth, instead of one-half, whereas the Hyderabad Act lays down that "the maximum number of the executive of a registered trade union shall be twelve, at least two-thirds of which shall be persons actually engaged or employed in the industry with which the trade union is connected."

Besides these major differences, some minor differences occur as regards provisions in Sections 28 (Returns), 29 (Power to make regulations), and 30 (Publication of regulations) of the Indian Trade Unions Act, 1926.

Information about the enforcement of the Acts is very meagre and the following facts, which are mainly collect-

ed from the Administration Reports of the States, show merely the indication rather than the extent of trade unionism in Indian States.

(1) *Baroda:* There were in 1946, seven unions, most of them being in cotton textiles. Membership, represented by these unions, was about 50 per cent. of the total 25,000 workers.

(2) *Cochin:* The Administration Report of the Labour Department in the Cochin State for the year 1945-46 gives a list of 9 registered trade unions. In addition, 43 unregistered unions came to the notice of the Department. Important industries covered by trade unionism are: Beedi and tobacco; toddy tapping; municipal workers; coir; oil and soap; cotton textile; and port.

(3) *Indore:*[4] About 10,000 out of 25,000 textile workers in the State are members of either of two trade unions, one of which is affiliated to the All-India Trade Union Congress and the other owes its origin to the Ahmedabad Textile Labour Association.

(4) *Mysore:*[4] 35,599 out of 58,981 employees in the State were members of trade unions in 1945. A recent publication, *'Labour Conditions in Mysore State,'* gives the figure of 59 associations of employees, with a membership of 30,289 functioning under the Mysore Labour Act of 1942.

(5) *Travancore:* The Administration Report of the Department of Industries for 1942-43 shows that there were 39 registered trade unions in 1942. Most of the trade unions related to factory workers, i.e. those employed in coir factories, mineral factories, cashew factories, oil mills, engineering works, textiles, paper mills, etc.

A number of trade unions from the States are affiliated to the All-India organisations of industrial workers. The 1947 Report of the All-India Trade Union Congress claims the affiliation to the Congress of 43 unions, with an aggregate membership of 59,791 members. An analysis of these trade unions is as follows:

[4] Information from Indore and Mysore is from *Industrial Peace in Indore* (Indore Pamphlets, No. 5), pp. 42-43.

Trade Unions from Indian States affiliated to the All-India Trade Union Congress, 1947.

State	Unions	Membership	Industries Covered.
1. Baroda	5	4,246	Cotton; and Bobbin and Wood.
2. Cochin	5	5,189	Shipping; Cotton; Pottery; Oil Mills; and Tobacco.
3. Gwalior	2	7,680	Cotton.
4. Indore	1	4,476	Cotton.
5. Mysore	9	9,908	Cotton; Gold Mines; Engineering; Hospitals; and Tobacco.
6. Hyderabad	5	10,497	Railways; Cotton, Tobacco; and Coal Mines.
7. Travancore	9	15,377	Shipping; Paper; Municipal; Mercantile; Coir; and Beedi.
8. Aundh	1	1,205	Engineering.
9. Jamnagar	1	155	Cotton.
10. Kolhapur	2	350	Municipal; and Sugar.
11. Rajkot	1	233	General.
12. Sangli	1	260	Cotton.
13. Vijaynagar	1	215	Cotton.
Total ..	43	59,791	

There are no unions in transport (other than railways and shipping), in jute and in agriculture. The majority of unions are in cotton (17 unions with 20,822 members), followed by 'general' group (9 with 15,226), tobacco (4 with 2,093), mines (3 with 10,470), shipping (2 with 3,648), engineering (2 with 1,309), municipal (2 with 150), railways (1 with 5,325), distributive (1 with 308), paper and printing (1 with 300), and non-manual (1 with 140).

According to Mr. Joshi's *Report* regarding representative character of the A.I.T.U.C. and Indian Federation of Labour, the number of unions and membership in Indian States claimed by these organisations were 22 and 33,515 (in case of T.U.C.) and 5 and 6,793 (in case of I.F.L.) in the year 1946. The I.F.L. *Report* of the Second Conference (Jamshedpur, 1944) gives a list of affiliated trade unions and it seems only 5 unions with 4,336 members from Indian States had affiliated to I.F.L. These unions are: (i) Press Workers' Union, Jodhpur (327 members); (ii) Sangli Sansthan Girni Kamgar Union, Sangli, (907 members); (iii) Ogalewadi Glass Works Kamgar Sangh, Ogalewadi (286 members); (iv) Mysore Iron and Steel Works Labourers Association, Bhadravati (2,475 members); and (v) Mysore Paper Mills Labour Association, Bhadravati (341 members).

APPENDIX IV

A SELECT BIBLIOGRAPHY

The purpose of this note is to indicate briefly the various sources, which a student of Indian trade unionism may profitably look up in his quest for more detailed information. Such a study naturally places certain limitations. firstly, it restricts itself to Indian labour literature; and secondly, it confines itself mainly to trade union literature. However, not only from the point of view of a comparative study but also because of the increasing international contacts, it seems essential to have some knowledge of labour conditions in foreign countries, specially the industrially advanced countries.

1. *Theory of Trade Unionism:* The best book dealing with the theory of trade unionism is *'Industrial Democracy'* (London, 1919) by Sidney and Beatrice Webb. This exhaustive treatise, though now thirty years old, studies trade union theory in all its aspects. Two I.L.O. contributions—(1) *"Freedom of Association"* (Vol. 1, Geneva 1927); and *'Freedom of Association and Industrial Relations'* (Geneva, 1947)—base their conclusions regarding trade unionism on a comparative study of trade union legislation in various countries. Some other books dealing with this aspect of trade unionism are Carlton—*'Labour Problems'* (Boston, 1933); Cole—*'An Introduction to Trade Unionism'* (London, 1918), *'Organised Labour'* (London, 1924), *'World of Labour'* (London, 1920), and *'Self-Government in Industry'* (London, 1920); and Dale Yoder—*'Labour Economics and Labour Problems.'* For the Marxist interpretation of trade unionism Lozovasky's *'Marx and Trade Unions'* (London, 1935) will be of some assistance. Lees-Smith's three volumes of *'Encyclopaedia of the Labour Movement'* (London, 1929) serve as a reference book for a study not only of trade union terms but also of all labour problems.

2. *Trade Unionism in Foreign Countries*: *'Organised Labour in Four Continents'* (edited by Marquand, London,

1939) is a very good symposium, giving a bird's eye-view of trade unionism in various countries. Similar studies had been attempted before. For example, the I.L.O. has published (i) *'Twenty-five studies in Trade Unionism in Various Countries'* (Geneva 1920-21), and (ii) *'Freedom of Association'* (Vols. 2 to 5, Geneva, 1927-28). The International Trade Union Library published during 1925-30 studies on trade union movement in Belgium, Great Britain, Sweden, Germany, Austria and also on international trade unionism.

The best study of British trade unionism is Sidney and Beatrice Webb's *'History of Trade Unionism'* (London, 1920). Other important studies are by Appleton, Clayton, Citrine, Cole, Cunnisson, Hilton, Creech Jones, Lloyd, Rayner and Rothstein. Milne-Bailey's *'Trade Union Documents'* (London, 1929) provides some first hand material, while Murphy's *'Modern Trade Unionism'* reveals the socialist side.

The interest aroused by the communist experiment in Russia has been reflected in more than one report. Two trade union delegations—one British and the other American—visited Russia and have published their observations. Far more informative, however, is Mr. and Mrs. Webb's *'Soviet Communism'* (2 Vols. London, 1935). Two other relevant books are Dunn—*'Soviet Trade Unions,'* and I.L.O. —*'The Trade Union Movement in Soviet Russia'* (Geneva, 1927).

As for other countries, some of the books on trade unions are written by Beard, Commons, Hoxie, Lorwin, Perlman and Wolman for U.S.A.; by Harada and Katayama for Japan; by Tung Hai for China; and by Logan for Canada.

3. *Indian Trade Unionism:* A small pamphlet by N. M. Joshi on *'Trade Union Movement in India'* (Bombay, 1927) can claim to be the only book, wholly devoted to the problem of Indian trade unionism. A major part of *'Labour Movement in India'* (Berlin, 1923) by Das and also of *'Trade Unionism and Trade Disputes in India'* (Bombay, 1935) by

Mukhtar study the Indian trade unions. Trade unionism, however, forms a part of general labour problems and Indian literature can claim to have a number of books on Indian labour problems. Important among these are: I.L.O. —*'Industrial Labour in India,'* (Geneva, 1938); and Shiva Rao—*'Industrial Worker in India'* (London, 1939). Other books are: Broughton—*'Labour in Indian Industries'* (London, 1924); Buchanan—*'Development of Capitalist Enterprise in India'* (New York, 1934); Burnett Hurst—*'Labour and Housing in Bombay City'* (London, 1925); Das—*'Factory Labour in India'* (Berlin, 1923); Chaman Lal—*'Coolie'* (Lahore, 1932); Gupta—*'Labour and Housing in India'* (London, 1930); Kelman—*'Labour in India'* (London, 1923); Mukhtar—*'Factory Labour in India'* and *'Factory Labour in the Punjab'* (Madras, 1930); Panandikar—*'Industrial Labour in India'* (Bombay, 1933); and Purcell and Hallsworth—*'Report on Labour Condition in India'* (London, 1928). Desai's *'Maritime Labour in India'* (Bombay, 1940) and Seth's *'Labour in the Indian Coal Industry'* (Bombay, 1940) study particular classes of Indian labour. Butler's *'Problems of Industry in the East'* (Geneva, 1937) contains an informative article on India. Lakshman's *'Congress and the Labour Movement in India'* (Allahabad, 1947) explains the role of the Indian National Congress in India's labour movement.

4. *Reports of Committees and Commissions*: For first-hand material, a reference is necessary to the various Reports of Committees and Commissions set up by the Central or Provincial Governments for investigation into specific labour problems. The most important documents in this respect are the *Report* and the ten *Evidence Volumes* of the Royal Commission on Indian Labour (1931). Next in importance come the *Main Report* and the *ad hoc* survey *Reports* (for about 35 industries) of the Labour Investigation Committee (1944-45) of the Government of India. In addition, reports have been submitted by a number of Commissions and Committees such as the Factory Commissions of 1875 and 1908, Industrial Commission of 1916-18, Industrial Disputes Committees (1921) of Bombay and Bengal,

Bombay Strike Enquiry Committee of 1928, the various Labour Enquiry Committees of Bombay, C.P., Bihar and Cawnpore, etc.

5. *Other Reports, Blue Books, etc.*: The periodical Reports of some of the trade unions and their federations are valuable from a student's point of view. Reference in this connection may be made to the Reports of the All-India Trade Union Congress, of the Indian Federation of Labour, of the Indian Trade Union Federation (1932-33), of the National Trades Union Federation (1933-40), and of the Ahmedabad Textile Labour Association. The Annual *Notes* on the Working of the Trade Unions Act, published by the Central and Provincial Governments are indispensable from the statistical point of view. The Government of India have also published so far 75 Bulletins of Indian Industries and Labour and some of these (Nos. 8, 23, 31, 32, 34, 35, 37, 43, 49, 57, 61, 62, 63, 70, 72, 73 and 74) are of labour interest.

6. *Periodicals:* Most of the federations and a few unions publish regular periodicals, in which their record of activities is found. Some of these are: *Trade Union Record* (All-India Trade Union Congress), *Indian Labour* (Indian Federation of Labour), *Indian Labour Journal* (Indian National Trade Union Congress), *Railway Times* (National Union of Railwaymen of India and Burma), and *Esasi* (Estates Staff Association of South India). The Labour Departments of Bombay and U.P. Governments publish *'Labour Gazette'* and *'Labour Bulletin'* respectively, whereas the Central Government publishes the *'Indian Labour Gazette.'*

A few periodicals like *'Girni Samachar'* (Bombay), *'J. K. Patrika'* and *'J. K. Review'* (Cawnpore) and *'Birla Patrika'* are issued by employers but these are mainly of local interest.

Important labour journals in foreign countries are *'the Ministry of Labour Gazette'* (U.K.), *'Monthly Labour Review'* (U.S.), *'Labour Gazette'* (Canada), *'International Free Trade Union News'* (American Federation of Labour)

'Labour' (British Trades Union Congress) and *'Labour Bulletin'* (Palestine Government). Besides, the International Labour Office publishes the monthly *'International Labour Review.'*

Like many trade unions, a number of labour journals in India functioned for a few years and then ceased to exist. Nonetheless, the information that they published help a research student to throw some light on Indian trade union problems. The following journals are of some use in this respect *'Swadharma'* (Madras weekly, 1921-24), *'Indian Labour Journal'* (Nagpur), *'Journal of Indian Industries and Labour'* (*Government of India,* 1920--22), *'Trade Union Bulletin'* A.I.T.U.C. (1924-29), *'Welfare'* (Calcutta monthly, 1923-25) and *'Industrial and Labour Information'* (I.L.O. weekly 1921-40).

7. *Problems allied to Trade Unions*: A study of trade unionism naturally covers some problems in some other fields as labour legislation, gild system, industrial relations, international labour, labour welfare, industrial peace, etc. In a bibliography of trade union literature it is not possible to give an exhaustive list of literature in these other fields. However the following books may be mentioned for a general study of some of these problems: (a) for Labour Legislation:—Iyer—*'Handbook of Indian Trade Union Law'* (Madras, 1930); Clow—*'Indian Factory Law Administration'* (1921) and *'Indian Factory Legislation'* (1927); Das—*'Principles and Problems of Indian Labour Legislation'* (Calcutta, 1928); Kydd—*'Factory Legislation in India'* (Calcutta, 1920); and Mukerjee—*'Labour Legislation in British India.'* A number of foreign authors, such as Asquith, Cohen, Cooke, Fergusson, Geldart, Greenwood, Hedges, Henderson, and Martin, have written on trade union law. (b) for Indian Gilds:—Majumdar—*'Corporate Life in Ancient India'* (Calcutta, 1922) and *'Ancient Indian History and Civilization';* Birdwood—*'Industrial Arts in India'* (1890); Coomarswamy—*'The Indian Craftsman'* (1909); and Sastry—*'South Indian Gilds'* (Madras, 1925). (c) For Industrial Relations:—Hilton—*'Industrial Relations'* (Cambridge, 1931); I.L.O.—*'Studies in Industrial Relations'*

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