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MANONMANIAM SUNDARANAR UNIVERSITY

TIRUNELVELI – 627012

OPEN AND DISTANCE LEARNING (ODL) PROGRAMMES

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**M.A. HISTORY
COURSE MATERIALS
PEASANT AND LABOUR MOVEMENT IN INDIA**

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PEASANT AND LABOUR MOVEMENT IN INDIA

UNIT I

Agrarian Change: Peasant - Revenue Systems - Zamindari - Ryotwari - Mahalwari -
Changing Agrarian Relations - Conditions of Peasantry - Famines - Indebtedness - Wage
Labour - Bonded labour - Plantation labour

UNIT II

Peasant Uprising and Movements: Peasant struggles in the pre- colonial period - Peasant
Struggles in the Colonial Period - Mappila Uprising - Santhal - Indigo Revolt –
Phulaguri Dawa - Pabna Agrarian League - Maratha Uprising – Champaran Satyagraha -
Kisan Sabha Movement - Tebhaga Movement - Telangana Movement. - Thanjavur.

UNIT III

Industrial Society: Rise of Industries - Migration to Cities - Labour Mobility - Condition of
Workers in Factories - Rise of Working Class

UNIT IV

Trade Unionism & Labour Movement: Trade Unionism - Theories- Development of Trade
Unionism in India - Types of Trade Unions - Left wing Trade Unionism – Problems of
Organizing Union in India - Unorganized Sector

UNIT V

Labour Laws and Legislations: Constitutional Rights and Directives - Concept and Definition
of Strikes and Lockout – Labour Strikes ILO's Convention and Recommendation - Trade
Union Act, 1926 - Industrial Disputes Act - Malviya Commission on Labour Welfare -
National Commission on Labour - Modern Challenges.

UNIT I

Learning objective

after studying this unit, students will be able to.

Understand the concept of agrarian change and the role of peasants in the agrarian economy.
Explain different land revenue systems introduced during colonial rule such as **Zamindari System, Ryotwari System, and Mahalwari System.
Analyse the transformation in agrarian relations and its impact on rural society.
Examine the socio-economic conditions of peasants including famines, indebtedness, and exploitation.
Evaluate the emergence of wage labour, bonded labour, and plantation labour in colonial agriculture

AGRARIAN CHANGE

Permanent Settlement or the Zamindari System:

Permanent settlements were made in Bengal, Bihar, Orissa, Varanasi division of U.P., and Northern Karnataka, which roughly covered 19 per cent of the total area of British India. Under this system, a new class of Zamindars were declared to be owners of the land and they had to collect land revenue of which one-tenth to one-eleventh was retained by them as their remuneration, and the rest was handed over to the Company. Initially this settlement was temporary, but in 1793 Cornwallis made it permanent. Under the Permanent Settlement of 1793, the Zamindar was declared the absolute owner and proprietor of his estate. While the land revenue demand was fixed, the rent realized by the landlord from the tenant cultivators was left unsettled and unspecified. This provided the Zamindar with the opportunity to exploit the cultivator to the limit of the latter's capacity. With the growth of population, extension of cultivation, rise in prices, and the growing scarcity of land, the Zamindars position improved. The British Zamindar under the Permanent Settlement was a petty capitalist ("a mushroom gentleman"). On account of the right of sub in feudation of estates and holdings by the Zamindars, the competition for land increased and there emerged a chain of middlemen and

intermediary rent-receiving interests between the original landlord and the cultivator, whose position was that of a mere tenant at the will or mercy of the Zamindar.

Most of the new Zamindars did not belong to the old landowning class, but came from various heterogeneous groups: unscrupulous servants of old Zamindars who defrauded or betrayed their masters, men connected in different ways with the Company's Raj such as agents of Englishmen, subordinate revenue-farmers, clerks in Government offices, merchants, lawyers and so on.

The craze for purchase of land was due to several socio-economic factors. Indian capitalists were deprived of the opportunity of investing their money in the Company's bonds. Indigenous banking was on the verge of extinction. The Indian merchant-bankers were gradually replaced by British agents. The same change occurred in regard to the Company's contracts. As a result, many persons with surplus funds seized the opportunity provided by the Permanent Settlement for investment in land. The profit motive was stimulated by the urge to earn social distinction under the old tradition, which was still a considerable force in rural Bengal, the Zamindars were the leaders of rural society. Since most of the new Zamindars were urban-based, absentee landlordism became a regular feature of Bengal's agrarian life. The tenants were exposed to the rapacity and oppression of the Zamindars servants over whom their masters could only exercise ineffective remote control.

Some zamindars who were indolent in their habits and inefficient in the conduct of business, sublet portions of their estates to under-renters and under-farmers. Thus, developed patni taluks, ie, 'dependent tenures settled in perpetuity at fixed rent. This system, though opposed to the spirit of the Permanent Settlement, was recognized by law in 1819. Through it there was a wide diffusion of the profits of land, leading speedily to the growth of a middle class connected with land. The Permanent Settlement entered into the economic life of practically every household and transformed the Bengali society.

Since the Zamindars appropriated a good proportion of income from land, the economic condition of the mass of tenants in the zamindari zones steadily deteriorated. While the latter were continually impoverished, agriculture also, for lack of proper manure, seeds, etc., increasingly decayed. The nationalists as well as British statesmen recognized the precarious

position of agrarian economy in the zamindari area and the alarming poverty of the tenant population.

The critics of landed aristocracy, Indian and foreign, remarked that the Zamindars did not play any productive role in the Indian economy. They stood for the rationalization, if not the culmination, of zamindari. They considered this as one of the indispensable prerequisites for the renovation and development of Indian agriculture on which the economic position of a great majority of the Indian population depended.

Socially, the class of Zamindars, on the whole, was opposed to social reforms and nationalist urges. The Indian Zamindars exhibited this attitude of antagonism to reform and progress with a special emphasis. As the nationalist movement developed with a programme of democratic reorganization of the Indian society and as subsequently the movement of peasants, tenants, and land labourers grew, the Zamindars, more than ever, looked to the British Government for protection of their interests and rights. Through their own organizations they asked for appropriate representation in the legislatures.

The creation of zamindari simultaneously engendered the class of tenants in India. The tenants were rack-rented, impoverished, and suffered from oppression at the hands of the Zamindars. In course of time, a series of intermediaries developed between the Zamindars and the cultivating tenants whose condition thereby increasingly deteriorated. The Bengal Tenancy Acts of 1859 and 1885 aimed at ameliorating the position of the tenant. However, the legislation did not accomplish much. The mass of tenants continued to live in an increasingly worsening condition.

Cornwallis made no provision for or against enhancement of rent payable by the riots. The rising pressure of population on the distribution of agricultural land was a very important factor in the rural economy in the early nineteenth century. This pressure was accelerated by the disappearance of rural industries which was due to the Company's commercial policy and the impact of the Industrial Revolution in England on the Indian economy. The Zamindars, hard pressed by the over-assessment of their estates and the harshness of the Sale Law, took advantage of this situation. As there was much competition for land, and as the rights of the cultivators were undefined by law, they enhanced rent, realized nawabs or ceases, and squeezed

the peasantry as much as possible. Their claims were generally upheld by judicial interpretation of the laws relating to tenancy.

The tenants were, in many cases, unwilling or unable to pay rents regularly, and legal action against them was costly and time-consuming. Failure to collect rent regularly from the tenants sometimes compelled the Zamindars to default in payment of revenue to the Government. This caused difficulty to the Government. Lord Wellesley considered it necessary to strengthen the authority of the Zamindars. For this purpose a Regulation (known as Haptam) was passed in 1799. This law, as well as some laws passed in subsequent years, placed at the disposal of the Zamindars 'engines of destruction' which they used against the peasantry. To this was added the oppression of the European indigo-planters in certain districts.

During the three decades preceding the passing of the Rent Act of 1859, the Muslim peasants in certain districts and the Santhals in the Bengal-Bihar border region resorted to violence in defense of their customary rights. The rising of the indigo-cultivators followed in 1859-60.

From the Zamindars point of view, the worst feature of the Permanent Settlement was the rigid system of realization of revenue by the Government. The revenue had to be deposited by them with rigid punctuality before sunset of the appointed day. If the payment was not made at the of the hour, the Zamindar was dispossessed of the whole or part of his estate, which was sold by public auction. "No excuse was entertained and no allowance was made for any difficulties." To bail the Zamindars out of this distressful situation, the Government passed the notorious Regulations of 1799, which invested the Zamindars with arbitrary powers to eject the cultivator or attach his agricultural stock and implements for non-payment of rent. The law of 1799 opened the floodgates of exploitation of the helpless peasantry.

Ryotwari System:

Another revenue settlement introduced by the British was the Ryotwari settlement, which was first introduced in Tamil Nadu (former Madras) by Thomas Munro and Captain Read; and then it was gradually extended to Maharashtra (former Bombay Presidency), East Bengal and portions of Assam and Coorg (part of present Karnataka). Under this system, the ryots were given the ownership and occupancy rights in land and they were directly and individually

responsible for the payment of land revenue to the state. Thus a system of peasant proprietorship was introduced. The main features of this settlement were:

- (a) assessment upon individual cultivators;
- (b) measurement of field and an estimate of produce and

(c) fixing of government demand at 55 per cent of the produce. In this system the measurement was faulty, the estimates of produce were wrong, and the revenue was excessive. Venkata Subbiah rightly remarks: "The actual working of the system was a chronicle of frustration. In the Ryotwari system, instead of the Zamindar, the peasant became the proprietor, but this right failed to improve his condition. In the first instance, the value of the landed property declined to a point where its purchase in the market became unprofitable. This was mainly due to the excessive rate of revenue, owing to which agriculture had become unremunerative. The methods of collection of revenue were so rigid and harsh that the peasants in the forward areas landed in the hands of the money-lenders, which again led to perpetual struggle between the money-lenders and the cultivators. "The zamindari system had revolutionized the relations between the landlords (revenue farmers) and tenants, the Ryotwari system revolutionized the relations between the creditors and debtors and thus introduced another grasping and exploiting element into the rural society, Once the farmer was in the money-lender's clutches, the latter used all the chicanery and cunning that he had at his command, to keep his victim in bondage. Interest rates were so high that the cultivator at best was able to pay only the interest on the loan.

The primary aims of the Ryotwari system were the regular collection of revenue and amelioration of the condition of the riots. The first aim was realized, but the second remained unfulfilled, it was officially stated that the riot could not be ejected so long as he paid the rent, but the assessment was so high that its payment was no easy task Munro advocated a fixity of rental, so that all improvements made by the riot might add to his own profit. After 1855 the assessment was fixed at the discretion of the revenue officers at each recurring settlement. So the ryot had no fixity of rental, no security against enhancement of rent and no adequate motive for spending labour and money for improvement of land. The volume of agricultural output consequently shrank. There was no rise in the wages of labour. Agricultural indebtedness

increased. All these factors led to an agricultural depression and land became unprofitable, agriculture un-remunerative and unpopular.

Mahal Wari System:

When the zamindari system as well as the Ryotwari system failed to come up to the expectations of the policymakers, they decided to introduce the third system known as the Mahal Wari settlement. In this system, the basis of assessment was the product of a mahal or estate and all the proprietors of a mahal were jointly and severally responsible, in their persons and property, for the sum assessed by the government on the mahal. If the number of proprietors was large, a few were selected as representatives of the whole and made responsible for the management of the mahal and payment of the revenue. Actually, this settlement was made with the whole village community jointly and severally. Thus it was a two-fold settlement: (a) the ownership and occupancy right was reserved for the individual peasants and cultivation was to be done individually, and (b) the peasants were jointly responsible for paying the land revenue to the state. The village as a whole, through its headman or Lambardar, was required to pay the revenue. The Mahal Wari system was first adopted in Agra and Awadh, and later extended to other "added (ceded) and conquered parts of the United Provinces.

This system was eminently a *via media* adopted after the failure of the other two systems, it sought to combine the better aspect of both (1) the idea was to ensure a stable revenue income, as was expected of the zamindari system, at the same time maintaining a direct relation between the state and the riots, as under the Ryotwari settlement,

(i) The intermediaries (viz., Lambardars) were created between the state and the tillers of the soil, but they were not vested with the perpetual rights of the Bengal Zamindars,

(iii) the state reserved to itself the right of direct management of the agricultural economy, but it did not worry itself with cultivation and revenue collection as it did under the Ryotwari system, and

(iv) although cultivation was to be carried on individually, the villagers had to pay land revenue collectively. Thus, the ideas were once again novel; but as usual they were not realized.

In actual practice, however, rights were made not with all the villagers but with certain leading groups of big families. This group alone took the advantage of the joint ownership rights, whereas the riots in general were driven to the position of tenants, sub-tenants, co-sharers, sub-proprietors, and so on. Thus the social and economic inequalities increased and the peasants' lot deteriorated. They were overburdened and rack rented. As a result, there was no progress in agriculture. Moreover, being a temporary settlement, a stable revenue objective was not realized. Finally it resulted in the disintegration of the village communities, socially it was disastrous and economically a failure.

Economic and Social Impact of British Land Revenue Policies:

The British revenue system had a disastrous effect on India's agrarian economy. The landlords, created by the British through these settlements, were mere rent-receiving absentee businessmen who cared more for their rents than for the improvement of agriculture and played the role of agents of the foreign political power. Against a guarantee of regular payment of a fixed amount of Rand revenue to the government, "they purchased the right of exacting whatever they could from the politically defenseless and economically weak peasantry". Under the pressure of these settlements, the old politico-economic social framework of village communities broke down. New social classes like the landlord, the trader, the money lender, and landed gentry shot into prominence. On the other hand, the dispossessed cultivators, the village artisans, and the village menials lost their customary ties with the agricultural population on the decay of the village communities and on the introduction of competition. Coercion, instead of custom, came to determine the relations between the classes. These came to constitute the landless wage-earning class-the country's proletariat. The British revenue system also promoted "commercialization" of agriculture in the nineteenth century.

Changes in Agrarian Life:

The condition of the peasantry was affected by several factors. First, there was a steady increase in population "due to the establishment of peaceful conditions amongst a people used to war, and possessing high natural fertility. This led to increasing pressure on land, which was accelerated by the ruin of cottage industries resulting from the growing import of British manufactures. The average size of the holdings was reduced. Fragmentation was promoted by

the inheritance laws of the Hindus and the Muslims. Most peasants became dependent on money-lenders who came to occupy an important position in rural society.

Secondly, the revenue systems pressed heavily on the peasantry. In the areas covered by Permanent Settlement, the peasants had practically no safeguard against arbitrary increase in rent by the Zamindars, for the law was obscure and litigation costly. In the Ryotwari regions the peasantry suffered on account of other causes. "Much suffering was caused, both in Madras and Bombay, by the heavy assessments imposed during the first quarter of the nineteenth century, when the Government was striving to meet war expenses from revenue and their staff was untrained, and sometimes also corrupt." In the Punjab the British assessments were lower than the previous Sikh demands, but "cash payments and rigidity of collection largely set off the advantage to the cultivator

Thirdly, the introduction of sophisticated law, the establishment of regular law courts, the improvement of communications, the increasing flow of British goods, etc. exposed the rural areas to steadily increasing interference from outside. The net results were the gradual disappearance of economic self-sufficiency and "the gradual transfer of authority within the village from the village elders to the agents of the Government". The panchayats had for many centuries been in the words of Metcalfe "little Republics, having nearly everything they wanted within themselves, and almost independent of any foreign relations" Their existence was incompatible with the British system of administration and the new economic forces released by British rule. Their gradual disappearance led to a radical socio-economic transformation of rural life.

Disintegration of Village Communities and Emergence of the Indian Middle Class:

The land revenue system, established by the British in India, led to the break-up of that ancient social framework within which the agricultural population had lived for centuries. "The social bonds that had held different elements of the rural society together were snapped." The joint family system and the panchayats received shattering blows. Cooperation was replaced by competition. The collective life of the village gave way to individualism. Agricultural production, instead of catering to the needs of the village population, came to be adapted to the requirements of the external markets. The opening of the village to foreign imports gave a deadly

blow to the village crafts and industries. The village artisans lost their customary position and the markets for their wares and were transformed from industrial workers into wage labourers. According to Karl Marx, "the change in the property relations caused the social revolution".

Backwardness of Agriculture:

The heavy assessments held up agricultural progress and reduced the cultivating classes to a state of abject poverty and resource lessness. The land revenue policy was oppressive to the peasantry. Since India's trade and industry had been ruined by the foreign conquerors, the burden of taxation had to be borne by the poor agriculturists. Misery of the masses, increase in the incidence of famine and epidemics, and chronic unemployment were the inevitable results of the system.

On account of very high rates of rent of revenue, it was impossible for capital to accumulate in agriculture. Nor was there any incentive left with the landowner to make improvements to his land. In the permanently settled areas, the Zamindar considered his function to be limited to the collection of his rent which was unrelated to the produce of land. The rent in these areas depended on the bargain that could be struck with the tenants rather than on the increase in the produce of land. The whole agricultural surplus went to the landlord, thereby leaving little or no surplus with the tenants for meeting the vicissitudes of seasons and fortunes. In the Ryotwari areas, the government played the role of rack-renting landlord, on account of which the cultivators had to fall into the clutches of the money-lenders. The plight of the peasants in the Mahal Wari areas was also not very different. Consequently, agricultural progress was held up in India for want of capital in the hands of the cultivating population.

Growth of Rural Indebtedness:

On account of the reasons described above, there was progressive increase in indebtedness of Indian agriculturists under British rule. It swelled from decade to decade. After 1880, rural indebtedness rose at such a geometrical rate that it led to the observation: "One-third of the landholding classes are deeply and inextricably in debt and at least an equal proportion are in debt, though not beyond the power of recovering themselves. One of the most important reasons for the growth of rural indebtedness was that over 75 percent of the peasants could not earn even bare minimum livelihood from land.

The world economic crisis of 1929 affected the Indian agricultural classes very seriously. They lost so heavily due to the catastrophic fall of prices of agricultural commodities that during the period from 1929 to 1936 their total indebtedness rose to a staggering figure of about Rs. 1,800 crore. "The main cause of this phenomenal increase was that although since 1929 the incomes of agriculturists had been reduced by more than half, the burden of taxation on the peasantry had remained the same. The remissions granted by the Government in certain distressed areas were miserably small in the zamindari areas; an additional factor was the increased burden of the cost of litigation on the peasantry. Complete inability to pay rents on the part of the tenants led to large accumulation of arrears and to extensive litigation by the Zamindars. This heavily taxed the cultivators who in their present condition had to rely entirely on the money-lender for meeting the litigation costs

Due to expanding indebtedness of the agriculturists, large-scale transfer of land from the hands of the peasant proprietors to the money-lenders took place in the Ryotwari areas and mass ejection of tenants from land occupied by them in the zamindari zones. The money-lender exploited the economic helplessness of the peasants with the thoroughness of the traditional Shylock. The rates of interest, though varying from province to province, were always high. They ranged from a minimum of 12 per cent to even the exorbitant figure of 200 or 300 per cent. This made the village sahkars of money-lender an object of almost universal dislike, even detestation. He was looked upon as the very embodiment of rapacity and inhumanity and served the role of the villain in literature, stage plays and, much later, film stories in the country.

The money-lender, in addition to legal methods, employed fraudulent measures as well to squeeze out the agriculturist, such as making him sign a bond for a sum greater than what had been advanced to him, keeping false accounts and such other devices. He took advantage of the ignorance of the peasant who could not detect fraud and of his poverty which made it difficult or often impossible to resort to court action,

Under the new system, land became a marketable commodity. While giving the peasant the freedom to mortgage or sell his land, it also gave the creditor of the indebted peasant freedom to seize the latter's land in the conditions of po engendered by the new economic environs to the and mere land come to be transferred to the money-lender in lieu of the debt the peasant owed to

him. Large scale expropriation of the Indian peasantry leading to the widespread growth of absentee landlordism also took place.

The situation of rural indebtedness was so grim that Sir Daniel Hamilton remarked that "the whole country was in the grip of the Mahajan's. It is the bonds of debt which shackle agriculture. It is usury-the rankest, most extortionate, most merciless usury which cats the marrow out of the bones of the riot and condemns him to a life of penury and slavery in which not only is economic production hopeless, but in which also energy and will become paralyzed and man sinks down beaten into a state of resigned fatalism from which hope is shut out and life drags on wearily and un-profitably as if with no object in view. There is no use in denying the fact. It is plain to all eyes."

Under the new legal system, the rich money lender had an advantage over the poor agriculturist since litigation was expensive. While the former could employ lawyers and hold out even if the suit dragged on, the poor agriculturist, who could hardly maintain himself on his income, could much less mobilize the costly legal services of lawyers. In enforcing his claims, the shrewd money-lender generally took full advantage of this situation.

FAMINES AND PEASANTS

Famines and Peasants Between 1770-1897 there were several disastrous famines all over India; those of Rayalaseema were the worst, resulting in the death of lakhs of workers and peasants. Special mention has to be made of the famine years 1770, 1896 and 1897 when millions of poor people died for want of food and water. The advent of railways had only slowly enabled the State to import cereals and pulses to the famine stricken areas and so in most places the prices of food grains had gone up and even the higher and lower middle classes were being hopelessly impoverished by their attempts to purchase food and raiment and maintain themselves during times of unemployment. It is a sad commentary on the political capacity of our people that despite such terrible sufferings of the masses and the mass-deaths of workers and peasants and the outbreaks of cholera and other epidemics, in the wake of starvation and consumption of horrible things no real and effective mass protest was organized by anyone or any organization against such inhuman state of things.

Yet some dare-devils preferred dacoits to degrading death as a result of starvation and a large number of bandits began to infest the towns and countryside, striking terror into the hearts of not only the townsmen and rich people but also the big landlords and even the local officials. Coupled with the new spirit of philanthropy and public spirit that was slowly manifesting itself in the towns and through the newspapers, this growing danger to the property and safety of the propertied classes was responsible for forcing.

Government to appoint successive famine commissions and to devise and enforce the famine relief system. That this system was devised not so much with any laudable philanthropic sentiments as by the anxiety of the Government to protect the institution of property and stave off the growing threat to the established order is indicated by the content of this Famine Relief system.

To ascertain whether there is any famine at all in any area. Test Works have to be run for 15 days to employ workers on the hardest and most cruel task of breaking stones for 8 to 10 hours a day in burning sun and blinding winds, on a payment of | anna per day i.e. a wage which is not enough to give even half of a full meal a day. If the suffering workers flock to such test works in ever growing numbers for those 15 days, then alone is a famine considered to exist. Even after a state of famine is declared to exist and famine relief works are opened, workers are paid only 1.5 annas per head per a day of ten to twelve hours for work that breaks anyone's strengths and spirit. Thus the most mean minded and cruel relief has been provided for our famished masses with a view just to prevent them from defying the society as a whole because of gnawing hunger and also to tie them down to work, which succeeds in weakening them. Thus the very potential revolutionary capacity of peasants and workers was met first by some relief and next by a process which weakens them every moment.

- Famines occurred in 1868 in Northern India.
- 1876-8 in South India.
- 1888-9 in Madras.
- Again, there were famines in 1891, 1896, 1899, 1906, 1907.
- 1877 famine: — area affected 200,000 square miles.
- Population affected: — 360 lakhs.
- 1878. N.W.F.P. and Punjab—220 lakhs of people were affected.

- Mortality 55 lakhs.
- Expenditure Rs 8 crores and loss of revenue Rs 3 crores.
- 1874. Bengal Famine. Cost Rs 6.75 crores.
- 1875-8. South Indian famine. Cost Rs 9.25 crores.
- Estimate of annual cost of famine in loss of revenue and actual expenditure made in 1878—150 lakhs of pounds (sterling).
- Three Famine Commissions were appointed in 1880, 1898, 1901.

Recommendations of Famine Commissions

1. Extension of irrigation at a total cost of Rs 44 crores.
2. Granting loans and advances to cultivators to enable them to execute private agricultural improvements.
3. Emigrations.
4. Promotion of agriculture.

Action taken by Government:

1. Famine Code.
2. Agricultural Loans Act. Land Improvement Act.
3. Deputation of Sir Frederick Nicholson and his report on Continental cooperative Movement.
4. Passing of the Indian Co-operative Act 1911.
5. Development of Minor Irrigation and unproductive Irrigation Works.

Bonded Labour

Abolition of bonded labour system. —

(1) On the commencement of this Act, the bonded labour system shall stand abolished and every bonded labourer shall, on such commencement, stand freed and discharged from any obligation to render any bonded labour.

(2) After the commencement of this Act, no person shall—

(a) Make any advance under, or in pursuance of, the bonded labour system, or

(b) Compel any person to render any bonded labour or other form of forced labour.

. Agreement, custom, etc., to be void.—On the commencement of this Act, any custom or tradition or any contract, agreement or other instrument (whether entered into or executed before or after the commencement of this Act), by virtue of which any person, or any member of the family or dependent of such person, is required to do any work or render any service as a bonded labourer, shall be void and inoperative. . Liability to repay bonded debt to stand extinguished.

(1) On the commencement of this Act, every obligation of a bonded labourer to repay any bonded debt, or such part of any bonded debt as remains unsatisfied immediately before such commencement, shall be deemed to have been extinguished.

(2) After the commencement of this Act, no suit or other proceeding shall lie in any civil court or before any other authority for the recovery of any bonded debt or any part thereof.

(3) Every decree or order for the recovery of bonded debt, passed before the commencement of this Act and not fully satisfied before such commencement, shall be deemed, on such commencement, to have been fully satisfied.

(4) Every attachment made before the commencement of this Act, for the recovery of any bonded debt, shall, on such commencement, stand vacated; and, where, in pursuance of such attachment, any movable property of the bonded labourer was seized and removed from his custody and kept in the custody of any court or other authority pending sale thereof, such movable property shall be restored, as soon as may be practicable after such commencement, to the possession of the bonded labourer.

(5) Where, before the commencement of this Act, possession of any property belonging to a bonded labourer or a member of his family or other dependent was forcibly taken over by any creditor for the recovery of any bonded debt, such property shall be restored, as soon as may be practicable after such commencement, to the possession of the person from whom it was seized.

(6) If restoration of the possession of any property referred to made within thirty days from the commencement of this Act, the aggrieved person may, within such time as may be prescribed, apply to the prescribed authority for the restoration of the possession of such property and the

prescribed authority may, after giving the creditor a reasonable opportunity of being heard, direct the creditor to restore to the applicant the possession of the concerned property within such time as may be specified in the order.

(6) An order made by any prescribed authority, under sub-section

(7), shall be deemed to be an order made by a civil court and may be executed by the court of the lowest pecuniary jurisdiction within the local limits of whose jurisdiction the creditor voluntarily resides or carries on business or personally works for gain.

(8) For the avoidance of doubts, it is hereby declared that, where any attached property was sold before the commencement of this Act, in execution of a decree or order for the recovery of a bonded debt, such sale shall not be affected by any provision of this Act: Provided that the bonded labourer, or an agent authorized by him in this behalf, may, at any time within five years from such commencement, apply to have the sale set aside on his depositing in court, for payment to the decree-holder, the amount specified in the proclamation of sale, for the recovery of which the sale was ordered, less any amount, as well as manse profits, which may, since the date of such proclamation of sale, have been received by the decree-holder.

(9) Where any suit or proceeding, for the enforcement of any obligation under the bonded labour system, including a suit or proceeding for the recovery of any advance made to a bonded labourer, is pending at the commencement of this Act, such suit or other proceeding shall, on such commencement, stand dismissed.

(10) On the commencement of this Act, every bonded labourer who has been detained in civil prison, whether before or after judgment, shall be released from detention forthwith.

(iii). Property of bonded labourer to be freed from mortgage,

(1) All property vested in a bonded labourer which was, immediately before the commencement of this Act under any mortgage, charge, lien or other incumbrances in connection with any bonded debt shall, in so far as it is relatable to the bonded debt, stand freed and discharged from such mortgage, charge, lien or other incumbrances, and where any such property was, immediately before the commencement of this Act, in the possession of the mortgagee or the

holder of the charge, lien or incumbrance, such property shall (except where it was subject to any other charge), on such commencement, be restored to the possession of the bonded labourer.

(1), to the possession of the bonded labourer, such labourer shall be entitled, on and from the date of such commencement, to recover from the mortgagee or holder of the lien, charge or incumbrance, such mesne profits as may be determined by the civil court of the lowest pecuniary jurisdiction within the local limits of whose jurisdiction such property is situated.

(iv). Freed bonded labourer not to be evicted from homestead

(1) No person who has been freed and discharged under this Act from any obligation to render any bonded labour, shall be evicted from any homestead or other residential premises which he was occupying immediately before the commencement of this Act as part of the consideration for the bonded labour.

(2) If, after the commencement of this Act, any such person is evicted by the creditor from any homestead or other residential premises, referred to

(3), the Executive Magistrate in charge of the Sub-Division within which such homestead or residential premises is situated shall, as early as practicable, restore the bonded labourer to the possession of such homestead or other residential premises.

(v). Creditor not to accept payment against extinguished debt

(1) No creditor shall accept any payment against any bonded debt which has been extinguished or deemed to have been extinguished or fully satisfied by virtue of the provisions of this Act.

(2) Whoever contravenes the provisions of that

(1) Shall be punishable with imprisonment for a term which may extend to three years and also with fine.

(2) The court, convicting any person under sub-section

(3) may, in addition to the penalties which may be imposed under that sub-section, direct the person to deposit, in court, the amount accepted in contravention of the provisions of sub-section

(4), within such period as may be specified in the order for being refunded to the bonded labourer.

Plantation Labour

Even though the plantation industry which in India is confined to the growing of tea, coffee, rubber, cinchona and later cardamom provides employment to over a million workers nearly half of whom are women, there was no legislation for regulating employment and working conditions in this industry. The industry is particularly concentrated in the States of Assam, West Bengal, Kerala, Tamil Nadu and Karnataka, though there are pockets of plantation crops in states like Andhra Pradesh, Uttar Pradesh (now Uttaranchal) and Himachal Pradesh. As plantations are usually located in remote and hilly areas where in the initial stages facilities were very few where diseases like Malaria were epidemic and where workers had to be got from distant locations to work in the plantations, the law had to provide not merely welfare within the workplace as in Factories Act or Mines Act, but also provide for welfare outside the workplace. So it is that the Plantations Labour Act, 1951 provides for residential accommodation, medical facilities, educational and recreational facilities for workers, all at the cost of the employer. The Plantations Labour Act, was passed by Parliament in 1951. The Act covered all persons employed in tea, coffee, rubber, cinchona and cardamom plantations. The 1960 Amendment also included small units of Plantations within its coverage. The Original Act limited duration of work to 54 hours a week for adults and 40 hours a week for adolescents and children. It required a rest interval of at least half an hour for work exceeding five hours and spread over 12 hours. The Act prohibits the employment of women and children during night. It provides for a day of rest in a week. The Act also provides for annual leave with pay at the rate of one day for every 20 days for adults and one day for every 15 days for young persons. Planters are required to provide housing for every worker and his family residing within the plantation, to provide for drinking water, separate urinals and latrines for men and women, medical facilities including maternity benefits, canteens, recreational and educational facilities. A survey of the provisions of the Plantations Labour Act reveals that much improvement has been made since Independence. After a thorough investigation of the industrial situation and industrial law, the National Commission on Labour submitted its recommendations in 1969. Regarding plantation industry, it recommended the following:

- i) The prescribed hours of work will be reduced from 54 to 48.
- ii) Houses be provided for such plantation workers who do not reside within .5 kilometers from the periphery of the estate but who wish to be accommodated on the estate.
- iii) Every employee should be allowed 3 national and 5 festival holidays in a calendar year.
- (iv) The limit to 50 women workers, which makes the provision of crèche obligatory in plantation, should be reduced in accordance with the local conditions or to 20.
- (v) The State Governments should prescribe a list of drugs, medicines and equipment for the local hospitals in order to make sure that they are properly equipped.
- (vi) Suitable arrangements need to be made for detection and treatment of occupational diseases among plantation workers.
- (vii) Priority should also be given to family planning programs.
- (viii) State Government should ensure that facilities for education of children of plantation workers are provided by the employers.

After completion of the course, students will be able to:

COURSE OUTCOMES

1. **CO1:** Identify the major features of agrarian change and the structure of peasant society.
2. **CO2:** Explain the characteristics and impact of the Zamindari, Ryotwari, and Mahalwari revenue systems.
3. **CO3:** Analyse the changing agrarian relations and the transformation of rural economy under colonial rule.
4. **CO4:** Assess the conditions of peasants including famines, rural indebtedness, and exploitation.
5. **CO5:** Evaluate the role of wage labour, bonded labour, and plantation labour in agrarian society.

PROGRAMME OUTCOME

PO: Develop critical understanding of historical processes and analyse socio-economic changes in Indian society.

Five marks questions

S.NO	QUESTIONS	LOCF Mapping		
	Five marks questions			
1	Who are peasants? Explain their role in agrarian society.	CO1	PO1	K1
2	Write a short note on the Zamindari revenue system .	CO2	PO1	K2
3	Explain the features of the Ryotwari system .	CO3	PO1	K3
4	What is meant by the Mahalwari system ?	CO1	PO1	K1
5	Briefly explain the concept of agrarian change .	CO2	PO1	K2
6	Write a note on the changing agrarian relations under British rule .	CO2	PO1	K1
7	Explain the conditions of peasants in colonial India	CO3	PO1	K3
8	Write a short note on famines in colonial India .	CO3	PO1	K3
9	Explain the role of moneylenders in rural society	CO2	PO1	K3
10	Briefly explain the impact of revenue systems on peasants .	CO2	PO1	K2

	QUESTIONS			
	EIGHT MARKS QUESTIONS			
1	Explain the major land revenue systems introduced by the British in India .	CO2	PO1	K2
2	Compare the Zamindari, Ryotwari and Mahalwari systems of land revenue.	CO5	PO1	K5
3	Discuss the changing agrarian relations in colonial India .	CO3	PO1	K3
4	Examine the economic and social conditions of peasants during British rule .	CO2	PO1	K2
5	Analyse the causes and consequences of famines in colonial India .	CO4	PO1	K4
6	Discuss the problem of indebtedness among Indian peasants .	CO3	PO1	K3
7	Examine the nature and causes of bonded labour in rural society .	CO2	PO1	K2
8	Discuss the growth and working conditions of	CO2	PO1	K2

	plantation labour in colonial India.			
9	Discuss the growth and working conditions of plantation labour in colonial India.	CO2	PO1	K3
10	Evaluate the impact of British agrarian policies on Indian agriculture and peasants	CO5	PO1	K5
11	Explain the emergence and growth of agricultural wage labour in India.	CO2	PO1	K2

UNIT II

LEARNING OBJECTIVES

1. To understand the nature and causes of peasant uprisings in the pre-colonial and colonial periods.
2. To analyze the impact of British land revenue policies on peasants and agrarian society.
3. To examine the major peasant revolts and movements that occurred in different parts of India.
4. To evaluate the role of peasant movements in the growth of nationalist consciousness.
5. To assess the social and economic conditions that led to organized peasant struggles in India.

PEASANT UPRISING AND MOVEMENTS

Types of Peasant Uprisings Seventy-seven revolts, including the Mutiny, were considered in preparation for this article. Eight of them occurred in East Bengal (present-day Bangladesh); as it happened, none were selected from regions lying in present-day Pakistan. The East Bengal revolts help to illustrate general processes at work in British India. This paper does not cover agrarian unrest in what became East Pakistan and later, Bangladesh; it is evident, however, that there have been peasant uprisings there since the end of British rule, especially during the invasion by Yahya Khan's forces in 1971, and revolutionary movements based on peasants are continuing there. A rough classification of the revolts during British rule yields five types of action in terms of goals, ideology and methods of organization:

- (1) Restorative rebellions to drive out the British and restore earlier rulers and social relations;
- (2) religious movements for the liberations of a region or an ethnic group under a new form of government;
- (3) Social banditry
- (4) Terrorist vengeance, with ideas of meting out collective justice;
- (5) Mass insurrections for the redress of particular grievances.

The first and second of these types are transformative, in the sense that they sought from the beginning and sometimes briefly achieved a large-scale restructuring of society. Restorative revolts were, however, backward looking, whereas India's religious peasant movements have been 'nativistic' in combining traditional cultural elements and values with new themes, sometimes derived from the oppressing groups, in a utopian vision of a Golden Age. The third, fourth and fifth types are initially reformative in the sense that they aim at only partial changes in society. Both the third and the fifth types have, however, sometimes become transformative and have led to the seizure of a liberated zone. The fourth type, terrorist vengeance, can take place sporadically and spontaneously with little or no organization; it has probably occurred thousands of times in all parts of the country in the form of small outbursts of retaliation against landlords, moneylenders. Etc. Occasionally, however, terrorist vengeance seems to develop into an organized movement, sometimes involving a religious cult; it is also usually present to some degree in all of the other four types. Religious movements are thus not completely confined to attempts to liberate an ethnic group or a region: some bandit groups, indeed, have special religious cults, as well as some terrorist movements, and both restorative rebellions and • insurrections have usually been regarded as sanctioned by 'normal' religion. The religious movements for liberation are, however, a sufficiently distinctive group, bearing messianic and millenarian messages, to be placed in a separate category.

Finally, both messianic religious movements and agitations for the redress of special grievances have, of course, occurred very frequently in non-violent forms; but this paper deals only with armed revolts, with armed movements which engaged in forceful action without actually resorting to fighting. Between 1765 and 1857 a large proportion of revolts were led by Hindu or Muslim petty rulers, former revenue agents under the Moghuls, tribal chiefs in hill

regions and local landed military officers) in south India. They were supported by masses of peasants and sometimes of former soldiers. The revolts were either against the conquest itself and the imposition' of heavy revenues on existing nobles, or retaliatory attempts to drive out the British after they had dispossessed a zamindar or a raja for failing to pay the revenues and had replaced him with some other claimant to the estate, with a Company officer, or with a merchant, money lender or adventurer who had bought the estate at auction. The goals of these revolts were complete annihilation or expulsion of the British and reversion to the previous government and agrarian relations.

Twenty-nine revolts involving peasants as the main force were counted for this period, 12 by tribal chiefs and 17 by Hindu or Muslim rulers or other former officials. Six took place in Bengal, five in Bihar, three in Assam and 15 in central and south India. The enemies in these rebellions included all British officials and troops, British plantation owners, revenue agents, pro-British landlords, moneylenders, and police. Rebel armies of peasants and former soldiers holed up in forts, in the forests, or on hill tops with stocks of grain, and from there made forays in bands of a few hundred to several thousand, robbing and killing officials, looting and burning treasuries, plundering merchant boats or the homes of landlords and moneylenders, and ambushing or fighting off police and troops with matchlocks, knives, swords, or bows and arrows. All of the movements involved several thousand-armed rebels and supporting populations of tens or hundreds of thousands.

Among these major uprisings were the revolt of Raja Chait Singh and other Hindu and Muslim zamindars of Oudh in 1778-81; the subsequent revolt of Vizier Ali, the deposed Nawab of Oudh, in Banaras, Gorakhpur and surrounding areas in 1799; the massive uprisings of the Poligar and their peasants in Tinnevely, North Arcot, and the ceded districts of Andhra in 1801-5; the uprising of the Chuar tribesmen of Midnapore in 1799 the revolt of the Pazhassi Raja, which commanded tens of thousands of guerilla fighters and affected most of the population of Malabar in 1796- 1805; and almost immediately afterwards, an insurrection further south in Travancore and Cochin by VeluThampi, the prime minister of Travancore state, with professional army of 30,000 and even larger numbers of cultivators. The last of these major rebellions before the Mutiny was the famous Santhal tribal revolt of 1855-6, involving a peasant

army of between 30 and 50 thousand, village assemblies in groups of 10,000, and tens of thousands of government troops.

All these revolts were, of course, eventually crushed by the British. Some rebel leaders fled into banditry or, very rarely, were reinstated with less exacting revenue settlements. More commonly they were wiped out with exemplary savagery; Velu Thampi was hanged publicly after his death. The Pazhassi Raja was executed and his lineage dispossessed; his palace was razed and a road built over the site. After a few of the revolts the revenue exactions on the peasants were reduced, but more often 'pacification' was brutally affected. Half the Santhal army was murdered, and the victors randomly flogged or imprisoned peasants as examples to others. The Oudh revolt of 1778-81 ended with the zamindars' forts destroyed, their owners expelled into banditry and fierce plundering and revenue exactions in the countryside which led to the famine of 1784.

The largest restorative rebellion was, of course, the 'Mutiny' of 1857-8. Begun by Hindu and Muslim soldiers in revolt against their conditions and against offences to their religions, it engaged millions of impoverished peasants, ruined artisans, dispossessed nobles, estate managers, tribal chiefs, landlords, religious leaders (Hindu, Muslim, tribal and Sikh), civil servants, boatmen, shopkeepers, mendicants, low caste labourers and workers in European plantations and factories. The leaders included rajas and Nawab with the emperor of Delhi as figurehead, native gentry, tribal chiefs and village headmen some of whom set them up as kings. The revolt was not centrally coordinated, but leaped from district to district throughout most of northern and central India and inspired scattered uprisings in the south. The racism of the conquerors, their insults to religion, their eviction of rulers and managers, and above all their ruination of agriculture and manufactures, combined to provoke an anti-imperialist cataclysm. For the peasants, years of rack-renting, famines, high prices, tariffs, debts, land seizures and physical brutality were the main grievances; for the artisans, loss of livelihood; for the workers, low wages and sub-human conditions; and for the hill chiefdoms, incursions, taxes and loss of land. The prime enemies were of course the British government, military and planters, the big 'loyal' princes who allied with them, the revenue officers, the wealthier merchants and the money lenders. The revolt raged most fiercely in areas which had been conquered after 1800. for example, Oudh (conquered in 1856), Chota Nagpur (1831-3), Jabalpur (1818), Nagpur (1854),

Jhansi (1853) and Berar (1853-60). Bengal, Orissa, the ceded districts of Andhra and Madras, Kerala, Mysore and Bombay, which had been conquered earlier and had already undergone rebellions and repression, played lesser roles.

Religious Movements

After the failure of the Mutiny and the annexation of India by the Crown, rebel princes and chiefs were for the most part executed, driven into exile, or co-opted by the government. Tribal chiefs played a part in some of the later uprisings and also some religious leaders with claims to royal or noble descent. In general, however, peasant rebels from the Mutiny to the 1930s joined bandit troops, engaged in insurrections under their own committees or local popular leaders, or else took part in movements for local liberation under charismatic religious leaders. A number of such religious movements had already occurred before the Mutiny.

In this sense, a number of millenarian movements have arisen among Hindus, Muslims and tribal peoples in India over the past two centuries and probably earlier, although their prevalence has until recently been overlooked by researchers. Stephen Fuchs' 'Rebellious Prophets: A Study of Messianic Movements in Indian Religions' describes more than 50 movements with messianic and millenarian overtones. All had divine or prophetic leaders who were believed to possess supernatural powers and looked forward to a terrestrial state of righteousness and justice in which their enemies would be removed or defeated. Most were transformative rather than reformatory in their expectation of a sudden, total change, and most believed the Golden Age to be imminent and subject to some kind of supernatural intervention.

It seems likely that the more hopeless the real prospects of the religious movement and the fewer its means of practical rehabilitation or redress, the greater the tendency to seek an imminent millenarian outcome through non empirical means, and to invest the leader with marvellous, indeed magical, powers. Thus five of the 19 movements studied were classically millenarian in character, waiting in tense expectation of imminent deliverance, chiefly by supernatural means. These movements included the early movement of Moplah tenants in the 1830s to 1850, led by the Mambram Tangal, the Naikda tribal movement in Gujarat under the Hindu religious leader Joria Bhagat in 1867-70, the Munda tribal movement under Birsa in the 1890s, and the Bhil tribal movement under Govind Giri, a tribal convert to Hinduism, in 1900-

12, following a severe famine in 1900. The Bhil groups of the Panch Mahals and the Naikda, both of whom probably number fewer than 10,000, came to believe that their leader was himself an incarnation of the supreme deity. Both groups thought that their divine leader would deliver them from British rule and establish an independent, ethical tribal kingdom, which the Naikda called dharmraj (kingdom of virtue), a Hindu term.

The Muslim Moplah tenants, suffering from rack-renting, evictions and famine with the spread of cash crop farming and the disruption of their formerly stable tenancies, were taught by the Tangal that if they would give up cultivating, pray diligently, and organize for battle, a ship bearing arms and modern equipment for 40,000 men would miraculously appear on the horizon and the British would be driven out of Malabar—a clear case of a millenarian cargo cult. Birsa received teaching from both Lutheran missionaries and Hindu ascetics but then reverted to his Munda religion, bringing with him beliefs and images from both major faiths. He taught the Mundas first that he was a divinely appointed messenger to deliver them from foreign rule, and later that he was an incarnation of God himself. His mission was to save the faithful from destruction in imminent flood, fire and brimstone by leading them to the top of a mountain. Beneath them, all the British, Hindus and Muslims would perish, after which a Munda kingdom would be ushered in.

SOCIAL BANDITS

Social Bandits five of the revolts studied are best classified by Hobsbawm's term 'social banditry'. They are the Thuggee of north and central India of 1650-1850 or later,⁵⁸ the Sanyasis and Fakirs of Bengal in the late eighteenth century, the dispossessed military chief Narasimha Reddi and his followers in Kurnool, Andhra Pradesh, in 1846-7, the tribal Lodhas of Midnapore, who became a 'criminal caste' in the nineteenth century after being evicted from their homelands,⁶¹ and the tribal Kallar of South India, some of whom operated as bandits from their hill country in Madura into lowland Madura, Pudukkottai and Thanjavur in the late eighteenth to the twentieth century's. These groups form only a small proportion of the large numbers of peasants, tribesmen, disinherited landlords and disbanded soldiers who turned to part-time or full-time banditry in the eighteenth and nineteenth centuries when they were deprived of their livelihood, evicted from their homelands, or squeezed in their tribal territories.

Modern Peasant Uprisings

Except for the early revolts to drive out the British and re-establish traditional principalities, the uprisings so far discussed were 'pre-political' or 'primitive' in the special sense that they were not addressed to the future of the nation state and thus were doomed to failure when they aimed at revolution. These revolts were, however, politically progressive in that they sought a new state of peasant society which would combine freedom from alien rule together with some traditional virtues and modern technology and popular government, rather than merely reverting to pre-British social structures. The revolts also amply illustrated the remarkable organizing abilities of the peasantry, their potential discipline and solidarity, their determined militancy in opposing imperialism and exploitative class relations, their inventiveness and potential military prowess and their aspirations for a more democratic and egalitarian society. The more impressive uprisings also show that even in India, where inter-ethnic strife has produced some of the most tragic modern holocausts, peasants are capable of cooperating in class struggles across caste, religious and even linguistic lines to redress their common grievances.

Peasant revolts since the 1920s have been coordinated within the policies of oppositional political parties. They have formed two major types. On the one hand, there have been political movements for independence or for national or regional autonomy among blocks of tribal peoples. The most notable of these have been the struggle for an independent state in Kashmir, the nationalist war of the Naga and Mizo tribal peoples, and the Jharkhand movement for the political autonomy of the Santhals, Oraons and other tribes. On the other hand, there have been peasant uprisings which were primarily class struggles and were guided by one or another of India's communist parties. Seven major peasant uprisings or episodes of revolutionary struggle in the Indian countryside have occurred to my knowledge under communist guidance. The first four were conducted by the Communist Party of India before it split into two wings in 1964. These were Tabaha uprising in the north of Bengal in 1946, the Telangana peasant war in former Hyderabad state (now part of Andhra Pradesh) in 1946-8 a strike of tenants and landless labourers in eastern Thanjavur for several weeks in 1948, and a series of short strikes followed by attacks on granaries and grain trucks in Kerala in 1946-8. The other three uprisings were led by Maoist groups which began to break away from the Communist Party of India (Marxist) in

1967. They included prolonged peasant struggles involving land claims and harvest shares in 1966-71 led by the Andhra Pradesh Revolutionary Communist Committee; the uprising in Naxalbari in West Bengal in 1967; and the 'annihilation campaign' of the Communist Party of India (Marxist-Leninist) against landlords, moneylenders, police and a variety of political enemies of the party, especially in Srikakulam, Mushahari and Debra-Gopivallabpur in 1969-70.

The most successful communist led peasant actions were those of Tebhaga in 1946, Telangana in 1946-8, and Naxalbari in 1967, and Andhra Pradesh in 1969-71. All of them involved a large component of tribal people. All of these revolts began as strikes or other forms of popular action initiated by the peasants or with their willing consent for the redress of specific grievances. The Tebhaga revolt began with a demand for reduction of the occupying tenants' rights in the crop from half to one-third and a corresponding increase in the rights of poor peasant sharecroppers. It had been preceded in the late 1930s by a campaign on behalf of middle peasants (the better-off tenants) to abolish 'feudal' levies over and above the legal rents. In Telangana, too, the initial demands were for abolition of illegal exactions by the deshmukhs and Nawab the feudal lords and later on for cancellation of peasants' debts. In Thanjavur the demands were for halving the rents paid by cultivating tenants and doubling the wages of landless labourers. In Naxalbari the peasant unions began by taking over land which the communist-led West Bengal government had already decreed should be removed from the jotedars, the former occupancy tenants who by this time had become outright owners of the land with the abolition of zamindari rights. The land act provided for this land to be distributed to the landless, but the proprietors refused to surrender it. Having driven out the landlords, the peasant unions then went on to distribute all the land among the peasants. Similarly, in Warangal, Khammam and Karimnagar districts of Andhra Pradesh in 1969, the communist peasant unions began their armed struggle by occupying land which had been taken from them by neighboring landlords and redistributing it among the tribal peasants.

PEASANT STRUGGLES IN THE COLONIAL PERIOD

A proper appraisal of the peasant movement in India becomes difficult on account of the paucity of comprehensive data on the subject. With this basic limitation, an attempt is made here to analyze it in terms of its historical evolution in India. This article is written in the hope that it will provoke further discussions on the subject by more competent persons.

Evolution

Historically the peasant movements in India can broadly be grouped in the following three distinct phases:

1. The Initial Phase (1857-1921): This phase was characterized by the sporadic growth of peasant movements in the absence of proper leadership.
2. The Second Phase (1923-1946): This phase was marked by the emergence of the class conscious peasant organizations. Its distinct feature was that during this period peasant movements were led by people who gave priority to kisan problems in the struggle for national liberation.
3. Post-Independence Phase: This era witnessed the uninterrupted continuity of the agrarian movements due to the failure of the ruling party to resolve any of the basic -problems of the toiling masses in rural India. The peasant struggles in this period were led predominantly by left political parties like the CPI, the PSP and the SP through their kisan organizations.

The Initial Phase

The tyranny of zamindars along with the exorbitant rates of British land revenue led to a series of spontaneous peasant uprisings in different parts of the country during this period. The periodic recurrence of famines coupled with the economic depression during the last decades of the 19th century further aggravated the situation in the rural areas and consequently led to numerous peasant revolts.

The following were the notable agrarian movements of this phase:

1. The Santal Rebellion of 1855 against the oppression by the British Government;
2. The Deccan riots of 1875 against the moneylenders;
3. The Bengal tenants struggles against zamindari tyranny during 1870-85;
4. The Oudh Insurrection; and

5. The Punjab kisan struggles against the moneylenders in the last decade of the nineteenth century.

In 1917-18, under the leadership of Mahatma Gandhi, the Indian National Congress led two significant peasant struggles. It organized the struggle of the peasants of Champaran in Bihar against the indigo planters, most of whom were Europeans. Thereafter, it launched the Satyagraha movement of peasants in Kaira against the collection of land revenue which they were unable to pay due to failure of crops.

The Role of the Indian National Congress in Peasant Movements

Despite the fact that the Indian National Congress came into existence in the late 19th century, it took cognizance of the peasant problems only in the second decade of the 20th century. In the initial years, the Congress laid exclusive stress on the needs of the Indian industrialist class, ignoring the urgency of agrarian problems. Its manifesto just reiterated some of the superfluous demands such as permanent settlement of land revenue and the abolition of salt tax etc. But the Congress leaders remained scrupulously silent, about the problems of the vast bulk of tenants in zamindari areas during the earlier phase of the movement. With the appearance of Mahatma Gandhi on the Indian political scene, the Indian National Congress experienced a metamorphosis. Its sphere of influence was extended and it assumed a mass character. The Congress formed peasant committees in rural areas and took note of peasants' grievances. However, the peasant movements initiated by the Congress were invariably restricted to seeking relief against the excessive rates of land revenue, and were in no case directed against the zamindars.

The Second Phase: Emergence of Class-Conscious Organizations

The Congress policy of safeguarding the interests of zamindars and landlords led to the emergence of independent class organizations of kisan in rural India. Radical sections in the peasant movements increasingly realized that the Congress was solicitous of the interest of the capitalists and land magnates. They felt that to protect the interests of the kisan, their own class organizations and leadership must be evolved. Consequently, the kisan organizations came into existence in different parts of the country.

The first Kisan Congress held at Lucknow in 1935 led to the formation of the All India Kisan Sabha. The programme of the Sabha reflected the aspirations and needs of the entire peasantry in agrarian India. The All India Kisan Sabha was composed of radical petty bourgeois individuals, within and outside the Indian National Congress. It was also supported and strengthened by the Congress Socialist Party and later on by the Communist Party of India. We shall now refer to some of the significant struggles launched by the Kisan Sabha in different parts of the country during the initial period of their inception.

In Andhra Pradesh it launched an anti-settlement agitation against zamindari 'zulum' in 1927. Swami Sahajanand, one of the eminent leaders and pioneers of the All India Kisan Sabha led a heroic movement for the abolition of zamindari in Bihar. A powerful struggle was initiated against the oppressive forest laws in South India in 1927. Similarly, in UP and other parts of India agitations were launched against the tyranny of zamindars.

The growth of peasant movements exercised considerable pressure on the Indian National Congress. Despite this, the Karachi Congress charter did not touch even the fringe of the peasant problem. But the political pressure of the Kisan Sabha succeeded in the Faizpur Congress and paved the way for the formulation of the Congress agrarian programme. However, the Congress could not, under the pressure of the native bourgeoisie grant any radical concessions to the peasant demands, at the cost of jeopardizing the interests of zamindars. This was amply demonstrated by the performance of the Congress ministries during the short period that they were in office before independence.

The Provincial Ministries and Peasant Struggles

In Bihar, the Congress-zamindar agreement prevented the Ministry from adopting any radical measures in the interest of the peasants. Similarly, in Central Provinces and Bombay, the Congress Ministries refused to entertain any such proposals. The enactment of the ambiguous land legislations by the Bengal Ministry resulted in widespread eviction of the tenants. Thus the miserable performance of the Congress Ministries worsened the plight of the peasants and the resultant growing unrest led to a series of uprisings in different parts of the country. The massive agitation launched by Bihar kisans against the betrayal by the Congress Ministry, anti-settlement campaign in UP, debt relief struggle in Bengal, the Koya revolt, the Bhil disturbances

in Mayurbhanj are instances of heroic peasant struggles. This in turn led to a chain of Kisan revolts in Indian States against feudal brutalities during 1937-46. The Mysore and Travancore struggles for responsible government, the Orissa agitation against princes, the Jaipur, Udaipur, and Gwalior revolts against local Thakurs are some of the glorious events in the history of the Indian peasant movement. However, it should be noted that during this phase too the All India Kisan Sabha with its roots in the upper section of the peasantry could not develop any effective struggle for the problems of the sub marginal farmers and agricultural labourers. Secondly, in the absence of a clear Marxist perspective the Kisan Sabha movements at times took even communal turns.

In 1942, Indian kisan responded to the Congress call of the Civil Disobedience movement most heroically. In Uttar Pradesh, Bihar, Bengal, Maharashtra and Tamilnadu, they formed parallel governments. Nevertheless, the outstanding achievement was in Midnapore in Bengal where for years the British rulers were unable to regain their control. It may not be an exaggeration to say that if the peasant movements had received proper guidance from a mature Marxist leadership, Indian history would perhaps have taken a different course.

Post-Independence

The failure of governmental measures in resolving agrarian problems has been widely recognized and admitted today. The land reforms and community programmes meant for promoting capitalist farming in India have only succeeded in intensifying the agrarian crisis. The Congress Government has not only failed in providing relief to the vast bulk of deficit farmers and agricultural proletariat, but its agrarian policy has aggravated their miseries. This fact has been sufficiently demonstrated by the various Governments Evaluation Reports and non-official enquiries on the impact of welfare measures on rural society. Consequently, Indian agrarian society is seething with discontent even after independence. This has led to a series of peasant struggles in different parts of the country. We shall briefly refer to the principal movements organized by major left parties through their kisan organizations in recent years.

Agrarian Movement of Kisan Sabha

The All India Kisan Sabha under the influence of the CPI led numerous struggles. The following are some of the more significant amongst them.

On the eve of independence, the All India Kisan Sabha led a very heroic battle of the peasants in the Telangana district of the erstwhile Hyderabad State. Over 2,000 villages set up their own people's committees, took over the land and maintained their own administration and armed defense over an area of 15,000 sq. miles and resisted the onslaughts of the notorious bands of Nizam for a considerable period. It is hardly necessary to point out that in the absence of preparation on all India basis and poor response of the toiling masses, this isolated and adventurous action resulted in massive massacre of innocent tillers who responded to the call of the Kisan Sabha.

Tebhaga movement of crop-shares for reduction of landlord's share in Bengal, Warli revolt against forest contractors and moneylenders in Maharashtra anti-betterment levy against excessive rates of irrigation in Punjab, agitation against food- hoarders and rise in food-grain prices in Bihar, struggles for proper implementation of land ceilings in Bengal, and agitation for fixing higher prices of sugarcane are some of the instances of significant movements initiated by the Kisan Sabha since independence. Besides this, the Sabha led an agitation for higher wages for agricultural labourers in Tamilnadu and Maharashtra. In Kerala, it led numerous struggles for land reforms. In Andhra, it launched a movement for rehabilitation of landless labourers on waste lands in recent years.

Peasant Struggles under the PSP and the SP

Now we shall briefly enumerate the principal struggles under the leadership of the Praja Socialist Party in rural India.

In 1958, the PSP launched a Satyagraha for relief measures in the famine-stricken areas of UP and further organized protest movements against irrigation cess levies from UP peasants. A struggle for proper implementation of land ceilings in Bihar, an agitation against heavy water tax in Rajasthan, a movement against food scarcity and for rehabilitation of landless labourers in Madhya Pradesh, and the Bhil agitation against oppressive forest lands in Rajasthan are some of the significant peasant movements organized by the PSP in recent years. Besides this, the PSP organized a massive Satyagraha for the settlement of the landless labourers on grassland in the Paradi taluka of Gujarat State.

In contrast to the CPI and the PSP the Socialist Party prepared a comprehensive plan for launching civil disobedience movements simultaneously in different parts of the country. 'Ghera Dalo' movement, started in Uttar Pradesh during 1956 was a part of this broad programme. These struggles were mainly directed against high prices of food grains and for relief measures in the famine- stricken areas in Uttar Pradesh. The demands of the SP included

(a) free kitchen and cheap food grain

(b) Fixation of reasonable prices by the Government and legal action against the hoarders and profiteers

(c) Remission of taxes, levies, rents etc., in famine- stricken areas

(d) Fixation of ceiling and completion of land redistribution programme within the prescribed time, and scaling down of irrigation rates and

(e) abolition of taxes on profitless agriculture, etc. • According to the Socialist Party, the movements led by the CPI and the PSP are mere symbolic protests against the government's agrarian policy while the 'Ghera Dalo' and other struggles launched by the SP involved direct action by hungry peasants themselves.

The Supra-class Approach of the CPI and the PSP

It can be seen from the peasant movements led by the CPI and PSP that there is no basic difference between them. Not only are the forms and demands of the struggles the same but even the approaches of both remain essentially identical. Both the parties suffer from illusions of 'progressive aspects' of the Congress Govt. Both have betrayed their faith in the consolidation or strengthening of the national economy as a result of the state policy of the public sector. This illusion restricts the scope of the movements initiated by them. It also explains their arbitrary suspension and sudden withdrawal of the movements for appeasing the so-called progressive bourgeoisie in the Congress government. It can be also observed that most of the struggles initiated by these parties were limited to the effective and speedy implementation of agricultural legislations.

The supra-class approach of the CPI at the national level also prevents it from organizing any genuine tillers' movement which would jeopardize the interests of the rich peasantry. Its sole

object seems to be the preservation of a mythological village unity even if it involves the persistence of the sufferings of the vast bulk of deficit farmers and agricultural labourers. In consonance with its policy to woo the rich peasantry none of the Communist-led agrarian movements was launched for the specific problems of the large bulk of the sub marginal farmers, like abolition of taxes in uneconomic farms. Even the CPI enthusiasm for land ceilings seems to be motivated from its desire to assist or accelerate the development of small-scale capitalist farming in rural India. From the point of view of the CPI, the only obstacle to development of productive forces in Indian agriculture is survival of feudal mode of cultivation, as if the elimination of feudal remnants from Indian agriculture would usher in a new era of progressive peasant proprietorship as in European countries in the 17th and 18th centuries during the hey-day of capitalism. Nothing seems to be more un-historical and arbitrary than this borrowed belief in the possibility of a healthy growth of small-scale capitalist farming within the matrix of an underdeveloped Indian economy. It is no wonder that with its reformist approach the peasant movements led by the CPI today remain ill-organized and sporadic in nature without even assuming a national level.

In this connection it is interesting to note that even a non-Marxist American scholar, Myron Weiner has distinctly pointed out the supra-class approach of the Communist kisan organizations in his recent work. *Politics of Scarcity*. He observes: The Fifteenth Provincial Conference, meeting in 1957, announced that the Kisan Sabha favored compensation for those small intermediaries whose holdings were confiscated by the Government. It further declared that the organization would launch agitation for agricultural loans, improved irrigation facilities, manure, education, health and drinking water, and would continue agitation against excessive Irrigation taxes and other taxes, including a proposed development tax. The Sabha also announced that it would work within the existing legislative framework, would take the initiative in forming panchayats (local govt, councils) under the new Panchayats Act, and would support credit co-operatives, marketing societies, handicraft co-operatives, and even the government's community development programme and National Extension Service. In short, the Kisan Sabha proposed to minimize agitations and maximize the benefits peasants (and the Kisan Sabha) might receive by working within existing legislation, while at the same time putting pressure on the State government for greater rural expenditures. Rural harmony rather than class conflicts was

the new theme of the West Bengal Kisan Sabha”. Further, ‘a similar position now guides the national All India Kisan Sabha. The groups in Kerala, Bihar, Assam and Tripura all want a moderate Kisan position.’

It must be said to the credit of the Socialist Party that its approach towards the peasant movement appears to be more dynamic than that of the CPI and the PSP. Nevertheless, the absence of a clear perspective and resultant inconsistent and contradictory policy prevents its leadership from developing any effective agrarian movement on a national plane.

The paradox of the Indian situation is that non-Marxist organizations like the Republican Party today champion the cause of the agrarian proletariat and even lead their struggle at an all India level, while the so-called vanguards of the toiling strata in the rural society vie with each other in sub serving the interest of richer peasantry.

Under the circumstance it becomes all the more imperative for the Revolutionary Socialist Party to build up class organizations of the rural poor and agricultural labourers and champion their cause.

Indigo Cultivators’ Strike 1860

Indian cultivators had been growing a plant called indigo which yielded the dye necessary for bluing cotton cloth. With the growth of the modern textile industry in Great Britain in the late eighteenth and early nineteenth centuries, there was a great expansion in the demand for this dye. Indigo trade became a rich source of high profits for the East India Company in India. However, its cultivation was too limited to meet the growing needs of the British textile industry. The sale of indigo was highly profitable to the planters. However, the terms under which the peasants had to grow indigo involved great losses for them. It was necessary therefore to compel the cultivators to grow indigo in place of other crops. Even the Lieutenant-Governor of Bengal was forced to admit in his Minute on the Report of the Indigo Commission that: ‘Rejecting all extreme cases, and giving indigo the benefit of all doubts, cannot put the absolute loss to the riot at a low average, reckoning the net loss on the cultivation of indigo at the highest price now allowed and the loss of the net profit the riot would make by any other ordinary crop at the market price, at less than seven rupees a beegah, equivalent at least to seven times the rent of the land.

The Government had not yet gone through the experience of the Santhal Insurrection of 1855-6. In the meantime, the excesses committed by the planters continued to increase in intensity. From village after village and district after district, petitions were sent to the Government to intervene. Typical is this petition from the inhabitants of Nadia to the Lieutenant-Governor of Bengal on January 16, 1860:

‘That your petitioners being severely oppressed by certain proceedings on the part of certain planters in the district of Nuddea and having unfortunately met with no redress or protection from district authorities, respectfully appeal to your honor for the same. ‘

That on the 28th October 1859 Boroo Mundle and Chunder Biswas, ryots of your petitioners’ village, were by force carried away by armed people belonging to the factory, and they have not been since heard of... That their complaints before the magistrate were dismissed on the ground that the functionary had no authority to interfere in such cases. That these efforts made by your petitioners to obtain justice have infuriated the planters and on 2nd December Anund Sirdar of Gobind pore was carried off. Subsequently, Planters, some of whom were former slave-drivers in America, were repeating their brutal performance in India.

Indignation was spreading all over the indigo-growing districts. Peasants’ resistance was growing in Nadia, Barasat and Pabna. In place of mute protests, the peasants were getting together and taking action on a mass scale. In April 1860, all the cultivators of the Barasat subdivision undertook what was probably the first great general strike in the history of the Indian peasantry. They declared themselves against the oppression of the planters and refused to sow any indigo. The planters were in panic. In a memorial submitted in April 1861 to Sir Charles Wood, Secretary of State for India, D. Mackintey, Chairman of the Landholders and Commercial Association of British India, declared that ‘the state of the mofussil had now (July 1860) become one of entire confusion. The debtors were not content with repudiating their debts and contracts, but they even combined to drive their creditors and employers out of the country, and thus to get rid of all Europeans in the province, to retain the property they had seized and to cancel all debts and obligations due to Europeans.’ Havildar Sheebho Khan, commanding the Second Bengal Police Battalion, was at Neesa pore factory in the Pabna district on April 10, 1860.

Maratha Uprising 1875

The main concern of the East India Company administrators was to obtain a steady flow of large revenue from the land. At the time of the land settlements, therefore, the assessment imposed on the cultivators was excessive. Moreover, it had to be paid in cash and without respect to the crop conditions. As early as 1850, Sir G. Wingate had drawn attention to this fact. 'There can be little doubt', he wrote, and 'that the over-estimate of the capabilities of the Deccan, formed and acted upon by an early collector, drained the country of its agricultural capital.' The Deccan Riots Commission, too, agreed that the exorbitant assessment was based on 'an exaggerated estimate of the peasants' capabilities' Famines and scarcity were by no means infrequent. But rain or no rain, the government demands had to be satisfied. There were also difficulties caused by fluctuating prices. Under the circumstances, the farmers, to save their land from forfeiture and public auction by the government for failure to pay revenue demands, had to turn to the moneylenders. Before this, the moneylender was no more than a humble village servant, mainly a village accountant or a small shopkeeper. Now, with land offered as a security and with a government ever ready to grant his claims against the peasant, the moneylender assumed a highly important role. If the peasant repaid the loan, he would benefit from a high rate of interest; if the loan was not repaid he would get the peasants' land through a government decree. No wonder in a business where there never was a chance of loss, the moneylenders prospered rapidly.

Meanwhile the conditions of the farmers were deteriorating rapidly. Cotton prices which had sky-rocketed during the American Civil War in the sixties had fallen into a deep slump. Together with this, all other agricultural prices had started to fall rapidly. There was a general agricultural depression. Farmers' cash incomes suffered a disastrous blow. To add to this there was a major famine in 1876. Crops or no crops, high prices or low prices, the demands of the government had to be met! Now even the moneylenders were afraid that if the government proceeded first against the peasant and took away his land for payment of arrears of revenue, they would be unable to recover their debts. So there were more lawsuits, more decrees and an endless chain of dispossession of farmers' lands.

Nearly one-third of the cultivators was reported to be suffering under heavy indebtedness. This, according to the Deccan Riots Commission, meant certain transfer of their lands. The peasants were bitter. They were yet unaware of the full workings of the system which was

oppressing them. While they had misgivings about the government, they had no doubts about the role of the moneylenders. Debts were mounting; decrees were being handed out against them; their houses and lands were passing into the hands of the moneylender's right before their own eyes. There was no end in sight. Experience had shown that no relief was to be expected. Enraged at the loss of their lands, the peasants of Poona and Ahmednagar districts let loose their accumulated anger against the bonds, documents, deeds and decrees which the moneylenders held against them.

The first warning of the approaching peasant uprising in these two districts was given in December 1874 by the events at the village Kardeh in Sirur Taluka. Marwari Kalooram was the chief moneylender in Kardeh. He instituted a suit against Baba Saheb Deshmukh, one of the cultivators in Kardeh, and obtained a decree against him from the court at Talegaon. Deshmukh's house was put on auction and Marwari Kalooram purchased it himself for Rs. 150. Not content with this, he started pulling down the house and asked Baba Saheb Deshmukh to evacuate it. Baba Saheb requested Kalooram not to pull down the house and promised to repay his debts and pay rent for the house while he occupied it. But Kalooram would listen to none of this and continued the harassment. Baba Saheb was now quite upset. He called together the villagers, all of whom had some grudge against the Marwari moneylenders. They resolved that as the moneylenders Kalooram, Sachiram, Pratap and Shivram were intent on ruining them, they should have nothing to do with them. The water-carriers, barners and even the house servants of the moneylenders joined the village in this boycott. The villagers opened a grocery shop for their needs. The moneylenders were isolated and decided to run away to Sirur. It was now the cultivators' turn. They would not let them go. There was nobody to drive their loaded carts. It was only with police protection that they were able to escape to Sirur.

The moneylenders and officers may not have realized the full significance of this incident at Kardeh. However, the peasants in various villages were busy consulting with each other and preparing plans for future action. May 12, was the bazaar day at Supa, Bhimthari Taluka. As usual, hundreds of peasants came there ostensibly to make their periodic purchases. However, plans were already laid for steps to be taken against the moneylenders. This was certainly the most fitting 'welcome' that the Maratha peasantry had planned for the visit of the Prince of Wales.

While the peasants in their desperation were trying to undo the past injustices of the moneylenders by burning their documents, the Government lost no time in moving against them. The Government, which in quarter of a century had not once lifted its finger to help the peasants despite repeated urges and warnings from its own officers, suddenly burst forth into repressive activity, thus justifying the peasants' earlier suspicions "that the Government approved of the proceedings" of the moneylenders.

All available police forces were sent into action to restore 'law and order'. But they were helpless against the mass of the aroused peasantry. Soon troops had to be moved in. A detachment of infantry was sent to Supa. The Poona Horse, stationed at Sirur, was ordered into action. Another detachment was moved to Shrigonda. Punitive police and military posts on a large scale were established and collective fines were levied on villages to meet the expenses. Arrests on an unprecedented mass scale were carried on. In just a fortnight, 559 persons from Poona District and 392 from Ahmednagar District were arrested.

The alien government let loose the full force of its repressive machinery against the unprepared and defenseless peasantry which was only trying to settle accounts with the moneylenders in a united but a rather moderate way. The active phase of the uprising in Poona and Ahmednagar lasted only three weeks. The peasants, unprepared as they were to withstand the onslaught of terrific repression by the Government, had no alternative but to abandon active struggle. Only through such bitter struggles were they to learn the lesson that the Government was the protector of the moneylenders and the landlords

Although the Government, through the sheer exercise of its repressive machinery, was able to suppress the uprising it had a lasting effect on the future of the Indian peasantry. It succeeded in breaking to some extent the shell of masterly inactivity into which the British rulers had withdrawn when it came to enacting legislation protecting the peasants' interests. The introduction of the Deccan Agriculturists' Relief Act of 1879, placing some restrictions on the alienation of the peasants' lands and restraining usury, was the direct result of the forceful assertion by the Maratha peasantry of its demands.

Some may wonder why the peasants, instead of being grateful to the moneylenders for helping them to tide over their difficulties, were so hostile to them. The Commission itself was

concerned with this and the moneylenders appeared before it as the innocent unjustly hurt. 'It is only when indebtedness is attended with circumstances, which,' the Commission observed, 'produce in the mind of the debtor a sense of hardship, of unfair treatment, of being oppressed and having no redress, that a feeling of hostility is aroused such as led, in the present instance, to actual violence.' The moneylenders were not like poor widows kindly loaning pennies to needy neighbors from the saving of a lifetime. They were rapacious usurers, who, in return for their support of an alien government, were given the license of looting the peasantry. Naturally they were the immediate object of the wrath of the angered peasantry.

PABNA AGRARIAN LEAGUE

An obscure pargana, Yusuf Shahi, situated in the Serajgunge sub-division of the district of Pabna became in 1873, the scene of a powerful agrarian movement. This movement, conducted by a well-organized agrarian league created the conditions for the launching of similar agrarian movements in other parts of Eastern and Central Bengal in the decade which preceded the enactment of the Bengal Tenancy Act of 1885.

The basic cause of this agrarian unrest was the persistent attempts of the local landlords to do away with the right of occupancy of a new class of tenants, the occupancy tenants, who had been browbeaten into existence by the Bengal Rent Act X of 1859. The agrarian movement in Pabna and other areas of Eastern and Central Bengal, was moreover, basically, a movement of the substantial section of this type of tenantry who saw in the newly conferred occupancy right, a position of greater social responsibility for them in the rural society and more effective share in land control. In fact, this conflict between the zamindars and the richer tenants marked the beginning of a long struggle in rural Bengal which culminated, through the enactment of various tenancy legislations, in the consolidation of the socio-economic position of the substantial tenantry. In the 20th Century, these well-to-do peasants, as jotedars, themselves became the exploiters of the share-croppers, known in Bengal, as adhiyars and the burgadars.

The primary aim of this movement of the substantial tenantry was to defend and consolidate the occupancy status gained by the Act X of 1859. Other sections of peasantry the non-occupancy tenants, the under-tenants of the occupancy tenants, the share-croppers and the agricultural labourers participated in the movement fairly willingly since the zamindar was

supposed to be the common enemy of all.⁶ However, the specific problems and the grievances of a large majority of the peasant population consisting of the share-croppers and the agricultural workers never came in for serious consideration at any stage.

This agrarian movement in the district of Pabna, rarely degenerated into a Jacquerie. The tenantry on the contrary displaying a remarkable sense of discipline fought the principal landlords of Pabna, the Tagores, the Pakrasis, the Sanyals, the Banerjees and the Bhaduris, in the civil courts.

As the movement of the occupancy ryots of Pabna gradually spread throughout the district, the Bengal landlords apprehended that a further extension of the movement would adversely affect the position of the landlord class as a whole. It was feared that the Government would eventually be forced to review the entire question of landlord-tenant relationship, a review which might ultimately lead to a further amendment of the rent law in the interest of the tenantry. Consequently the pro-landlord enthusiasts in the city of Calcutta made a conscious attempt to confuse the issues. A deliberate effort was made to create an impression that the Pabna movement was not an agrarian movement at all but a movement organized by men who wanted to use the peasants to further their selfish interests. There was thus a persistent clamour that law and order had practically ceased to exist in Pabna where the riots were committing all sorts of atrocities.

Thus Dwijendranath Tagore, poet and musician, one of the famous cultural figures of 19th Century Bengal, drew the attention of the Lieutenant-Governor of Bengal to the acts of wanton violence committed by the Pabna peasantry upon the 'inoffensive people'. Tagore's complaint was corroborated by a group of Pabna musketeers, the agents of the local landlords, who in a petition to the Government painted a livid picture of mob-violence in the district. The Hindoo Patriot as well as the Amrita Bazar Patrika also sent from Pabna highly coloured accounts of wanton plunder, rape and arson committed by the enraged peasantry. The Hindoo Patriot wrote: 'The contagion rapidly spread in the Pabna district in the quarters very near Shahazadpore. Its first fury had to be borne by the residents of Gopalnagar where respectable men were plundered, their females insulted and their homesteads burnt down to ashes in broad daylight. Then occurred a series of plundering raids throughout that part of the Pabna district which lies between Gopalnagar on the north-east and Padma near Goalondo on the south. Villages after villages

were mercilessly plundered and subjugated.... In this way, village after village was, as was styled by them, brought to “subjection” till this dangerous mob of ruffians, frenzied freebooters and ignorant credulous peasants overran nearly the whole of Shahazadpore chowkee, spreading all sorts of rumours regarding the Government aid which they were sure of getting.’ The special correspondent of the Amrita Bazar Patrika also sent from Pabna almost an identical report. ‘The whole subdivision of Serajgunge in Pabna is in a state of dread of excitement. Thousands of ryots have combined together and risen against their Zamindars, plundering and devastating everything in their way. The life, property and honor of the people are in imminent danger.’ This then was the crux of the landlord position and shows clearly enough that the Chaudhuri-Ray position is really an uncritical acceptance of landlord press bias.

This was confirmed by the results of the Pabna trials which showed that the riots arrested on charges of rioting or plunder were either acquitted or let off with light punishments.¹⁶ Most of the influential newspapers also thought that the reports of mob-violence circulated by the agents of the landlords were grossly exaggerated since the outrages committed by the riots were remarkably few. The Bengalee thus wrote on August 9, 1873: ‘After carefully suppressing everything favorable to the riots and unfavorable to the Zamindars, after charging the riots with rape and other outrages on females never committed by them, the Amrita Bazar Patrika sheds some crocodile tears over the fate of the wretches who have been sent to prison for their misdeeds. The peasant as resolute as ever against exaction is no less determined to keep within the law.’ The Pioneer stated on July 15, 1873: ‘It is to be hoped that some attention will be given to the real grievances of the cultivators. The native newspapers which are almost entirely under the influence of the Zamindars have been publishing ludicrously exaggerated accounts of “outrages” that have been perpetrated by the riots. According to these truthful historians, an epidemic of rape and murder has fastened upon the riots of Pabna.

Basically therefore, the Pabna movement was a non-violent agrarian uprising. Instances of violence were rare since the peasant leaders did not take the law into their own hands and actually advised the riots to keep themselves within the bounds of law. In fact, in parts of Yusuf Shahi pargana where the influence of Ishan Chandra Ray was greatest and most direct, namely Ullah- Parah, Doulatpore and Shahazadpore, all in the Serajgunje Sub- division, the movement was accompanied with the least excesses and carried on in a legal manner. Whereas in the Sadar

Sub-division of Pabna, where he was least known, and where his influence was hardly felt, there had been far more plundering and rioting.

The Pabna peasants, in fact, did not imitate the crimes of their landlords taking all the vengeance that makes a jacquerie, and their movement never showed any tendency to gravitate towards the criminal courts. This led Sir William Hunter to remark: 'They have [the rural population] fought with keen persistence but with a few ebullitions of violence the struggle between the landlords and tenants and are conducting before our eyes an agrarian revolution by the course of law' Indeed it was 'an agrarian revolution by due course of law'.

The forerunner of these disturbances was the agrarian conflict in the district of Pabna in 1873. It was a protest of the occupancy ryots of the district against the conscious and systematic attempts of the landlords to do away with the occupancy title granted to a large number of cultivators by the Rent Act X of 1859. This resistance of the Pabna peasantry had assumed in course of time, the character of an organized and legalistic agrarian upsurge under the aegis of a powerful agrarian league which controlled and directed the movement from its base at Serajgunje, the prosperous jute mart of Eastern Bengal. The movement in Pabna, though it did not succeed in ending landlord exploitation in the district, nevertheless greatly restricted the landlords' absolute power in estate management. By emphasizing the basically unstable nature of landlord-tenant relationships the disturbances in Pabna inspired agrarian movements in other parts of Eastern and Central Bengal which soon took the character of a widespread peasant protest against the concept of high- landlordism.

MAPPILA UPRISING

Mappilla Rebellion in Malabar, Mappilla who are Muslims by religion are mostly either agricultural workers, or tenants or the most depressed section of intermediary landholders with or without personal cultivation. They were then being exploited mercilessly by the Nambudris who were the virtual owners of the land and who had the absolute right of electing any intermediary peasant, known as Kanamdar or any of the actual cultivators. In fact these Nambudris, who were Brahmins, were often aided by Kanamdar, most of whom were Nair's and they were freely exercising their right to evict peasants from their homesteads and raising the rents at their will and pleasure. No wonder an agitation sprang up in the wake of the Religious Revivalist

movement which later on was prostituted by the Justice Party. Its leaders were the late Sir M. Krishnan Nair and Mr. M.P. Narayana Menon. One joined the Justice party and rose to be an executive Councilor of the Madras Government and the other entered the Congress and came to be condemned for transportation for life for the alleged crime of having incited Mappilla to wage war against His Majesty's Government to be released only in 1936.

This rent reduction and permanency of tenure agitation, awakened the peasants, both Hindus and Moslems to the need for political action. It helped Krishnan Nair to be returned to the Madras Legislative Council. It gave a tremendous initial significance to the Non-cooperation Movement of Malabar. But soon a communal turn was given by some very responsible Moslem leaders and all the pent up enmity and disgust of peasants in general and Mappilla in particular burst up like a volcano, and resulted in blood-shed. The frightened Nambudris had in the meanwhile made common cause with the leaders of Kanamdar and agreed with the Justice Party, of which the erstwhile leader of tenants M. Krishnan Nair was an important pillar, over compromised tenancy legislation and rallied all the Hindus to aid them and thus helped to make the whole thing a communal fight. The poor peasants who were thus misled by their religious leaders and intrigued by their landlords and deceived by their colleagues, the Hindu tenants who were in their turn humbugged by the Justice Party, rushed headlong with their false religious slogans of hostility and war against Hindus in general and their suicidal means of blood and fire. Thus in a few months the heroic peasants of Malabar were either mowed down by British fire or consigned to Andaman's in all their thousands. This fight has become notorious for the train-tragedy in which nearly 80 Mappillas died of suffocation in a closed railway wagon and also for the treachery perpetrated upon our innocent peasants by religious leaders, reformist tenant agitators and the withdrawal of all Congress advice, leadership and support from the sufferers just at the right nick of time

THANJAVUR.

In kilaenmani village in eastern Thanjavur, Tamil Nadu, in 1969, a group of Harijan landless labourers, influenced by the CPI (M), struck for higher wages in view of the increased production and price inflation brought about by the 'green revolution' Goons hired by their landlords arrived on their street at night, imprisoned 42 men, women and children in a hut and burnt these people to ashes. Again, in Chandwa-Rupaspur village, Bihar, in November 1971, a

movement of Santhal tribe's people resisting encroachment of their land was met by landlords' thugs. Four Santhal were roasted alive, were shot dead or hacked to pieces, 33 were severely wounded and 45 huts burned down. These incidents and many similar ones have illustrated a process of peasant resistance and landlord reprisals that has intensified in India during the past seven years. Since the Naxalbari uprising in West Bengal in 1967 and the emergence of rebel and revolutionary groups among both townfolk and peasantry, several peasant struggles have erupted, hundreds of landlords, police and moneylenders have been assassinated, and thousands of peasants have died by violence. Social movements among the peasantry have been widely prevalent in India during and since British rule. We may define a social movement as 'the attempt of a group to effect change in the face of resistance' and peasants as people who engage in agricultural or related production with primitive (palaeotechnic) means and who surrender part of their produce or its equivalent to landlords or to agents of the state.

Barrington Moore, Jr. for example, in spite of acknowledging at some length instances of peasant revolts described in recent Indian writings, concludes that China forms 'a most instructive contrast with India, where peasant rebellions in the premodern period were relatively rare and completely ineffective and where modernization impoverished the peasants at least as much as in China and over as long a period of time'. Moore attributes the alleged weakness of Indian peasant movements to the caste system with its hierarchical divisions among villagers and to the strength of bourgeois leadership against the landlords and the British and the pacifying influence of Gandhi on the peasantry would argue that peasant revolts have in fact been common both during and since the British period, every state of present-day India having experienced several over the past two hundred years. Thus in a recent brief survey 77 revolts, the smallest of which probably engaged several thousand peasants in active support or in combat. About 30 revolts must have affected several tens of thousands, and about 12, several hundreds of thousands. Included in these revolts is the 'Indian Mutiny' of 1857-8, in which vast bodies of peasants fought or otherwise worked to destroy British rule over an area of more than 500,000 square miles.⁸ The frequency of these revolts and the fact that at least 34 of those were solely or partly by Hindus, cause me to doubt that the caste system has seriously impeded peasant rebellion in times of trouble. There does seem no doubt that, apart from the Mutiny, peasant uprisings in China usually had a wider geographical scope than those in India. At least since late

Mogul times the reasons for this may have included political fragmentation as well as diversity of language and culture among India's people.

During the later decades of Mogul rule the country had already disintegrated into a number of virtually autonomous, mutually warring kingdoms and principalities between whose peasants there was little contact. The British conquered India piecemeal over a hundred year period from the mid-eighteenth to the mid-nineteenth centuries. Early revolts against their rule therefore tended to occur at different dates in different regions, although there was inter-regional coordination among the largest, for example, those led by Raja Chait Singh in Oudh and other areas in 1778-81. by Vizier Ali in Gorakhpur in 1799. And by the military chiefs (Poligar) of Madras and Andhra in 1801-5.^o Shortly after the British had subdued most of India in a huge uprising, widely backed by the peasantry, did sweep over most of Northern and Central India in the shape of the Mutiny, but even in this case resistance tended to be strongest in the areas more recently conquered, while those which had earlier had revolts that had been crushed, played lesser roles.¹⁰ After the Mutiny, British rule and military preparedness became stronger than ever and the rural upper classes of landlords and princes were either crushed totally or co-opted by the British through concessions.

At the same time, political disunity was perpetuated by the division of India into British provinces interspersed with 'native states' having separate judicial systems. Popular action was difficult to organize across these boundaries as well as across ethnic and linguistic lines. Between the Mutiny and Independence, the British government and army were also better coordinated than those of China and India was not disturbed by invasions. In these circumstances, politically disunited, under a despotic Central government and opposed by their landed aristocrats, after 1858 peasants engaged only in regional uprisings led by religious figures or by local peasant committees until political parties began to form peasant unions in the 1930s. Even so, some of these revolts were impressive and wrung concessions from the rulers. Since the mid-1930s peasant uprisings as well as non-violent resistance by peasants have usually been at least partly guided by political parties, especially by communists, or else by nationalist and separatist movements of the formerly primitive tribes. In brief, argue that the limitations of Indian peasant revolts have sprung more from broader political forces at the level of the province and the colonial and post-colonial state than from the caste system or from peculiarities of

village structure. At least two Indian authors have, indeed, argued that the caste system provided a framework for the organization of peasant rebellions, since in many cases peasants were able to assemble quickly through the medium of their caste assemblies. When peasant uprisings figure in British literature, they are often obscured under such headings as 'communal riots' between major religions, fanatical religious cults, or the activities of 'criminal' castes and tribes. While the armed struggles of peasants have often had these characteristics, a large proportion of such movements has also, and primarily, been concerned with the struggles of tenants, agricultural labourers, plantation workers, or tribal cultivators, against the exactions of landlords, bureaucrats of the state, merchants, moneylenders, or their agents, the police and the military. Information is limited about peasant uprisings and other forms of violence against the rich and powerful in remote pre-British times. Whatever the earlier record, revolts broke out in many areas during the seventeenth and eighteenth centuries, as the Mogul bureaucracy became more oppressive and exacted harsher taxes, as commercial relations penetrated the countryside, and as local rulers made increasing incursions into tribal hill territories.

Prominent among the peasant rebellions against the Mogul were those of the Jats of the Ganges-Yamuna region from the 1660s to 1690s, and of the Satnami religious sect in 1672. In some, but not all, of the revolts against the Mogul power, peasants placed themselves under the leadership of local princes or land managers (zamindars) who rebelled because the imperial land revenue pressed so heavily on the peasants that there was little left for these local dignitaries. In the eighteenth century, the rapid expansions of Sikh and Maratha power and the growth of Thuggee bands in the heartland of the empire owed much to the fervent support of peasants suffering under Mogul revenue exactions. Outside the empire, peasant opposition to encroaching royal authority in the eighteenth century was instanced in the revolts of the Maomoria movement against the kings of the Assam valley, and in south India, in the resistance of the Kallar (literally, 'Robber') tribes people against the efforts of the rulers of Ramnad and Madura to extract taxes from them in traditionally independent hill regions. As it spread gradually throughout India, however, British rule brought a degree of disruption and suffering among the peasantry which was, it seems likely, more prolonged and widespread than had occurred in Mogul times. The effects of British rule came, of course, unevenly and in stages, but once operative, they created a structure of underdevelopment in the Indian countryside which became endemic, and which has been modified but never eradicated since Independence. Although analyze this structure in detail

here, the following seem to me to have been the major changes that have affected Indian peasants during the 200-odd years between the beginning of British rule and the present time.

KISAN SABHA MOVEMENT

The kisan movement has had a history of at least 120 years since the British regime came to be established in India. To those of us who are used to peasant agitations organized and led by some conscious leaders having a political ideology and struggling for the collective and progressive welfare of peasants, the earlier agitations of peasants may seem to be rather unorganized and spasmodic groupings of the semi-conscious masses in the dark. Yet a brief review of such groupings will be of great interest to us who are anxious to develop a conscious, organized and militant kisan movement bent upon the achievement of Kisan and Mazdoor Raj

In eastern Bengal, the main area of the Kisan Sabha activities among the sharecroppers was the pargana Susang, in the district of Mymensingh, inhabited largely by tribes, including the Hajangs and Garos. The Kisan movement, beginning in 1938, was aimed against the most widely prevailing system of rent payment, the tanka system. Under it a fixed portion of the produce had to be paid as rent, whatever the produce.

The movement partly succeeded. The tanka system was not formally abolished, but the Hajangs were given the option of paying their rent in kind or cash. This was no small gain, in view of the tendency of the agricultural prices to rise since 1939. In 1939 the Kisan Sabha sought to organize a larger movement in northern Bengal. It demanded an increase in the share of the bargadars from one-half to two-thirds. The movement did not catch on. However, it was the beginning of the Tebhaga movement, which started in 1946.

The Kisan Sabha was aware that such reforms were only partial solutions of the problem of bargadars. To the Sabha the real solution was the abolition of the barga tenure altogether and the eventual conversion of bargadars into occupancy riots, defined and protected by law. While struggling for the reforms the Sabha never lost sight of this ultimate goal. It is quite likely that the arguments of the Bengal Land Revenue Commission (1940), in favor of abolition of the barga system were influenced by the constant preaching's of the Kisan Sabha. In Bihar the Kisan Sabhas had another grim battle to fight to stop evictions of peasants by zamindars from the so-

called bakhasht land. These lands were the zamindars' 'own' lands, distinguishable from the lands cultivated and owned by the peasants.

The origin of the bakhasht land can be traced to the dispossession by zamindars of the owner-peasants on grounds of non-payment of rent. The formal dispossession, however, rarely resulted in the change of cultivators. Evictions on a considerable scale began in 1937. The zamindars were provoked largely by the agitation at the time over the amendment of the Tenancy Bill. They feared that the amended Act would confer on the cultivators the status of occupancy ryots, which in fact was precisely one of the demands of the Kisan Movement. The Kisan Movement was aimed both at restoring to the owner-peasants the lands they had lost and preventing the evictions from the bakhasht lands.

The measures of the Congress ministry in regard to the first question disappointed the kisan leaders. These measures provided for the restoration of all lands, in respect of which the rent was enhanced or commuted into cash in the years between 1911 and 1937, and also of the lands sold in the years between 1929 and 1937. They, however, did not apply in cases where the zamindar was exempted from the payment of agricultural income-tax and where the land had already been settled with other tenants 'in good faith.' Thus only a small portion of the bakhasht land was affected.

The Kisan Sabhas organized Satyagraha by the evicted peasants thereby preventing others from cultivating the land. This resulted often in violent clashes. Such clashes were most numerous in Barhayatal in Monghyr district, a place mostly inhabited by the low-caste Dhanuks. The Kisan Sabha had a strong hold there, having led in 1936 a fight against begari (unpaid labour). The All-India Kisan Sabha observed the 'Bihar Kisan Day' on 18 October 1937 as a mark of protest against severe police repression on the Satyagraha.

Another problem which the Bihar Kisan Sabha had to face was that of the sugarcane growers. The peasants cultivated sugarcane with or without advances from the sugar mills. With decreasing demand for sugar, the demand of the sugar mills for sugarcane suddenly fell. Earlier in similar circumstances the sugarcane growers could partly make up for the loss by pressing the sugarcane themselves and making molasses and gur. Now that the market for gur also shrank, the producers had no other alternative but to accept whatever prices the sugar mills had offered. The

Kisan Sabha organized a movement for securing higher prices. In 1933, it asked the producer not to enter into contracts with the mills except through the newly set-up Provincial Sugarcane Sabha.

The Kisan Sabha contended that in face of combined opposition by the sugarcane growers the mill-owners would eventually prefer paying higher prices to shutting their mills for want of sugarcane. Similar agitations on a much larger scale took place in 1935 in the Dinajpur subdivision. The Sugar Factories Control Act passed by the Congress ministry fixed a minimum price for sugarcane. In fact this did not help the producers. The Kisan Sabha soon found that 'the minimum has invariably become the maximum, as millers have never thought it fit to pay even a pie more than the minimum price fixed by the Government.' The Kisan Sabha's success was only partial in respect of this problem. In the context of the falling prices of agricultural produce, the rates fixed on the basis of the pre-depression prices for the use of the canal water in the one canal area in Shahabad and in the Damodar Canal area in Burdwan became extremely iniquitous for the peasants using water for canals. A significant aspect of the Kisan Sabha activities was a fight for a reduction in the water- rates. The peasants won a complete victory in the Damodar canal area.

The peasantry in Bengal and Bihar was not at all a homogeneous group. This again posed problems for the Kisan Sabha. The strategy of the Kisan movement in its early phase does not seem to have been influenced very much by the heterogeneous nature of the peasantry. The earliest constitutional document of the Bihar Kisan Sabha (1929), defined a peasant as anyone whose primary source of livelihood was agriculture. The more elaborate constitution of the Sabha (1936) said essentially the same thing.³⁹ The Sabha ignored the different aspects of production in agriculture. In fact agriculture provided means of livelihood to different groups in different ways.

A separate organization of agricultural labourers was not however considered necessary: The Kisan Sabha does not desire that by creating a separate organization of agricultural labourers any strife should be let loose between them and landlords and riots, nor should the latter oppress agricultural labourers.'⁴⁰ At the 1937 session of the Bihar Provincial Kisan Sabha at Niyamatpur in Gaya district (15 July 1937), Sahajanand said: The interests of the agricultural labourers and the Kisan are the same'. The ideas of the Kisan leaders gradually changed, presumably because

of a better understanding on their part of the then existing agrarian structure. At the first session of the Mymensingh District Krishak Samiti (24 February 1938) the President Muzaffar Ahmed classified the peasants into four groups: (a) those who tilled other men's lands; (b) those who tilled their own lands and also other men's lands, because their own holdings were not large enough for their subsistence; (c) those who had lands just enough for them, and (d) those who had enough land and got it cultivated by hired labour. Ahmed felt that the last group should not join the Kisan movement, and that its strength should come from the first three groups. The Secretary of the Bihar Provincial Kisan Sabha, Awadheshwar Prasad Singh, also thought alike, though he thought that the Depression had tended to blur the distinction between a large number of owner-peasants and agricultural labourers. For their own benefit and gain.'

It seems, however, that the Kisan Sabha's success was only partial in bringing the 'lowest strata of the peasantry' into the Kisan movement as a permanent force. An enquiry made in 1939 by the Bengal Provincial Kisan Sabha into the nature of the composition of the membership of the Sabha in the Kishoreganj subdivision of Dacca showed that 'the majority was Raiyats, and a smaller number were under-Raiyats and bargadars.' Swami Sahajanand admitted that even as late as 1944 it was 'really the middle and big cultivators. for the most part with the Kisan Sabha.' He even suspected that the 'middle and big cultivators' were 'using the Kisan Sabha.

Mass Emigration

The Districts of Cuddapah, Kurnool, Anantapur and Bellary were ceded to the British by the Nizam about the beginning of the 19th Century. The local peasants were made to pay in full the excessive land revenue and other innumerable cesses and imposts previously imposed by the Nizam, whereas in the past, the Nizam's Collections were not so regular; the burden of such taxes became too heavy. But all the complaints made by peasants were of no avail and the British administrators were anxious only to increase their collections year after year. In their unholy anxiety to increase their collections, the Collectors insisted upon every ryot taking a particular portion of waste land, whose extent was increasing into cultivation and paying tax on it in proportion to the land cultivated by him whether such land is cultivated or not and desired or not by the peasant. In despair, large numbers of peasants of these districts, now known as Rayalasila had begun to emigrate to the neighboring forests and Mysore, only to escape from these increasing burdens of taxes. They had abandoned their lands and homes and beloved

surroundings since at that time, the possession of land became more a burden than an asset. This naturally opened the eyes of the Government. Hundreds of deserted villages and lakhs of acres of abandoned land smote the rulers in the face and threatened the solvency of the Provincial Government. In a hurry, Sir Thomas Munro was sent to settle the land revenue payable by peasants and the Government agreed to his proposals and carried out in 1820-30 the drastic reduction of land revenue and he systematized the survey and settlement and land records. This was the first triumph of our peasants during the nineteenth Century.

CHAMPARAN SATHYAGRAHA

Champanan Struggle 1917-8 The next phase in the awakening of our Kisan owed its development and success to the leadership of Mahatma Gandhi and Rajendra Prasad in the famous Champanan struggle against the indigo planters, many of whom were Europeans, who were persecuting the local Bihari peasants to grow Indigo against their will on pain of paying higher taxes and collecting several • illegal exactions. Mahatma Gandhi initiated the method for that time extremely novel and original, of conducting a systematic and authoritative enquiry into the real nature and degree of the sufferings of the peasants at the hands of the planters. Thousands of suffering peasants flocked around the Mahatma and Rajendra Prasad and detailed their woes. But the Provincial Government took fright and prohibited them from pursuing their enquiries.' On their refusal to obey this prohibitory order, there arose a crisis, in which the arrest of Mahatma Gandhi and subsequent release were followed by the appointment of an enquiry Committee with Mahatmajee as one of its members.

Eventually the Bihar Government accepted the recommendations of the Committee whose report bears the imprint of Mahatma's personality. An enactment based on the Report relieved peasants from their most immediate and pressing troubles and freed them from the special impost laid on them by the Indigo planters. But just as the earlier Congress agitation led by Ramesh Chunder Dutt against temporary settlements did not embrace the exploitation of our peasants by zamindars, so also this agitation led by the Mahatma in Champanan did not lead up to any fight against the main causes for the terrible poverty and sufferings of Champanan peasants, namely the excessive rents and exorbitant incidence of debts. It may be because of Mahatmaji's growing habit which later on came to be considered as one of his political virtues of concentrating upon one thing at a time. But it does strike one as rather significant that both he

and Rajendra Prasad should have remained scrupulously silent upon the ravages of the zamindari system and the extreme need for liberating peasants from its clutches. Anyhow, this Champaran Satyagraha movement of 1917 i.e. during the Great War had the excellent result of awakening not only of the Bihar peasantry but also the general public of India to the tremendous revolutionary potential latent in the bosom of our peasants.

MAPPILA UPRISING

Mappilla Rebellion The latter proved to be disastrous to all concerned, except the British. In Malabar, Mappillas who are Muslims by religion are mostly either agricultural workers, or tenants or the most depressed section of intermediary landholders with or without personal cultivation. They were then being exploited mercilessly by the Nambudris who were the virtual owners of the land and who had the absolute right of electing any intermediary peasant, known as Kanamdar or any of the actual cultivators. In fact these Nambudris, who were Brahmins, were often aided by Kanamdar, most of whom were Nair's and they were freely exercising their right to evict peasants from their homesteads and raising the rents at their will and pleasure. No wonder an agitation sprang up in the wake of the Religious Revivalist movement which later on was prostituted by the Justice Party. Its leaders were the late Sir M. Krishnan Nair and Mr. M.P. Narayana Menon. One joined the Justice party and rose to be an executive Councilor of the Madras Government and the other entered the Congress and came to be condemned for transportation for life for the alleged crime of having incited Mappillas to wage war against His Majesty's Government to be released only in 1936.

This rent reduction and permanency of tenure agitation, awakened the peasants, both Hindus and Moslems to the need for political action. It helped Krishnan Nair to be returned to the Madras Legislative Council. It gave a tremendous initial significance to the Non-cooperation Movement of Malabar. But soon a communal turn was given by some very responsible Moslem leaders and all the pent up enmity and disgust of peasants in general and Mappillas in particular burst up like a volcano, and resulted in blood-shed. The frightened Nambudris had in the meanwhile made common cause with the leaders of Kanamdar agreed with the Justice Party, of which the earst while leader of tenants M. Krishnan Nair was an important pillar, over compromised tenancy legislation and rallied all the Hindus to aid them and thus helped to make the whole thing a communal fight. The poor peasants who were thus mislead by their religious

leaders and intrigued by their landlords and deceived by their colleagues, the Hindu tenants who were in their turn humbugged by the Justice Party, rushed headlong with their false religious slogans of hostility and war against Hindus in general and their suicidal means of blood and fire. Thus in a few months the heroic peasants of Malabar were either mowed down by British fire or consigned to Andaman's in all their thousands. This fight has become notorious for the train-tragedy in which nearly 80 Mappillas died of suffocation in a closed railway wagon and also for the treachery perpetrated upon our innocent peasants by religious leaders, reformist tenant agitators and the withdrawal of all Congress advice, leadership and support from the sufferers just at the right nick of time

Towards the beginning of the middle of 1921 there arose a mighty, unprecedented upsurge by the Mappillas in Malabar. For a considerable length of time British rule was completely wiped out from the region and an independent Khilafat kingdom was established. Though the main grievances of the Mappilla were related to agrarian discontent, in the absence of a scientific, rational and secular leadership, the movement passed into the hands of reactionary, outmoded and orthodox priests and divines. In their traditional, conventional way these divines perverted the dynamic character of the upsurge into a communal strife by forcible conversion of a considerable number of Hindus. The consequences of such short-sighted action could easily be foreseen. Isolated morally from the rest of Hindu India and surrounded on all sides by the overwhelmingly superior and technically better-equipped imperialist forces which blocked all routes of arms supply, the Mappilla could not sustain their resistance-for long. The Moplah casualties were quite heavy.

More than 3,000 died; several thousand more were wounded. Among the fifty thousand who surrendered there were also the ruler of the Khilafat kingdom, Kunhahmad Haji, and six of his lieutenants. They were shot on 20 January 1921. Contrary to the principles preached by the non-cooperators, the rebels had turned to armed struggle against the imperialists and their henchmen, the landlords. The attitude of the Indian National Congress towards the Moplah revolt was different from that adopted towards the Akali movement. The Congress Working Committee convened a special meeting to discuss the Moplah question and expressed deep sorrow at the violent methods adopted by the insurgents. The committee indicated that the people on the Malabar coast had misunderstood the message of the Congress and the Khilafat Committee,

which as the committee pointed out that the government report had exaggerated the harm caused by the Moplah rising and under-estimated the cruelty of the authorities, 'in the name of peace and order. The Mappilla upsurge, a link in the chain of the anti-colonial agitations of the masses during the postwar years, was of very great significance, not for the peasants alone, but for the national liberation movement as a whole. Notwithstanding its drawbacks it magnificently demonstrated the will of the peasantry to struggle for its rights.

SANTHALS REVOLUTION

Santhal' Revolution Later came the 1855-73 Santhal and Bengal revolts, this time not only against the British Raj as such but also against the Zamindars who were invested with unjustified, and undreamt of powers of ownership of land that peasants had customarily considered and cultivated for millenniums as their own and also against money-lenders who were given powers to get peasants imprisoned for failure to repay their debts and against the autocracy of officials. The Santhal never thought that they could be evicted from their ancestral homesteads, holdings and forests for failure to pay taxes and debts but that had come to happen. The self-respecting, proud, if unorganized, Indian peasant never could reconcile himself to the preposterous right conferred by the British Government on the Zamindars to distrain his properties, including his draught cattle, grain crops and that too came to be the order of the day. So he rose in revolt against that unjust order of the day, imposed upon them by British imperialism through the convenient media of its allies, the Indian Zamindars and money-lenders. The peasants 'banded themselves (especially in Patna District) to resist short measures; illegal cesses, and forced deliveries of agreement (one-sided) to pay enhanced rents.' And also 'there had been a combination of Raiyats (peasants) in East Bengal, refusing payments except what they considered just.' The Santhal found their leaders in two brothers who claimed to have received some occult blessings from the gods to put an end to the officers and to the deceit of merchants. As many as 35,000 Santhals formed their bodyguard. They armed themselves with their traditional weapons of bows, arrows, axes and swords. They began to march to Calcutta to place their petition before the Governor to free them from their oppressors. But one Government Inspector obstructed their march and provoked them on 7-7-1855 into violence.

Thus had commenced their rebellion and their resultant massacre at the hands of the British. The British officers who had been smitten with remorse later confessed that 'it was not

war, it was execution; we had orders to go out whenever we saw the smoke of a village rising about the jungle. The Magistrate used to go with us. Surrounded the village with my sepoy and the Magistrate called upon the rebels to surrender.' To such an unjust and peremptory order, the brave Santhals knew only one answer to give. That was defiance. There upon they were brutally fired upon and butchered en masse.

The Santhals displayed such exceptional courage and military discipline that they faced successive volleys of British bullets with reckless heroism and abandon.

The government had however to yield to these peasants, despite its gratitude to the Bengal Zamindars for their treacherous betrayal of the War of Independence and passing the Bengal Tenancy Act which had come to re-establish the lost permanency of tenure and fixity of feudal exactions..

These Santhals are losing their lands to the plainsmen, whether they are money-lenders, landlords or touts. Many are the causes for this. The following are mentioned by Mr. Ece Mulder in his article in the New Review of February 1947.

- (1) Rent suits and executions,
- (2) Loans,
- (3) Surrender by fraud,
- (4) willfully defective settlement,
- (5) Zhulum and brute force of landlords, officials, etc.,
- (6) Illegal mutilation of kisan' names on landlords' registers,
- (7) Misunderstanding of the tribal peoples' rights by the courts,
- (8) Starting pen shops on aboriginal land and then quietly or suddenly rebuilding these shops into pucca buildings,
- (9) Covering aboriginal areas with groghops, instead of providing wells, tanks and other forms of irrigation,

(10) The threat of leasing out forest and grazing lands to companies of financiers, bankers or landlords.

TEBHAGA MOVEMENT

Yoked to a defective socio-economic system, ('Lotdari' system) which reduced them to tragic non-entities, the peasants of Kakdwip rose in revolt against their traditional oppressors in a bid to establish their right to live. It began as a movement of petition and protest. But the main movement, Tebhaga, and the formulation of its demand did not originate from below. It was not confined to the area and did not start until the Communist Party came into the picture. At the initial stage, the peasants could not think that their demand, Tebhaga, would ultimately be met. 'The famous Kakdwip movement began', observes Mr. K.B. Ray, the then President of Bengal Provincial Kisan Sabha, 'not as an independent and spontaneous action but as a part of All Bengal Tebhaga Movement sponsored by Bengal Provincial Kisan Sabha' The main objective of Tebhaga movement was to establish 'Tebhaga' principle i.e. two-thirds share of the produce for the share-cropping cultivators instead of customary half. When the Tebhaga movement in Kakdwip broke out in 1946, very few knew about the condition of its people and of the nature of this region. Although Kakdwip is only fifty miles to the south of Calcutta the region as a part of the Sundarbans was very backward and almost inaccessible from administrative centres. Mr Kangsari Haider, the famous leader of this movement, says, 'It would not be wrong to say that before Tebhaga, the region was unknown to the Civilized World'. And observing from administrative point of view, a member of the Bengal Legislative Assembly pointed out '... it seems to be that the people of this region are not under the British rule

'From individual statements of more than 40 local peasants and also some landlords' agents and police officers, we see below the types of exactions and their approximate rate prevailing in Kakdwip area before the Tebhaga movement. When the peasant organization in some form had already been developed in a few villages, Bengal Provincial Kisan Sabha gave its 'Tebhaga Call' in September, 1946. In this connexion it may be pointed out that what Sunil Sen. says about the origin of the Tebhaga³² runs counter to Bhowani Sen.'s opinion which is as follows: 'Since 1938 Bengal Provincial Kisan Sabha had been persistently propagating for the abolition of Zamindari and also for conceding the demand for Tebhaga adding by way of supporting the former's conclusion in regard to the origin of the Tebhaga demand that it owed

more to recommendations of the Land Revenue Commission of 1938 than to the ingenuity of the Sabha.' Since Tebhaga was for the interest of share-cropping cultivators, the peasants of Budhakhali of whom about 89% were share-croppers first responded to the call. Along the Tebhaga, other slogans were 'Zamindari Khatam Karo' (abolish Zamindari), 'Nij Khamare dhan tolo' (stock crop to own yard), 'Samasta Zulum Bandh Karo' (stop all oppression), Bhag jamir rasid chahi (give record of right son rented land), etc. The Tebhaga slogan became so popular that the movement spread in all parts of the area. In Kakdwip, where it became remarkably intensified were Munsif's lot, Fatikpur, Bamanagar, Bisalakshmipur, Dwariknagar, Berar lot, Sibrapur, Radhanagar, Durganagar, Chandanpiri, Layalganj, Haripur, Raj-nagar, Debnibas and from Lakshmipur to Fragarganj. Everywhere the share-cropping cultivators were being organized almost spontaneously under the leadership of Kisan Samity. Inspired by Kakdwip, peasants of Mathurapur and Sagar Island started the Tebhaga movement spontaneously without Samiti's leadership. This is to indicate the popularity of the call.

Everywhere in Kakdwip Kishan Samitis were formed on Union basis; at the bottom was the local committee. Each Union Kisan Samiti had a working Committee consisting of 6/7 members. During Tebhaga, Tebhaga Committees were formed with the consent of common peasants in the village meetings. As most of the peasants were illiterate public meetings, gharoa meetings (indoor meetings) processions, Tebhaga songs and geets, tarja (a type of rural song) on Tebhaga were the main vehicles of propaganda. They used to sing Tebhaga songs early in the morning through the village paths and meetings were held regularly for awakening the sharecroppers. of Tebhaga movement should stock paddy at the Jotedar's yard. But the Kakdwip share-croppers' movement reached such a height that the peasants of this area were reluctant to follow the party's decision. Consequently, the Party had to modify its policy and asked the peasants of different areas to act as the situation warranted.

The Tebhaga movement, the most significant event in the Kakdwip area, had brought about immediate as well as far-reaching changes.

- i) In the harvesting session of 1946-47, the movement was successful and in the next session, it was partly successful. It was the movement by which all illegal exactions were done away with forever.
- ii) 'Dera-bari' and eviction have ceased.

- iii) All sorts of ill-treatments, ranging from physical torture to the dishonoring of women came to be a story of the past.
- iv) v) The movement brought Kakdwip to the attention of the Government. To take the edge out of the Communist movement, the B.C. Roy Ministry provided in its budget for the financial year of 1952-3 a portion of Rs. 1,50,000 earmarked for 'the Communist affected area', which seemed definitely to be the Kakdwip area.⁴⁷ vi) vii)
- v) The Tebhaga movement of Kakdwip had undeniably contributed towards the agrarian land-reform laws of the subsequent years.
- vi) Over and above all, what is more significant was that within a few years the peasantry of Kakdwip underwent a revolutionary change in their thinking and outlook in that they were not only able to shake off their servile and submissive mentality, but also elevated themselves from the 'half-free' status of a serf to the status of a Citizen.

TELANGANA MOVEMENT

The revolt in Telangana and the adjoining districts of the Andhra delta was one of the two post-war insurrectionary struggles of peasants in India.¹ It was launched by the Communist Party of India (CPI) as a sequel to the shift in its earlier policy of collaboration with the Congress giving way to a strategy of encouraging or initiating insurrectionary partisan struggles. The revolt began in the middle of 1946 and lasted over five years till it was called off in October 1951. It resulted in land reform legislation that produced some perceptible changes in the agrarian social structure of the region. The Telangana peasant revolt is often considered as paradigmatic and has attracted widespread attention in this paper we shall examine both its general and specific features. The focus will be mainly on the structural setting and the class character of the revolt and on the specific historical conditions that shaped its character.

To very briefly outline the framework of the study, we define as 'peasant' anyone who earns his livelihood from cultivation of land; the class of absentee landlords and rentiers are, however, excluded. Peasantry is not itself an internally homogeneous social category. The contradictions existing within a peasant or agrarian society and its internal differentiation and conflicting interests have been viewed here from the Marxian angle of 'class' and 'class conflict'. The model of agrarian classes consisting of the 'rich', 'middle', and 'poor' peasants in addition to the landless labourers is usually drawn from the works of Lenin and Mao Tse-tung.

However, its application to the Indian and specially to the Telangana situation calls for caution. First, like all other social classifications, this model is also regionally specific. Here the extent of property owned in land becomes a crucial variable. We have considered peasants owning acres of land (or 10 acres of irrigated land), or more, as rich, those having an average (in that region) holding or below as poor and the rest as middle peasants. Secondly, we also realize that in India a host of social cleavages other than class, such as caste, kinship or ethnic ties ('community type bonds') cut across the economic class situations. Our use of the term 'agrarian class' does not imply that these primordial loyalties are either non-existent or play no part in class formation. In other words, it implies Marx's notion of 'class in itself' unity of economic interests only and not his notion of 'class for itself'. We do not suggest that those who occupy the same class position are necessarily aware or politically conscious of their collective interests.

Land Control and Social Structure in Telangana under the Nizam's Hyderabad was one of the largest princely states in India before independence. A political structure from medieval Muslim rule had been preserved intact till the state merged into the Indian Federation in 1948 (GOI (i). Smith 1950: 27-8). After the advent of the British in India, the Nizam's in Hyderabad simply retained in form a semblance of sovereignty which they exercised with the tacit consent of the representatives of the British Crown. Right from the troubled days of the Mutiny (1857) through the two world wars, the Nizam's liberally contributed to and ardently supported the British Empire. The Hyderabad state covered a substantial part of the southern plateau in the Indian peninsula. Its total area was some 82,000 square miles; its predominantly Hindu population totalled 18.6 million in 1951. There were three linguistic regions in the state (1)Telangana nine districts of Telugu-speaking people;

(ii) Marathwada five districts of Marathi-speaking people; and

(iii) Three Kannada-speaking districts. The first formed a majority of 47 per cent in the total population while the other two regions shared the rest except the 12 per cent accounted for by Urdu-speaking Muslim.

Political Development in Hyderabad and Mobilization of the Peasantry in Telangana from 1936 to 1946

The despotic rule of the Nizam permitted neither political freedom nor any representative institutions. Harassment of suspected political activists, detention of leaders and potential agitators were so common forms of repression that a straightforward political movement was almost ruled out in the state till 1930 or so. However, after 1920 several members of the intelligentsia and liberal professional class in Hyderabad, inspired by the Indian national movement, formed three different cultural-literary forums, one each for the three linguistic regions of the State. The Andhra Conference, which operated in the Telangana districts, was set up in 1928 and began to mobilize public opinion on issues like administrative and constitutional reforms, schools, civil liberties, recruitment to services, etc., reflecting partly the regional economic and political aspirations and partly the urban middle class and elitist character of the new political commotion

Congressmen and their sympathizers operated chiefly through the three 'mask organizations'. Political developments in India in the thirties prepared the background for a nascent movement for constitutional reforms in Hyderabad also where the political conditions were being slightly liberalized. The Hyderabad unit of the Congress started a Satyagraha in 1938 for political reforms. But the agitation came to be dominated by the Arya Samaj and the Hindu Mahasabha and the Congress, acting on Gandhi's advice, abandoned it to lessen political confusion. The rise of the Hindu nationalist opinion was clearly a reaction to the growing dominance of the Majlis Ittehad-ul-Musalmin a communal organization of Hyderabad Muslims committed to the idea of Muslim supremacy in the State's politics

During the Second World War, the Andhra Conference expanded its network in the Telangana villages by taking an active interest in agrarian problems such as vetti labour. Just across the border, in the Andhra delta districts of the Madras Presidency, a political movement for unification of all Telugu-speaking regions into a separate Vishalandhra was launched by the Andhra Mahasabha. In the Telangana region the branches of Andhra Conference and Andhra Mahasabha functioned in close collaboration. Following the Satyagraha the Congress was banned in 1938, and so was the CPI, with the result that the Andhra Conference and the Andhra Mahasabha had the entire field of politics wide open for their activities.

The communists arrived on the Telangana scene only during the latter half of the war period. They had been active in the delta districts since 1934 when the Andhra CP was

established. The party drew its strength from the famous caste of Kammas-well- to-do peasant proprietors for whom other political alternatives did not exist as their archrivals Brahmins and Reddys dominated the Congress. Between 1928 and 1933, Professor N.G. Ranga had laid down a framework of regional level peasant organizations which, later in 1936, were affiliated to the All India Kisan Sabha, CPI's front organization. This for the CPI, was the period of the 'United Front' strategy which made strange political alliances possible and helped it to infiltrate the Congress and the Congress Socialist Party and to capture a host of peasant organizations all over India, including those in the Andhra delta. Consequently the Indian Peasant Institute, started by Ranga at Nidubrolu, imperceptibly turned into a training centre for CPI cadres (Ranga 1949: 76). By 1940 the communists were firmly entrenched in the Andhra delta politics. During the ban (1940-2) they operated through 'front' organizations like the Kisan Sabha, Andhra Mahasabha, and so on. But the rich Kamma Kulaks formed the class base of the Andhra CP and provided the party with funds and workers.

The growing influence of the communists in the delta naturally had its spill-over in the adjoining Telangana region; this was visible in the changing complexion of the leadership and of the workers of the Andhra Conference. Some of the newly emerging leaders had earlier participated in the civil disobedience movement (1930- 2) and later in the Hyderabad satyagraha (1938). But they could no longer look to the Gandhian Congress for ideological orientation and guidance as the Congress itself eschewed mass movements and refrained from committing itself to a definite economic and political programme. The young radical elements within the Andhra Conference therefore turned to communism and converted the cultural forum into a mass militant organization a united front of the youth, peasants, middle classes, and workers against the Nizam's government. Economic conditions of the different strata of Telangana peasantry had deteriorated, first due to the depression and later due to the war. The peasant groaned under the tyranny of landlords, desh mukhs, and sa hukars, an unsympathetic police force and unfair revenue, judicial, administrative machinery that added misery to his poverty. Any organization espousing his cause could have won his gratitude and support. Through the Andhra Conference young communists voiced the peasant's grievances, paid more and more attention to the agrarian problems in Telangana, and mobilized opinion in favor of abolition of landlordism and the oppressive vetti system. But before 1940 the Andhra Conference had done practically no work to build a peasant organization as such. Students, leaving college, were being recruited to the party

the Andhra Conference gained considerable ground in Warangal and Karimnagar districts. All over Andhra and Telangana membership enrolment figures for all the CPI-led organizations showed remarkable improvement.

Historic Significance of Telangana

Firstly, the significance of the historic struggle was that it was a struggle for ending the autocratic rule of the Nizam and for the establishment of democracy and for foiling the conspiracy of the Nizam to make Hyderabad an independent state. The struggle played a very significant role in ending the Nizam's rule and for unifying the country.

Secondly, it was a revolutionary agrarian armed struggle for ending inhuman and outdated feudal order, presided over by the Nizam, and for giving land to the agricultural workers, peasants and adivasis. Though it was not able to fully realize this aim, it greatly helped in eliminating forced labour, illegal taxes and oppression of various types by feudal lords. It greatly helped in eliminating the jagiri system at one stroke and giving full ownership rights to the jagiri peasants and occupancy rights to the tenants- at-will of the deshmukhs.

Thirdly, it was a struggle for division of the state into linguistic zones and formation of unified linguistic states of Andhra, Maharashtra and Karnataka with the people of adjoining areas speaking the same language so as to facilitate all-round political, economic and cultural development of these people. This struggle greatly helped the subsequent struggle for the formation of linguistic states in India. With the success of the struggle not only the Hyderabad state but other provinces of India were divided into unified linguistic states, along with Vishala-Andhra, Samyukta Maharashtra and Samyukta Karnataka states.

Fourthly, it was an armed struggle fought under the leadership of the Communist Party over a vast area in which about 20 districts, both of Telangana and Andhra area, were involved. In this struggle 4,000 Communist Party cadres and sympathizers laid down their lives and millions of people participated and underwent terrible sufferings. The armed struggle not only enhanced the prestige of the Telangana and Andhra units of our party, but of the entire party. The struggle made our party in Telangana and Andhra areas a revolutionary party. The armed struggle set revolutionary traditions among the Telugu people—a great capital for our party.

Fifthly, the struggle had two phases: anti-Nizam and anti- Congress-government. So far as the anti-Nizam struggle was concerned, it was a struggle in which millions of people took part and it was started on the crest of a mass upsurge. The extension of this struggle to the second phase was done with a wrong understanding of the situation obtaining in the state, our country and the world at that time. Though our party extended to the forest regions in this phase of struggle, yet because of this wrong understanding, we were cut off from our main base both in Telangana and Andhra area where we had been building our movement for decades.

Extension of the armed struggle in desperation to the Andhra area, there was no mass wave at all as in Telangana.

If we had changed our political line after the police action in Telangana and utilized the opportunities which came at that time, our party's position and movement would have been far stronger than what it became by continuing the armed struggle.

Lastly, there was never any difference in the Telangana and Andhra units of our party over the anti-Nizam phase of the struggle. But when some leading comrades saw the bad effects on the second phase, they differed and wanted the withdrawal of the struggle. But the major section of the leadership thought otherwise and the struggle continued up to the end of 1951.

The glorious traditions and achievements of this heroic struggle are the common heritage of the entire united communist movement. Those who led and took part in this struggle are today inside the Communist Party of India, Communist Party (Marxist) and in the extremist movements.

THANJAVUR

In Kivalenmani village in eastern Thanjavur, Tamil Nadu, in 1969, a group of Harijan landless labourers, influenced by the CPI(M), struck for higher wages in view of the increased production and price inflation brought about by the 'green revolution' Goons hired by their landlords arrived on their street at night, imprisoned 42 men, women and children in a hut and burnt these people to ashes. Again, in Chandwa-Rupaspur village, Bihar, in November 1971, a movement of Santhal tribes people resisting encroachment of their land was met by landlords' thugs. Four Santhals were roasted alive, 10 were shot dead or hacked to pieces, 33 were severely

wounded and 45 huts burned down. These incidents and many similar ones have illustrated a process of peasant resistance and landlord reprisals that has intensified in India during the past seven years. Since the Naxalbari uprising in West Bengal in 1967 and the emergence of rebel and revolutionary groups among both townsfolk and peasantry, several peasant struggles have erupted, hundreds of landlords, police and moneylenders have been assassinated, and thousands of peasants have died by violence.

Social movements among the peasantry have been widely prevalent in India during and since British rule. We may define a social movement as 'the attempt of a group to effect change in the face of resistance' and peasants as people who engage in agricultural or related production with primitive part of their produce or its equivalent to landlords or to agents of the state. This article is confined to social movements which

- (a) involved peasants as the sole or main force,
- (b) were class struggles against those who exacted surplus from peasants and
- (c) undertook or were provoked to armed struggle in the course of their careers.

Generally, the scope and significance of India's peasant uprisings have been under stress. Barrington Moore, Jr. for example, in spite of acknowledging at some length instances of peasant revolts described in recent Indian writings, concludes that China forms 'a most instructive contrast with India, where peasant rebellions in the premodern period were relatively rare and completely ineffective and where modernization impoverished the peasants at least as much as in China and over as long a period of time' Moore attributes the alleged weakness of Indian peasant movements to the caste system with its hierarchical divisions among villagers and to the strength of bourgeois leadership against the landlords and the British and the pacifying influence of Gandhi on the peasantry. He would argue that peasant revolts have in fact been common both during and since the British period, every state of present-day India having experienced several over the past two hundred years. Thus in a recent brief survey discovered 77 revolts, the smallest of which probably engaged several thousand peasants in active support or in combat. About 30 revolts must have affected several tens of thousands, and about 12, several hundreds of thousands. Included in these revolts is the 'Indian Mutiny' of 1857-8, in which vast bodies of peasants fought or otherwise worked to destroy British rule over an area of more than 500,000

square miles. The frequency of these revolts and the fact that at least 34 of those considered were solely or partly by Hindus, cause me to doubt that the caste system has seriously impeded peasant rebellion in times of trouble.

There does seem no doubt that, apart from the Mutiny, peasant uprisings in China usually had a wider geographical scope than those in India. At least since late Moghul times the reasons for this may have included political fragmentation as well as diversity of language and culture among India's people. During the later decades of Moghul rule the country had already disintegrated into a number of virtually autonomous, mutually warring kingdoms and principalities between whose peasants there was little contact. The British conquered India piecemeal over a hundred year period from the mid-eighteenth to the mid-nineteenth centuries. Early revolts against their rule therefore tended to occur at different dates in different regions, although there was inter-regional coordination among the largest—for example, those led by Raja Chait Singh in Oudh and other areas in 1778-81. By Vizier Ali in Gorakhpur in 1799. And by the military chiefs (Poligar) of Madras and Andhra in 1801-5.

Shortly after the British had subdued most of India a huge uprising, widely backed by the peasantry, did sweep over most of Northern and Central India in the shape of the Mutiny, but even in this case resistance tended to be strongest in the areas more recently conquered, while those which had earlier had revolts that had been crushed, played lesser roles.

After the Mutiny, British rule and military preparedness became stronger than ever and the rural upper classes of landlords and princes were either crushed totally or co-opted by the British through concessions. At the same time, political disunity was perpetuated by the division of India into British provinces interspersed with 'native states' having separate judicial systems. Popular action was difficult to organize across these boundaries as well as across ethnic and linguistic lines. Between the Mutiny and Independence, the British government and army were also better co-ordinated than those of China and India was not disturbed by invasions. In these circumstances, politically disunited, under a despotic Central government and opposed by their landed aristocrats, after 1858 peasants engaged only in regional uprisings led by religious figures or by local peasant committees until political parties began to form peasant unions in the 1930s. Even so, some of these revolts were impressive and wrung concessions from the rulers. Since the mid-1930s peasant uprisings as well as non-violent resistance by peasants have usually been at

least partly guided by political parties, especially by communists, or else by nationalist and separatist movements of the formerly primitive tribes. In brief, would argue that the limitations of Indian peasant revolts have sprung more from broader political forces at the level of the province and the colonial and post-colonial state than from the caste system or from peculiarities of village structure.

At least two Indian authors have, indeed, argued that the caste system provided a framework for the organisation of peasant rebellions, since in many cases peasants were able to assemble quickly through the medium of their caste assemblies. When peasant uprisings figure in British literature, they are often obscured under such headings as ‘communal riots’ between major religions, fanatical religious cults, or the activities of ‘criminal’ castes and tribes. While the armed struggles of peasants have often had these characteristics, a large proportion of such movements has also, and primarily, been concerned with the struggles of tenants, agricultural labourers, plantation workers, or tribal cultivators, against the exactions of landlords, bureaucrats of the state, merchants, moneylenders, or their agents, the police and the Military

Learning outcomes

. After completing this unit, students will be able to:

1. **Understand** the nature and characteristics of peasant struggles in both pre-colonial and colonial India.
2. **Explain** the major causes behind various peasant uprisings such as the Mappila Uprising, Santhal Rebellion, and Indigo Revolt.
3. **Analyse** the impact of colonial land revenue policies and exploitation on agrarian society.
4. **Evaluate** the role of organized peasant movements such as the All India Kisan Sabha, Tebhaga Movement, and Telangana Rebellion.
5. **Assess** the significance of peasant movements in shaping agrarian reforms and rural social transformation in India.

Five marks questions

S.NO	QUESTIONS	LOCF MAPPINGS		
1	Write a short note on peasant struggles in the pre-colonial period.	CO2	PO1	K2
2	Explain the main causes of peasant struggles during the colonial period	CO2	PO1	K2
3	Describe the causes and features of the Mappila Uprising.	CO2	PO1	K2
4	Write a brief note on the Santhal Revolt (1855–56).	CO2	PO1	K2
5	Explain the significance of the Indigo Revolt (1859–60).	CO2	PO1	K2
6	What were the causes of the Phulaguri Dawa peasant protest?	CO1	PO1	K1
7	Write a short note on the Pabna Agrarian League.	CO2	PO1	K2
8	Explain the background of the Champaran Satyagraha	CO2	PO1	K2
9	Write a short note on the Kisan Sabha Movement.	CO2	PO1	K2
10	What were the main objectives of the Telangana Peasant Movement?	CO1	PO1	K1
11	Write a brief note on the Thanjavur Peasant Movement	CO2	PO1	K2

Ten marks question

S.NO	QUESTIONS			
1	Examine the nature and causes of peasant struggles in the pre-colonial period in India.	CO2	PO1	K2
2	Analyse the impact of British land revenue systems on peasant uprisings in colonial India.	CO4	PO1	K4
3	Discuss the causes, course, and consequences of the Mappila Uprising.	CO2	PO1	K2
4	Explain the Santhal Revolt and its significance in the history of tribal resistance.	CO2	PO1	K2
5	Describe the Indigo Revolt and its role in exposing the exploitation of peasants.	CO2	PO1	K2

6	Analyse the role of the Pabna Agrarian League in protecting peasant rights.	CO4	PO1	K4
7	Discuss the Champaran Satyagraha and its importance in the Indian national movement.	CO2	PO1	K2
8	Examine the growth and activities of the Kisan Sabha Movement in India.	CO2	PO1	K2
9	Analyse the Tebhaga Movement and its impact on agrarian reforms in Bengal.	CO4	PO1	K4
10	Discuss the Telangana Peasant Movement and its role in agrarian transformation.	CO2	PO1	K2
11	Examine the characteristics and significance of the Thanjavur Peasant Movement in Tamil Nadu	CO2	PO1	K2
12	Evaluate the overall significance of peasant uprisings in shaping agrarian reforms in India.	CO5	PO1	K5

Unit III

Learning objectives

After studying this unit, students will be able to:

1. **Understand** the emergence and growth of industrial society and the rise of modern industries.
2. **Explain** the causes and effects of migration from rural areas to cities during industrialization.
3. **Analyse** labour mobility and the formation of an industrial workforce.
4. **Examine** the working and living conditions of factory workers in early industrial society.
5. **Evaluate** the emergence and development of the working class and its role in social and economic change

Decline of Village Industries and Town

Handicrafts

The village industries were an integral part of the balanced and self-sufficient village economy of pre-British India. Indian villages were able to meet all their industrial requirements locally. A peculiar feature of the village economic relations was that the artisans (except perhaps the weaver) had more the status of the servants of the village community, which assigned them a part of the village land and a portion of the annual agricultural produce, than that of free producers exchanging their products and services among themselves or with cultivators. External competition was also absent since the village was almost an independent economic unit. Since agriculture had become unremunerative and there was little or no agricultural surplus, the peasantry could hardly support the rural artisans. On account of poverty and flooding of the market with industrially produced goods, the demand for the products of rural artisans declined. The famines also contributed to the decline of village artisan industries, during the period of famine, poor artisans, especially weavers, were constrained to seek relief by taking to other forms of work.

Another aspect of the change in the status of the artisan was that he was increasingly transformed into a wage worker. For instance, in earlier periods, the village weavers supplied the needs of the village people. They did not produce for the market. Under the new conditions, the weaver

Ruin of Indian Handicraft:

While the village industries declined slowly, the town handicrafts in India had a "sudden and complete collapse" under British rule. Till the first half of the 18th century, there was a steady flow of Indian goods to England, but the British Government, perturbed by the inflow, passed laws to make the sale of Indian goods in England difficult.

The victory of Plassey placed the East India Company in a favourable position in India. It thereby secured the weapon of political power which could be used to create facilities for pushing its trade, to dictate its own terms to artisans and manufacturers, to get commodities at a cheaper price, to monopolise the craftsmen, to force its imported goods on the people of India, and also to oust rival traders, both foreign and indigenous, by political measures with a view to maintaining its monopoly position. Between 1757 and 1857, the East India Company expanded its control over more and more territories in India, eliminated a number of states and drained

enormous wealth from India, which helped in the rise and growth of the Industrial Revolution in England. It was during this period of industrial boom in England that Indian handicrafts received a powerful blow and rapidly declined.

Karl Marx has rightly said: "The British in trust broke up the Indian handloom and destroyed the spinning loom, and inundated the very mother country of cotton with cottons." In India, the situation was still more unfortunate because, unlike the European example, the decline and destruction of indigenous handicrafts in India was without the compensating development of modern machine industry. The destruction of handicrafts produced large-scale unemployment, destroyed the balance between industry and agriculture and created serious distortions in India's economic situation.

The rule of the East India Company proved disastrous to the handicraft industry in India for a number of reasons. The first was that it destroyed the native states, which were the greatest customers and patrons of this industry. Secondly, the East India Company, which was the successor of these states, could have given impetus to the industries, but, being a foreign company under the control and direction of a foreign power, it adopted measures under the pressure of the British Government, which proved detrimental to the manufacturing interests of India. Thirdly, being a trading company, it wanted to produce things cheaply and sell them profitably in other markets, the heavy duties levied on Indian goods in England further necessitated the lowering of the cost of the goods procured, in order to maintain the level of profit. To attain this purpose, it monopolized weavers and other craftsmen, and compelled them to produce things at a stipulated price. Wielding political power, it could bring pressure on them to submit to its demands. The company prevented craftsmen from selling their products to Indian or foreign merchants at a higher price, thus reducing them to the position of virtual slaves. Fourthly, it imposed customs and adopted transit measures in India which created such unfavourable conditions for the Indian merchants that they could not carry on internal trade effectively. These measures, designed to oust all rival traders and to acquire monopoly trade control over the Indian market by preventing the Indian merchants from carrying on internal trade, crippled the market for Indian handicraft products. Further, by 1813, the industrial classes had become politically powerful in England. The Charter of 1813 destroyed the monopoly of trade of the East India Company and opened India for free trade to all merchants of England.

These merchants were of a category different from that of the merchants who came during the sixteenth and seventeenth centuries.

This class of merchants did not come to India to buy manufactured goods produced in India but to secure a market for the manufactured goods produced in the mills of England, and to secure raw materials from India to feed those mills. From 1814 onwards, the policy of the East India Company, which had now mainly become a political instrument of the industrial classes of England, was to adopt measures which would facilitate the import into India of goods manufactured in Britain and the export to Britain of Indian raw materials required by the British industries. Further, the establishment of British rule in India and the new type of government which it set up, created "the new types of wealthy Indians-the businessmen, the Europeanized officials, the successful money lenders who had different tastes and who did not patronize the very elaborate Oriental work, much of which was only suitable for a feudal method of living and hence not suited to their new way of living".

The oppressive methods adopted by the agents and merchants of the company, assisted by the regulations passed by it like the Act of 1793 in Bengal, had a very disastrous effect on the life of the craftsmen and the condition of their work. Thousands of families of weavers began to abandon their profession.

Thus the new rulers who replaced the native states reduced the craftsmen almost to a condition of slavery and put obstacles in the way of a free existence of the industry. As a result of this, the industry suffered both in extent and in efficiency, and a growing number of families of the town craftsmen started abandoning their profession. Within half a century of British rule in India, Indian handicrafts and industries began to collapse on account of a series of measures adopted by the British Government to suit the requirements of British industries. B.D. Basu has enumerated the following principal measures taken by the British to bring about the collapse of Indian handicrafts. From the time England acquired political power in India, she destroyed

Indian industries principally by means of:

- 1) the forcing of British Free Trade on India;
- 2) imposing heavy duties on Indian manufactures in England;
- 3) the export of raw products from India; (4) the transit and customs duties;

- 4) granting special privileges to the British in India;
- 5) building railways in India,
- 6) compelling Indian artisans to divulge their trade secrets; and
- 7) holding of exhibitions.

Another factor which affected the handicrafts in India was the attitude of the new wealthy classes which evolved on the basis of the establishment of British rule in India. "The new urban bourgeoisie which emerged during the latter half of the 18th century, followed European fashions and considered them as paragons of enlightenment. Consequently the products of indigenous industries suffered.

Thus deprived of foreign markets, deprived of home markets in the form of states, nobility, and wealthy strata of society, also hampered by the conscious and unconscious acts of the foreign Government which replaced the old states, and discouraged and often even repudiated by the new wealthy classes which replaced the old nobility. And wealthy urban classes of the old states, the handicraft industries declined and almost collapsed. By the middle of the nineteenth century, the handicraft industries had been almost ruined. The railways, which began to develop in the forties, enabled the British manufactured goods to penetrate the remotest corners of the land, thereby establishing the permanent dominance of British goods in the Indian market.

Such was the tragic fate of the highly organized handicraft industries of India which had existed and thrived for centuries, spread the fame of India throughout the world, and evoked the admiration and jealousy of other peoples from ancient times, that they were reduced to the status of relics of the past, a specimen of curiosity to be found mostly in the museums. The descendants of the old craftsmen who, finding no other source of employment, stuck to their old trades, eked out their existence from day to day, generally working under horrible conditions in karkhanas owned by small capitalists. The decline of the handicraft industry was nearly complete by 1880. As D.R. Gadgil puts it: "India in the eighties afforded the spectacle of a huge country with decaying handicrafts, with any other form of organized industry almost non-existent and a consequent falling back upon the land.

This is the history of the decline and decay of Indian handicrafts under British rule. These handicrafts, once the pride and glory of India, could not withstand the pressure of political and,

above all, historico-economic forces, and succumbed to this pressure. The destruction of urban handicrafts, without the parallel growth of substitute modern industries, led to the disequilibrium of industry and agriculture in India. It put excessive pressure on agriculture, which proved to be disastrous for the economic condition of those living on the land as also for the efficiency of agriculture. The general economic policy of Britain, while it accomplished the destruction of the old handicrafts of India, did not aid the free development of modern industries in the country, lest these industries should pose a threat to British industries in the market.

De-industrialization

The colonial masters of India deliberately deprived India of the fruits of the Industrial Revolution and strove to keep India predominantly agrarian, so that they could secure cheap agricultural raw materials from India for British industries and find ready markets in India for industrially produced goods of Britain. India was made a "colonial agrarian appendage of Britain". In England and other European countries there were indigenous modern industries which vanquished and crushed indigenous handicrafts. The ruined mass of craftsmen was, on the whole, absorbed in the new indigenous modern industries. In India, the decline and decay of native handicrafts was not accompanied by any rise of indigenous machine industry. The political pressures of a foreign Government together with the influx of the cheap products of foreign machine industry were the principal causes of this decline and decay.

R.C. Dutt has called this displacement of Indian manufactures by foreign products as "one of the saddest chapters in the history of British India", for it indicated that "the sources of wealth in India have been narrowed and the livelihood of people had been made more precarious". The disruption of the balance between agricultural and industrial sectors of the economy and the consequent industrial depression not only destroyed a very important source of national income but also deprived millions of workers of their traditional occupations and forced them to fall back, in the absence of other avenues of employment, more and more upon agriculture, the only remaining source of subsistence. The result was the increasing pressure of population on land, ruralisation of the country and "dependence of the people of India on the precarious resources of agriculture".

The worst effect of this increasing loss of the traditional industries, combined with the failure of new industries to take their place was that the country's economic life came more and more under foreign economic domination and India came to be looked upon by its rulers as "a plantation, growing raw produce to be shipped by British Agents in British ships, and to be re-exported to the British Firms in India and elsewhere".

Ruin of handicrafts and industries and deindustrialization led to acute poverty and unemployment. Therefore, by the end of the 19th century, the demand for rapid industrialization along modern lines had assumed national proportions.

Growth of Foreign Capital and the Rise of Modern Industries in India

But India could not be kept aloof for long from modern industries to serve the world system of capitalism. In terms of chronology, the plantation industries of indigo, tea and coffee were the first to be introduced in India. They were exclusively European in ownership, and did not entirely depend on modern mechanical contrivances. The coming of railways heralded the entry of modern machines in India and during the 1850s cotton textiles, jute, and coal mining industries were started in India. The latter two fields were primarily an exclusive preserve of European capital.

Thus, the establishment of modern industries began in India during the second half of the nineteenth century, but its growth was slow and stunted and under the control of foreign capital. The trend was towards a dependent and under-developed colonial economy. The railways comprised the single biggest item of British capital investment in India, but much of its burden was shifted to the Indian taxpayers through the peculiar system of 'private investment at public risk'. The bulk of railway equipment was imported from England and about 90 per cent of the superior railway posts were manned by the British. A substantial part of the income generated through railway and other industrial investment in plantations, mines, banking and insurance, shipping, jute mills, etc. was siphoned out. It has been estimated that before 1914 nearly 97% of British capital investments in India was diverted towards completion of government projects (railways, road transport, etc.), plantation industry (tea, coffee, rubber, etc.), and development of financial houses (banks, insurance companies, etc.). The foreign banks in India held nearly three-

fourths of the total bank deposits. Many multinationals operated their subsidiary companies in India, and penetrated into almost every sector of the Indian economy.

Thus the predominant control of British finance capital retarded the tempo of free industrial growth and general economic development in India. The Indian nationalist movement which stood for a programme of rapid industrial development of the country as a precondition for the material, social and cultural advance of the Indian people, was consequently very critical of the attitude of British finance capital and the economic policies of the Government.

Growing Unemployment

The ruin of India's crafts and industries, poor employment coupled with immense pressure on land and unremunerative farming, led to large-scale unemployment among Indian people. In India, labour was released from traditional industries but there was no growth of modern industries or extension of agriculture to absorb that labour. Briefly, the economic development of the country became "an appendage of a foreign exploitative system".

During the nearly two hundred year-long British rule in India, the Indian peasantry was bound hand and foot to the landed intermediaries, money-lenders and tax collectors. Industry and trade were in foreign hands leading to a drain of the country's wealth; and its vast resources were monopolized and brutally exploited by the colonial masters.

Change in the Structure of India's Trade

The expansion of British trade in India not only proved ruinous to Indian trade and industry, but also radically changed the structure of India's trade. India was forced to admit British imports either free or at nominal rates of duties, while Indian manufactures or products continued to be subjected to high import duties in England. India, which was the world's principal producer and exporter of fabrics in the first half of the eighteenth century, was in the next century reduced to the position of one of the largest consumers of foreign manufactures-cotton textiles being the major item of import. Silk and woollen fabrics, machinery and metal manufactures were some of the other commodities of import into India. Competition with imported goods destroyed the Indian industry, deprived the artisans of their income and narrowed down the avenues of employment for labour.

On the other hand, the exports which came to consist of raw cotton, raw silk, foodgrains, opium, indigo, and jute, denuded the country of her agricultural surplus, raised the prices of raw materials and "laid the foundation of future agricultural shortage and famines which held the country in Thus, their grip over the structure of India's trade became an instrument of exploitation of India's resources and her economic enslavement. Owing to this change, there was such a heavy recession in the prices of Indian products in the world market that the terms of trade turned heavily against India.

Drain of Wealth

Till the Battle of Plassey, the European traders imported bullion into India for the exports of Indian cotton and silk goods which had a flourishing market in the West. But the situation was soon reversed after the conquest of Bengal when the East India Company not only stopped importing bullion into India, but began to purchase goods from the surplus revenues of Bengal and profits made from duty-free inland trade. Thus began the plunder of Bengal and by the close of the 18th century almost the whole of the country became "a playground of plunder" by the British This process of "continuous plunder" of India's raw materials, resources and wealth by Britain to enrich itself at the cost of India's growing poverty, led to the formulation of the theory of 'Drain of Wealth' by the nationalists like Dadabhai Naoroji, M.G. Ranade and others.

It was in his paper "England's Debt to India" read before a meeting of the East India Association, London, on May 2, 1867, that Dadabhai Naoroji first put forward the idea that Britain was extracting wealth from India as the price of her rule in India, that "out of the revenues raised in India, nearly one-fourth goes clean out of the country, and is added to the resources of England" and that India was consequently "being continuously bled". Subsequently, "the moral and material drain" from India was the continuous theme of other papers written by Dadabhai Naoroji viz., Poverty and Un-British Rule in India (1867), The Wants and Means of India (1870) and On the Commerce of India (1871).

From 1867 onwards, Dadabhai literally dedicated his life to the propagation of the Drain Theory and to launching a roaring and raging campaign against the drain, which was declared by him to be the fundamental evil of British rule in India. He wrote in 1880 that "the most important

question of the day is how to stop the bleeding drain from India". In 1886, he remarked, "The short of the whole matter is that under the present evil and unrighteous administration expenditure, the romance is the beneficence of the British Rule. Reality is the bleeding of British Rule." In his opinion the British policies were "leading to the draining of the life-blood of India and its wealth",

Dadabhai Naoroji, who was the earliest and most vociferous exponent of the theory of Drain of Wealth and greatly highlighted it during the national movement, said in 1905 that it was the "evil of all evils" and "the main cause of Indian poverty. He said: "The lot of India is a very sad one. Her condition is that of a master and a slave; but it is worse, it is that of a plundered nation in the hands of constant plunderers with the plunder carried away clean out of the land. The British invasion is continuous and the plunder goes on."

Almost simultaneously with Dadabhai Naoroji, two other Indian leaders rose to point out the evils of the Drain of Wealth. Justice M.G. Ranade delivered, in 1872, a lecture in Pune on Indian Trade and Industry in which he criticised the drain of capital and resources from India and observed: "One-third of the national capital was taken away by the British in some form or other."

Another prominent Indian leader who stressed the Drain Theory and propagated it through his writings and other public activities was R.C. Dutt, who in the preface to the first volume of the Economic History of India (1901) pronounced that one-half of the net revenues flows annually out of India, and added mournfully: "Verily the moisture of India blesses and fertilises other lands." He laid the following sin at the head of this drain: "So great an economic drain out of the resources of a land would impoverish the most prosperous countries on earth; it has reduced India to a land of famines more frequent, mo widespread, and more fatal, than any known before in the history of India or of the world." In the preface to his second volume he criticised England, "the richest country on earth", for "stooping to levy this annual contribution from the poorest" and emphasised that this contribution "drains the life-blood of India in a continuous, ceaseless flow".

The Drain Theory was officially adopted by the Indian National Congress at its Calcutta session in 1896 when it proclaimed that the famines in India and the great poverty of the people

had been brought about "by the drain of the wealth of the country which was considered for years together". R.C. Dutt considered the consequences of the Drain of Wealth more devastating than the loot and plunder made by the foreign invaders like Nadir Shah, who "came, looted the country and went back immediately thereafter, the loss of wealth was temporary, the blow fell and then came to an end. Moreover, the blows fell irregularly. But in the case of British rule, the drain was a part of the existing system of government and was, therefore, ceaseless and continuous, increasing from year to year. The wounds were thus kept perpetually open and the drain was like a running sore."

The Nature and Sources of Drain of Wealth: The nationalist definition of the drain was the idea of transfer of wealth or commodities from India to England without the former getting back any equivalent economic, commercial or material returns. Hence, the drain in the Indian concept inevitably took the form of an excess of exports over imports. Many of the Indians tried to compute the exact amount of drain. These estimates differed from person to person and from year to year because of different persons using different modes of calculation and also because the gap between exports and imports was growing continuously,

The most important constituent of the drain was the remittances to England of a part of their salaries, incomes and savings by English civil, military and railway employees and the payments in England by the Government of India of the pensions and furlough allowances of the English officials. The burden of the East India Company's London establishment and of dividends to its shareholders was replaced after 1858 by the costs of the Secretary of State's India Office,

After 1813, the Drain of Wealth largely consisted of Home Charges. In 1833, the commercial business of the company was totally finished. Therefore, the company's shareholders had to be given a yearly dividend of 10 out of the revenues of India. These dividends together with the Home Charges could not be met out of the revenues of India. Therefore, the company was forced to borrow in order to defray these charges, Consequently, the debt of the company began to increase immensely. It stood at 169 million when the rule of the company ended. As the loans of the company were raised in England the interest on this debt became another source of the Drain of Wealth.

The Home Charges consisted of many items such as: (1) purchase of military stores; (ii) expenditure on India Office Establishment; (iii) interest on debts; (iv) interest on railway capital investment; (v) non-effective charges of the army; and (vi) pensions and gratuities payable in England to retired civil servants of the company.

When the Crown took over after the revolt of 1857, the drain of India's wealth increased because of over-Europeanisation of services, bigger army, more capital investment, extension of rail ways, more purchase of stores, bigger and higher salaries, etc. The entire debt of the company was taken over by the Crown. Rs. 47 crore was added to India's debt as the cost of crushing the "Mutiny. India had to pay many undue charges. She had to 3. pay the price of transfer of the company's rights to the Crown, the cost of wars in China, the establishment charges of the new India Office in London, expenses of ships that sailed from England but did not take part in the hostilities, cost of Indian Regiments for 6 months' training at home before they sailed, cost of entertaining the Sultan 4. of Turkey in London, running charges of Lunatic

Asylum in Ealing, England, the price of gifts given to the Zanzibar Mission, cost of diplomatic missions of England in China and Persia, part of the permanent expenses of the Mediterranean Fleet, entire cost of telegraph line from England to India and so on. As a consequence, the national debt of India rose from 170 million in 1858 to £140 million in 1876, £224 million in 1900, 1274 million in 1913 and 1884 million in 1939, The annual interest on this debt constituted a huge drain of wealth from India. In 1945, Lorrence Rosinger estimated the drain at 1135 million annually. Before this, many other estimates had been given by writers like Dadabhai Naoroji and William Digby. William Digby has given the figure of total drain from the 19th century onwards as 160,080 million. In fact, so large was the number of Englishmen sympathizing with India on account of the drain and its evil results that R.C. Dutt was led to exclaim: "A cynic might remark that, as the flow of wealth from India to England increased in volume, England paid back the doubt by copious streams of sympathy and regrets

Migration of Cities

." Migration is at the heart of urban growth, both as a lever of development and as a set of challenges for cities. By 2050, two-thirds of the world's population will live in cities (UN, 2018), with migration driving significant demographic, socio-economic, and cultural transformations.

Over the decades ahead, we will see large urban centers continue to rise, particularly in Asia and Africa, while some small and mid-sized cities in Europe, North America, and the Asia Pacific may have to battle population decline. Increasingly, cities will welcome migration's contribution to diversity and cultural vibrancy while at the same time struggling to provide services for rising migrant populations or to offer sanctuary for refugees. Scholarly contributions to the links between migration and the city have often been compartmentalized.

Some studies have emphasized the challenges that migration brings to cities for instance, migrant entrepreneurship in the urban context Others have focused on experiences of young migrants and issues related to the sense of belonging to the city as well as migrants' impact on city-making. And yet others have focused on how migration is closely intertwined with urban development ultimately shaping the overall national socioeconomic and political context particularly in settler colonial states like Australia or Canada.

These approaches have been seen as distinct and separate from work that looked into cultural diversity management and how cities use cultural diversity to brand themselves as attractive destinations for the creative class or simply for international students and aspiring artists comes at the heels of an emerging scholarship that focuses on how cities respond to migration by emphasizing the concept of conviviality as a strategy for valorizing diversity, addressing tensions, and downplaying power imbalances is complementary to recent work on how urban governance develops from the ground up, whether reactively or proactively, with a range of new civil society and private sector stakeholders to manage migration and migrant integration though is different as it goes beyond the usual case studies of European and North American cities engaging largely with cities in different world regions including the global South at cities as hubs of cultural creativity, exploring the many dimensions of cultural diversity and identity as they are negotiated in the urban context.

The second focuses on what lies outside the large urban centers of today, notably suburbs, while the third part engages with migration and diversity in small and mid-sized cities, many of which have adopted strategies to welcome growing numbers of migrants. Last but not least, the fourth part looks at the challenges and opportunities that asylum-seeking and irregular migration flows bring to cities as hubs of creativity but also as places of tension where different types of minorities and migrants meet and mingle. Urban policies that aim to build on diversity

or provide shelter, and to grassroots mobilizations advocating for solidarity and inclusion; we consider how cities negotiate the different levels of governance (local, national, and transnational) in managing transit migrants or refugee populations; and we examine the role of diasporas in urbanisation. We seek to curate insights from different world regions to better understand the relationship between migration and the city in the twenty-first century. This book brings together case studies from around the world, including China, the Middle East, Asia Pacific, Africa, North America, and Europe.

The methodological approaches adopted in the difference are mainly qualitative but the disciplinary perspectives differ, ranging from Urban Studies and Sociology to Social Anthropology, Cultural Studies, and Political Science. In the sections that follow, in the world's major metropolis, urban diversity is formed by the interweaving of the history of a particular context and the diverse practices taking place at various geographical levels. This can take form via exchanges at a local scale for example, in a neighborhood among transnational networks of migrants; or it may involve global economic and cultural networks propelled by large multinational companies, state authorities, and globalised elites. Urban diversity is also often associated with, and even instrumentalised by, urban policies and politics aiming to attract more economic capital and qualified migrants and professionals.

The result of this dynamic is materialized at the urban level by the emergence of new local-cosmopolitan realities, of which the 'cultural districts' and processes of gentrification are well-known examples throughout the world. However, the other side of this globalization of the 'symbolic economy' of culture at the urban level is that of socio-spatial inequalities often to be found in the inner city neighborhoods adjacent to the cosmopolitan cultural districts. Cultural diversity eventually is closely intertwined with socioeconomic inequality. The latter raises therefore the issue of access to and the sharing of resources, the affirmation of 'rights to the city', and even the growing phenomena of dispossession of the most vulnerable city-dwellers, migrants and non-migrants included also informed by the recent 'southern' turn in Urban Studies or repeated calls for a 'more global urban studies'. There is a growing body of research on Global South cities that explores an array of issues ranging from informality and the impact of rapid demographic change upon the built environment to local policies and campaigns for greater social and economic justice. A number of studies also focus on labour and lifestyle migration or

various types of mobility in the Global South cities that transform through economic development plans and urbanism such as in Seoul, South Korea, or Iskandar, Malaysia.

While a post-colonial approach would question the use of concepts developed to help explain the urban phenomena of the north in the countries of the Global South, we need to consider similarities and differences among cities and the ways in which they manage migration and migration-related diversity. Contributions to this volume seek to highlight how local, regional, national and transnational levels are interconnected and can best be understood as processes of what historian Cyrus Schayegh defines as ‘trans-spatialisation Migration is typically understood as an urban phenomenon affecting larger cities. In countries with highly managed immigration systems, efforts have increasingly been made by different levels of government to encourage migration to smaller centers. Often smaller cities view international migration as one way to grow the local population and economy, and a range of stakeholders including local organizations, employers, and community members mobilize to welcome migrants to their communities. Despite this, many smaller cities continue to struggle to provide the services, housing options, and employment opportunities that migrants need.

There is clearly a need to better understand the experiences of smaller communities as destinations for migrants building on recent studies on migrant economies developing not only in large urban centers but also in mid-sized cities, bringing together studies from Australia, Canada, the United States, and Europe, integrating them into a rich comparative framework. ‘Multi-level Migration and Multiculturalism Governance Meets Migrant and Refugee Agency in Regional Australian Towns’, Martina Boese takes stock of the many federal, state, and local policies in Australia that have encouraged migration to, and settlement in, regional towns and cities over the past decades. She also points to the accompanying local multicultural and intercultural policies developed to better accommodate these increasingly diverse populations. And yet, argues Boese, despite several policy programmes and related research, many research and policy questions remain unanswered. Boese is particularly concerned with the increasingly instrumentalised economic narrative supporting such migrations that tends to overlook the migrants’ experiences with settlement in small and mid-sized cities outside the gateway metro pole and also points to the different experiences of refugees and migrants, and the problems involved in transforming current regional refugee settlement into population policies. Last but not least, taking stock of her

own recent research on multi-local settlement, Boese notes that 'successful settlement' can involve internal secondary mobility in line with the life course perspective and changing needs of migrants or refugees and their families.

Labour Mobility

Labour or worker mobility is the geographical and occupational movement of workers

It is an important factor of production which affects growth and production

.□ Historically, migration of people for work and education accompanies the structural transformation□ of economies, and has paved the way for the release of "surplus labour" from relatively low productive agricultural activities to sectors enjoying higher productivity. According to census 2011 and NSSO, Migrants constituted about 30% of total working population

.□ Trends and patterns in inter-state migration: Internal migration is a consequence of unequal regional development

.□ High-levels of migration: This is evident from Census data which says about 5-6.5 million people

□ Migrated annually between states during 2001-2011. Workforce migration is observed as movement from less affluent states to more affluent states. The largest immigration was in the Delhi region, which accounted for more than half of migration in 2015-16, while Uttar Pradesh and Bihar taken together account for half of total out-migrants. Migrant flows between the states are lower than flows within states.

□ In labour migration geographic distance appears to be an obstacle than the linguistic and cultural

□ Variability considered to be. Rewards (in the form of prospective income and employment opportunities) have become greater

□ Than the costs and risks that migration entails. Although permanent male migration is exceptionally low in India, women have always moved to a

□ Different villages when they marry. Seasonal migration in India has been increasing over time

Impediments to worker mobility Impediments to mobility are divided into personal and systemic impediments.

1□ Personal impediments include physical location, and physical and mental ability

.2□ The systemic impediments include educational opportunities as well as various laws and political

3□ Contrivances. National and regional differences in the qualifications necessary for different jobs

□4 A lack of standards for skills and vocations

□5 Discrimination based on origin, i.e. son of the soil doctrine

.6□ Discrimination based on social class

□7 Inadequate infrastructure and housing to accommodate fast-moving changes in labour demand

8□ Internal political borders impede the flow of people. This is reflected in the fact that, labour migrant

9□ Flows within states are 4 times the labour migrant flows across states. The limitation of the temporary migration is that it will not fill the large number of jobs in which

10 There is firm-specific learning and where firms will want to set permanent wage contracts.

11 Benefits: Increasing and maintaining a high level of labour mobility allows a more efficient allocation of resources.

Rise of Working Class

Radicals in nineteenth-century Europe devoted themselves to more than grand transcontinental enterprises like the First International or radical insurrections like the Commune.¹ They built up organizations of workers, which could both fight for material improvements (higher wages,

shorter hours, better working conditions) and prepare proletarians to take power in the future. Although the origins of trade unions can be traced back to the medieval guilds, unionism took on a new importance in the period after 1871. The growth of unionism was made possible by broad developments largely outside the movement's control:

1) the economic cycle,

2) technological and social changes,

3) political developments, and

4) the relative strength of employers and workers both organizationally and ideologically. During periods of widespread unemployment and economic downturn, trade unions were inevitably taxed to the limits of their strength, often crushed altogether. Having no control over the boom-or-bust nature of the economy, workers often despaired of union activity, strikes especially, feeling their positions hopeless in face of ever-changing providence. As the economy improved and employment rose, so did the prospects for unionism. Likewise, the rapid introduction of technological change could render entire groups of workers powerless. Hand weavers serve as one often cited example, for these workers saw their craft skills replaced by machines in a matter of a few years. Yet, once workers became acclimated to the new technology, their self-confidence returned. Nor was the political system an impartial spectator standing on the sidelines of industrial conflict. Governments throughout Europe actively helped the bourgeoisie accumulate capital and hence control its workforce. As a result, worker's rights were severely restricted for much of the nineteenth century with unions outlawed or, at a minimum, prohibited from striking. Thus, wherever trade unionism developed in Europe, it always did so with a keen eye cast upon the political system and how it could be altered to level the playing field between the bourgeoisie and the laborers. In addition, the conflict between laborers and the bourgeoisie was an ideological battle as well. That is, the capitalists sought to convince workers that theirs was the "best of all possible worlds" while radicals created an alternative worldview. Given these inherent difficulties, trade unions never succeeded in organizing more than a fraction of those who toiled for wages. With the possible exception of Britain, unionism operated on the margins rather than in the heart of large-scale industry.

Trade union members were mostly highly skilled workers employed in small to medium enterprises. Given the heterogeneous nature of the working class, union organizations were usually local or, at best, regional. Trade unions often rejected strikes either for ideological reasons or because they had no opportunity of winning a direct confrontation with the bourgeoisie. By the mid-1870s, a recession hit much of Western Europe; the resulting increase in unemployment rendered most unions ineffective or dismantled them completely. Yet by the end of the nineteenth century, the diverse and often hostile segments of the European working class began to come together, often under at least nominally revolutionary leadership.

As industrial capitalism expanded and, in turn, restructured the labor process, it radically altered the lives of average people. One response to the devastating economic and social subordination so many workers experienced was trade unionism. Trade unions offered a pragmatic way of collectively advancing, or at least defending, proletarian interests in a way that individual efforts could not. With the rise of industrial capitalism, a laborer's skills, which traditionally had protected workers' living standards, became less important. Many a worker who once could count on their skill to guarantee both steady employment and a living wage, now turned to collective organization

The last two decades of the nineteenth century saw a steady and rapid rise in the number of unionized workers. Britain, France and Germany can be held up as paradigmatic of the unparalleled gains trade unionism made during this period. In Britain, the first nation to have an industrial revolution, there existed 674,000 union members in 1887. A mere five years later, in 1892, union membership had soared to over a million and a half, while by 1905, 1,997,000 people carried union cards. Across the Channel on the Continent, the increases were just as striking. In France, despite the relatively slow pace of industrialization and the continuing preponderance of the peasantry, there were 139,000 trade unionists in 1890. This figure more than doubled in three years, and by 1893, there were 402,000 union members. In 1902, less than a decade later, the total had reached 614,000. Meanwhile, the rapid industrialization of the newly united German Empire would result in even more spectacular growth. From the relatively low number of 95,000 workers enrolled in trade unions in 1887, German union membership had skyrocketed to 294,000 by 1890. This swift expansion continued into the twentieth century with 887,000 workers belonging to unions by 1903.

As always is the case with statistics, these numbers say little in and of themselves. But they are indicative of the growth of a mass base for radical politics among the European working class. Further, growing union membership was accompanied by waves of intensive labor struggles and massive industrial conflicts. Not only did more strikes take place, the whole character of the trade union movement changed during the last decades of the century. Whereas trade unions had previously been largely passive self-help organizations, members began to see the unions as the best mode to actively challenge the status quo and advocate for improvement in working conditions and standards of living. Increasingly, trade unions were viewed not only as struggling for immediate concessions to improve labor conditions, but as part of a broader revolutionary process for the working class as a whole. While this was a general trend, not all unionists were revolutionary. Union membership not only increased in numbers but in scope, as the types of workers who joined expanded to different industries. Much of the boost in membership came from the organization of previously non-unionized labor. Proletarians such as dock workers, miners, gas workers and transportation workers joined organized labor. What all these trades had in common, besides their previous non-union status, was that they were in key sectors of the industrial economy.

Therefore, a strike within any one of these industries would have repercussions reaching much further than that sector alone. After all, miners and gas workers provided the energy that drove the industrial economy, while dock workers and other transportation workers were vital to the flow of goods and services. During this same period, hundreds of thousands, if not millions, of women were forced by economic necessity to work outside of the home. During the 1880s and 1890s, nearly a third of all females over age 10 worked outside their households in Britain and France, nearly 20 percent did so in Germany. Although domestic service accounted for a large number of these female workers by 1891 there were 2,000,000 domestics in the extreme case of Britain women workers also labored in textile, clothing and, increasingly, food manufacture. Of course, even these figures understate the extent of female labor, especially since most working-class women worked at least part-time (taking in laundry, for example) and all but a fortunate few were occupied with socially necessary but unpaid work in the home. Although still concentrated in typical “female” industries, women began to play an even more important role in the labor movement as both their number and the diversity of their employment grew. Moreover, the trade unions themselves tended to change.

Both through mergers and the birth of new unions, the labor movement at the end of the century looked quite different from the fragmented, craft-oriented organizations of earlier days. As hitherto unorganized workers poured into the trade union movement, the conventional wisdom, which held that strikes were usually counterproductive, was soon abandoned. While more moderate craft unions still persisted, in the twentieth century, the “new Unionism” would lead to the development of mass industrial unions. In these unions, all members of a plant belonged to the same union, instead of being divided across numerous craft lines. This change within the trade unions was heavily influenced by a number of trendsetting strikes such as the London dock strike of 1889.

These strikes aroused workers to the possibility, if not necessity, of both trade union organization and militant actions in the workplace. These battles were not purely a matter of “bread and butter,” although such routine issues were important. In many instances, particularly in certain nations like Germany, strikes helped to satisfy the thirst for action which had been dammed up by years of despotism. Many German workers, for example, failed to differentiate between strikes and unions, on the one side, and the social revolution’s political expression social democracy. While struggles intensified in the workplace, workers viewed politics as a means to improve their condition. Pre-existing radical and republican hatreds of the “rich” and the “plutocracy” intensified after 1871.

The bitter ordeal of industrialization ultimately convinced many, particularly manual workers, of the injustice of the social order. As workers felt increasingly distant from the world of the bourgeoisie, the idea of class-based political parties gained wider acceptance. Political parties began to represent specific social groups in society rather than claiming to speak for the entire nation. In Britain, the Labour Party, as the name suggests, saw itself as presenting the interest of the working people while Tories, or conservatives, claimed to represent all British men. Segregated in their proletarian districts (ghettos) like Wedding in Berlin or West Ham in London, workers viewed political issues, such as the fight for extension of voting rights, from the perspective of proletarians, not just citizens. As even the most modest property qualification for voting would disenfranchise many working-class men (few in power yet envisioned giving women the vote), workers overwhelmingly became proponents of universal suffrage at least for male citizens. Where universal suffrage was lacking, massive struggles took place. The enormous

general strike in Belgium in 1892, which demanded an expansion of the franchise, is just one such example. Since governments were national in scope, any effort to pressure them had to likewise be national if it were to have any hope of success. Thus, the very organization of national states in Europe helped push the working class in each country toward the formation of national, class-based parties. These parties were typically called “socialist” or “social democratic”. In fact, these two words were considered interchangeable in the nineteenth century.

COURSE OUTCOMES (CO)

After completing this unit, students will be able to:

<p>Describe the process of industrialization and the rise of industries in modern India.</p> <p>Explain the factors responsible for migration to cities and labour mobility.</p> <p>Assess the condition of workers in factories including wages, working hours, and living standards.</p> <p>Analyse the formation and growth of the working class in industrial society.</p> <p>Interpret the socio-economic impact of industrialization on Indian society</p>

Programme outcomes (PO)

Historical Knowledge and Critical Thinking:

Students will develop a critical understanding of historical developments such as industrialization, labour movements, and social change, and analyse their impact on modern society.

Five marks questions

S.NO	QUESTIONS	LOCF MAPPING		
1	Write a short note on the rise of industries in India.	CO2	PO1	K2
2	Explain the causes of migration to cities during industrialization	CO2	PO1	K2
3	What is meant by labour mobility ?	CO1	PO1	K1

4	Describe the working conditions of factory workers in the early industrial period.	CO2	PO1	K2
5	Write a short note on the rise of the working class .	CO2	PO1	K2
6	Explain the reasons for the growth of industrial cities	CO2	PO1	K2
7	Write briefly about the living conditions of factory workers .	CO2	PO1	K2
8	Discuss the role of industrialization in changing social structure .	CO2	PO1	K2
9	Explain the problems faced by industrial labourers .	CO2	PO1	K2
10	Write a note on urbanization during industrialization	CO2	PO1	K2

EIGHT MARKS QUESTIONS

UNIT IV

LEARNING OBJECTIVES

To **introduce** the concept and theories of trade unionism and labour movements.

To **explain** the historical development of trade unionism in India.

To **identify** the different types and ideological trends of trade unions.

To **analyse** the role of left-wing trade unionism in labour movements.

To **examine** the challenges in organizing trade unions, especially in the unorganized sector.

Trade Union Movement

Trade Unions were initially organized in Madras under the leadership of B.P Wadia. From Madras, the Trade Union Movement spread to Bombay. The root cause of these developments was industrial unrest which commenced from 1917. It resulted in the creation of a number of labour organizations, which were temporary in character and dissolved into thin air as soon as little more than their immediate object was fulfilled. They were little more than 'Strike Committees' consisting of a few office bearers and perhaps a few paying members. This situation has, however, gradually been improving. The trade union act of 1926 was a step forward in this direction. The trade union movement in India has, almost from the very inception, had the advantage of an all India organization like the All-India Trade Union Congress which has been holding Annual Sessions since 1920.

In 1929 occurred a serious rift in the ranks of the Trade Union Congress and there came into existence three distinct groups; the communist group, the liberal group and the non-aligned group. Subsequently unification of the Indian Trade Union Movement was effected at the joint session of the two principal bodies in April 1938. The Trade Union Federation was absorbed Trade Union Congress at the session of the Congress held in Bombay in September 1940 caused by its adoption of a resolution of neutrality with the war efforts. Aftabali, President of the Seamen's Union at Calcutta desiring the support of war efforts, Ali, disaffiliated his union from the congress. a new section headed by M.N. Roy and Jamna Das Mehta also formed Central organization known as the Trade Union Federation with its head-office at Delhi. Messrs Purcell and Halsworth, British Trade Union delegates to India, calculated that there were in all

25,266,109 persons in the organisable groups of workers including 21,676,107 agricultural field and farm workers but excluding domestic servants (postal and government servants) in various industries in India

Difficulties faced by the movement in India

The special difficulty of the Trade Union Movement is in the first place, the floating character of the labour population. In second place, labour in centers like Bombay and Calcutta consisted of a heterogeneous mass of men speaking different languages and therefore not feeling intimately drawn to each other in hours of crisis. Where the proportion of emigrant labour is small, such as Ahmadabad, the Trade Unions were much stronger than elsewhere. Thirdly, many labourers disliked the idea of regular contribution and union discipline and this accounted for the small percentage of men enrolled in any establishment. Even a small contribution was considered a burden due to extreme poverty of the average worker. Fourthly, the majority of workers were illiterate and therefore, unable to find leaders from their own ranks. This accounts for a special Union Movement in India, namely that it has been largely led by men from the middle class, professional lawyers and others. Their interests are divided and they cannot distinguish between economic and political objectives among many unions and their knowledge of technicalities was generally shallow and superficial.

Another handicap was the absence of a truly democratic ideal which was so essential for effective trade unionism. Lastly, successful trade unionism depends on at least a temporary acceptance of the existing social order with a view to gaining as much for labour as is possible. As in early days of trade unionism in England when it had to rely upon men like Robert Owen, Francis Place, Mingsley Ludlow and Drederic Harison, so too the Indian Trade Union Movement in its corresponding phase was wholly dependent on the lawyer class.*

Growing Scope of Labour Legislation and Trade Unionism

There always existed a tug of war between the employer and the employees. The employers wanted cheap labour and the employees sought higher wages. This is more true in case of industrial labour. The growth of industrialization calls for more restrictions keeping in view the smooth running of industries and the amelioration of the conditions of labourers.

The above mentioned Trade Union Act of 1926 was the beginning. Even though labour legislation in India does not occupy the same important position as in highly industrialized countries like England, it had its impact on the future of Trade unionism. Since World War I labour legislation in India has been growing at a rapid pace. These Acts sought to improve the productive efficiency of the industry and ruled out the possibility of recurring conflicts between factory owners and labourers. Such conflicts did not only vitiate the peaceful atmosphere of the factory; they created social, economic and political problems. These labour organisations which go by the name of Trade union operate as pressure groups and adversely affect the working of political parties and create tensions, which are injurious to the peaceful working of democratic processes. |

The Workman Compensation Act of 1923 was enacted with a view to imposing an obligation upon the employers to pay compensation to workers for accidents arising out of and in the course of employment resulting in death or total or partial disabilities for period exceeding three years

The object of the Trade Unions Act of 1926 was to provide registration of Trade Unions and in certain respects to define the law relating to registered Trade Unions. Trade Union meant any combination whether temporary or permanent formed for the purpose of regulating the relations between workmen and employers or between workmen inter se or between employers inter se or for imposing restrictions on the conduct of any Trade Union or business and included any federation of two or more Trade Unions.

The general purpose of the Payment of Wages Act of 1936 provides that employed persons shall be paid their wages in a particular form and at regular intervals and to prevent exploitation of labour by prohibiting arbitrary fines and unauthorized deduction from wages.

The purpose of the Employees Liability Act, 1938, was to declare that certain defenses shall not be raised in suits for damages in respect of injuries sustained by workmen.

The object of the Employment of Children Act of 1938 was to regulate the employment of children below fifteen years of age in certain industrial occupations.

The object of the Industrial Disputes Act of 1947 was to harmonize the relations between the employer and employees. That arises between management and workers.

The object of the Factories Act of 1948 was to protect human beings from being subjected to unduly long hours of bodily strain or manual labour.

Through the Employees State Insurance Act of 1948 certain benefits to employees accrue in case of sickness, maternity and injury incurred in the course of work.

The Mines Act of 1952 intended to amend and consolidate the law relating to the regulation of labour and safety in Mines. The Mine workers are exposed to grave risk and therefore special laws had to be enacted from time to time. In the Mines Act of 1952 all the previous legislation was consolidated.

The Payment of Bonus Act of 1955 made provisions for bonuses to be paid at regular intervals.

The purposes of the above mentioned enactments was to ameliorate the miserable conditions of the labourers in specified fields It was after long struggle that each of these Acts saw of the day. In the process of bringing these enactments on the statute book politicians played a very crucial role.

Labour Movement in India

Migratory Character

The factory labourers in India do not constitute a wage earning, more or less fixed and permanent class corresponding to factory labourers in Western countries. In Western countries, the labourers form a permanent class of industrial workers completely divorced from land. Brought up in towns and Most of them have abandoned the country for the town. The Superiority of the industrial labourer in the West is due to his early upbringing in the factory area. The Indian labourer rarely severs his connection with his village, for instance about 80 percent of the inhabitants of Bombay are born outside the city. The great majority of the Indian workers are at heart villagers with a rural background and village traditions and have rural outlook. Their craving for the village never ceases and many of them succeed in coming home and their

families continue to live in villages. In the large majority of cases they own small Uneconomic holdings villages from which the members of their joint family eke out their living. In the event of some calamity, or even scarcity the villagers tend to migrate to cities in search of jobs. Improved means of communication and transport facilitate this migration. They succeed in finding a job in factories, work- shops, clock yards, mines, plantations, railways, road building construction, irrigation systems, and so forth. Movement. Distress, The joint family and not ambition being the chief spur, those who migrate are, more often than not, the least competent and the wholly helpless population and the words of Labour Commission:

“The driving force in the migration comes almost entirely from one end of the channel that is the village end... The industrial workers are not prompted by the lure of city life or any great ambition. The city as such has no attraction for him and when he leaves the village, he has seldom an ambition beyond that of securing the necessaries of life. Few industrial workers would remain in the city if they could secure sufficient food and clothing in the village; they are pushed, not pulled to the city.”

As a result of this continuous process of migration, many sections of factory workers find themselves in an entirely unfamiliar environment of customs and traditions. Radical differences of climate affect the health of workers and differences of language retards free mixing. The ties which give rural life its corporate and organic character are loosened and new ties are not easily forged and life tends to become more isolated. As regards conditions of work the worker finds himself subjected to unaccustomed strain of body and mind owing to disciplined hours of continuous toil instead of spasmodic work with long intervals of rest to which he had been used. Fed up with these unbearable conditions they avail of the first opportunity to come back to villages. Consequently, they are always without a permanent job and are mostly at the mercy of money lenders, the jobber, the labour supplier the foreman and the liquor seller

The Labour Commission points out some advantages of the migratory character of the labourers which are as follows

1. The village labourers are hardworking, sturdy and laborious as compared to the emaciated labourers of the polluted city.
2. The labourer can fall back upon his rural resources in times of adversity.

3. The village provides some kind of insurance against unemployment sickness etc

4 The combination of urban and rural life is beneficial for the city labourers and village wage earners. The city labourer remains in touch with his native village and the village worker keeps in touch with the city life

Trade Unionism.

The Indian Trade unions have now got a legal status and these are no more ad-hoc bodies or strike committees. They have now become a permanent feature of industrial society. They have succeeded in organising Central Union Federations which help in the determination of principles, philosophy, ideology and purposes of the unions and give some sense of direction to the otherwise scattered and isolated unions. The unions now have gained a remarkable status in the labour movement. Now, the Government and the employers consult them on all matters concerning labour. The trade unions also participate in formulating policies and ideologies at State and National levels. They have succeeded in evolving suitable machinery of joint consultation to negotiate various issues between labour and management. But for reasons such as affiliation to a political party, factionalism etc. have resulted in multiplicity of unions in the post-independence period. In the modern industrial society, the importance of trade unions have been recognised which have diminished interest in political matters. Subtle changes are visible in the pattern of political unionism. These changes have manifested in three ways:

i. Political leaders have secondary interest in labour union activities. Now more emphasis has been paid to labour leadership by giving more attention to the improvement of union cadre, finances and training in official administration.

ii. The national federations have shown keen interest in long term activities, even maintaining their rival character. Now federations arrange for the training of workers.

iii. Now trade unions function as autonomous units rather than simply as appendages of political parties.

. As a result of which universally their role has been widely debated. So far India is concerned; the role and policies of the trade unions have special significance since their inception. Hence, it is pertinent to look into the process of the evolution of trade unions to

understand the factors which have contributed for their origin and growth to attain the current position. Trade unions imply to some extent a community of outlook. Based on the sense of common status and need of mutual help it could be understood as an organisation rather than many forms of organisation. It aims at developing a spirit of class consciousness and solidarity for self respect, rights and duties. It creates an organisation to safeguard their common interest, self protection and strengthen their social and economic position. It is the trade unions which serve as the base for the trade union movement

Development of Trade Unionism in India.

General Union:

It is the form of union that comprises workers of various industries and assemblies of different skill-groups and different occupations. Whatever the forms of Unions, it is Trade Union, an association of employees for the primary purpose to strengthen their bargaining position and raise their claims for better working conditions.

The need for Trade Unionism:

The need for Trade Unionism since the human set up has been felt necessary in the following ways- To provide job security to the workers group working in different industries. To safeguard workers' common interest. To bring the situation into decision making. To communicate better industrial relations among workers, employers and system groups. To bring an industrial relation with win situation through collective bargaining with the union leaders' representativeness.

History of Trade Union Movement in India

In India, the Trade Union movement has been considered as the product of industrial development since the First World War 1914-18. Before the time Indian workers were poor and did not have a strong union to effort legal fight against any exploiters. At that time they used to follow the guidelines of Government of India's Factory Act 1881 which was not perfect to protect the interests of employees. The system of collective bargaining was totally absent. In several industries, the workers went on strikes every now and then to secure wage increases. In that time, Labour leader Narayan Meghaji Lokkande led a labour movement and formed

“Bombay Mill Hands Association” and succeeded a weekly holiday system for Bombay Mill Owners Association.

In 1918 Trade Union Movement in India became more organized and formed varieties of unions e.g. Indian Collie or Employees Association, Indian Seamen’s’ Union, Railway Men’s Union, Port Trust Employees Union etc. Meanwhile Gandhiji formed The Textile Labour Association in 1920 for fulfilling the demands of spinners and weavers society. Moreover, the different labour unions and their representatives from all over India met in Bombay in 1920 and established the All India Trade Union Congress (AITUC) led by Lala Lajpat Rai. With the days passed, the Trade Union Movement in India gradually strengthened and became a national figure in leading periodic strikes, Gherao, picketing and boycotts etc in contrast to different work fields for prevention and settlement of industrial disorders. The historic background of Bombay Mill Case of 1920 over which Madras High Court witnessed Madras Labour Union forbidding by an interim injunction against The Laborers’ strike which was pondered about some necessary legislation for protecting the sustained Trade Union in India. As a result Mr. N.M. Joshi, the then General Secretary of All India Trade Union Congress moved a resolution in the Central Legislative Assembly in 1921 recommending the Government to introduce legislation for the registration and protection of Trade Union’s existence in India.

The resolution was strongly protested by Bombay Mills Owners and it took a long rest on the table of the Central Legislative Assembly. While in the year of 1924, many communist leaders were arrested and prosecuted against aggressive and lengthy strikes. From the period numbers of Indian working classes including Peasants Party united and demanded the Indian government through the AITUC to pass an act to protect the interest of all India workers groups which resulted in The Trade Union Act 1926 in India. Moreover, different situations in different times formed many Unions and Federations, of which some as listed below. All India Trade Union Congress 1920 Red Trade Union Congress 1931, National Federation of Labour 1933, Red Trade Union Congress merged with AITUC in 1935, Indian Federation of Labour 1941 etc. The Eighteenth Session of the All-India Trade Union Congress led by Suresh Chandra Banerjee, President of the Congress, was held at Bombay on 28 and 29 September 1940; The session constituted a landmark in the history of the Indian Trade Union Movement is that it witnessed the restoration of complete unity in Indian Trade Union from the merging of the National Trades

Union Federation in the All-India Trade Union Congress. A Tripartite Labour Conference was convened in 1942 to provide a common platform for discussion between employees and employers. Indian National Trade Union Congress (INTUC) was formed in 1947 to settle the industrial disputes in democratic and peaceful methods. Moreover, the Indian Federation of Labour formed in 1949, Hind Mazdoor Sabha in 1948 and United Trade Union Congress formed in 1949 at the national level and recognized by the government of India as to serve national and International conferences.

Trade Union Movement does not delimit its operation within Bombay vicinity nor Delhi only. With the passage of time the movement spreads all across the country and convenient groups welcome the organism of Trade Union Movement from different parts of India. In state of Assam, the garden men's forum, Assam Chah Mazdoor Sangha, claims for their minimum wages from their employers according to the rules of The Plantation Labour Act, 1951, which regulates the wages of tea-garden workers, their duty hours and the amenities, states that the management is supposed to provide housing, drinking water, education, health care, child care facilities, accident cover and protective equipment.

The government of Assam has fixed Rs.169 as the minimum daily wage for tea plantation workers and asked the commissioner and secretary of labour and employment to execute the same in other fields of industry also. But all the tea garden owners have not equally implemented the rules accordingly as the statement claims. For their negligence a huge agitation has been sustained at present. On the other hand the apex body National Council of Central Trade Union was formed in 1971 . At present there are 14 Central Trade Unions and various registered Federations like All India Bank Employees Association, All India Mine Workers Federation etc functioning in various fields of industries. Thus the Trade Union Movement in India has been developed and changed the scenario over time coping up the situations and conflicts.

Left Wing Trade Unionism

In continental Europe the labour movement was launched and fostered by class conscious radicals. Hence the unions and the labour movements of those countries were from their very inception committed to a working class revolutionary ideology. With them the overthrow of the wage system and the substitution therefore of a new social order was the natural objective. In this

country, as well as in England, the early unions and the labour movement were become self-employed, either as small manufacturer, merchant or farmer. The German radicals, particularly those" who migrated following the 1848 revolution, undertook to counteract the middle class ideology of the American unions by advocating that unions and other labour organisations should subscribe to a class conscious revolutionary philosophy. From the outset their activities in the labour movement centred on this objective.

In pursuit of their goal, and for the purpose of winning the unions to their views, the radicals devised policies and tactics which are now described as boring from within and dual unionism. These two salient radical trade union policies and their concomitant tactics were practised simultaneously and interchangeably for a generation before they became distinctly differentiated and pronounced incompatible. Not until the nineties of the last century did they become distilled into full-fledged and rigid doctrines. The manifold events which induced the final crystallisation of these practices into comprehensive rival programmes of procedure date between the Civil War, which mark? the beginnings of modern unions and the late 'nineties, when they became

The first outcroppings of radical dual union symptoms date to the attempts of the German radicals to bore from within in striving for endorsement for the first modern radical labour political party. Previously there had existed labour political parties which subscribed to middle class ideologies. The German radicals, who at the end of the Civil War dominated the German labour movement, which at this time paralleled the English-speaking movement, undertook in 1867 to organise the first socialist party, called the Social Party. As a threat to the unresponsive unions they declared for dual unionism or "KonkurrenzUnions". The constitution of the Social Party provided that: "New trade unions should be founded when existing unions decline to affiliate with this organisation" (Schluter, *Die Internationale in Amerika*, pp. 88, 488). Since this organisation was short-lived, its threat was never enforced. The idea, however, persisted, and matured into dual unionism. During the succeeding two decades it became a common practice for radicals to organise separate unions in order to increase adherents to ' their cause.

Thus in the summer of 1872 an independent union was formed consisting of a German and a Bohemian branch. Its opposition to the National CigarMakers' Union was on the grounds that it was too conservative. The crisis of the following year with its consequent unemployment

led the rival organisations to fuse. Similar radical unions, largely led by Germans, with a membership chiefly German, were scattered throughout the country as rivals to the conservative unions. To distinguish themselves from the conservative unions of the respective trades, they generally prefixed to their names the word “progressive”. Thus there was the Progressive Tailors’ Union, consisting mostly of socialists. These dual and secessionist elements also undertook to organise city central labour bodies, as well as national trade unions. In 1884 the Progressive Cigar Makers’ Union of Chicago “took the initiative in organising a new central trade union body. It called upon the unions of the city to secede from the conservative Amalgamated Trades and Labour Assembly and to form a central labour union with a progressive policy.

The German unions of metal workers, carpenters and joiners, cabinet makers, and butchers sent delegates. At first the growth of the new central body was slow. One year after its formation the majority of the trade unions in the city were still affiliated with the old central body, but towards the end of 1885 the strength of the rival bodies became considerably less uneven the Central Labour Union having thirteen unions, mostly German, some of which, however, were the largest’ in the city, and the Amalgamated Trades and Labour Assembly counting nineteen affiliated unions”. Since most of the anarchist and socialist dual unionists had organised in opposition to the few existing national unions which later sponsored the American Federation of Labour, they naturally turned to the Knights of Labour. Thus they were both bored from within the Knights and gratifying their urge for dual organisations that would supplant the few national unions which thwarted their efforts at permeating the labour movement with their radical doctrines. Nor was this a bad strategic departure, as the Knights were, after 1878, the significant national labour federation. Here was not only a fertile field for agitation and proselyting, but an opportunity to get in on the ground floor of the "future labour movement

TYPES OF TRADE UNIONS

If the workers of the same craft or category of the job form into a union, that union is called. Craft Union. These Unions are called horizontal unions. The basic logic behind the formation of such unions is that the workers belonging to the same craft do face similar problems - mostly non-managerial personnel form such unions. For example, mechanists working in different

industries may form a union of mechanists only. In the same way electricians, carpenters, and turners may form their separate unions.

Advantages and Disadvantages of Craft Unions:

Advantages:

- (i) Craft unions give the most stable relationship.
- (ii) They provide needed training through apprenticeship.
- (iii) They have strong bargaining power as they comprise skilled employees.
- (iv) They secure high wages and better benefits to their members.

Disadvantages:

- (i) Employers can play one union against another and can also break the unions.
- (ii) Craft unions have become irrelevant in the modern days due to increasing generality of service conditions of all classes of employees.
- (iii) These unions keep the majority of the workers outside the union.

2. Industrial Union:

If the workers of different categories form into a Union that Union is called Industrial Union. These Unions are also called "vertical" unions. The logic behind the formation of these unions is that workers of the same industry have the common bent and they are governed by the same rules and regulations and are administered by the same management. Moreover, the problems of all the same industries are more or less common. The importance of these unions has been increasing in recent times.

Advantages of Industrial Unions:

- (i) They provide a joint facility for collective bargaining.
- (ii) They introduced the measure of uniformity in the principles governing all aspects of service and working conditions.

(iii) They coordinate sectional claims of different levels and different natures of employees within an industry.

3. General Union:

This type is open to all members irrespective of their craft and industry within a particular city or region.

4. Federations:

These are national level apex bodies in which plant level unions, craft unions, industrial unions and general unions are affiliated. They coordinate the affairs of various unions in their fold.

5. Blue-Collar Workers' Unions:

Blue-collar workers' unions consist of employees usually performing operative jobs. They usually operate machines in the production and allied departments. Blue-collar workers constitute the bulk of membership of trade unions in the organised sector.

6. White-Collar Workers' Unions:

Such unions usually comprise office staff or who work off the shop floor and perform desk jobs or provide service over the counter or any such other job. White-collar category includes executives, managers, professionals, administrators, supervisors, clerks and the like. We come across such unions in banks, service sector, insurance companies, software organisations, Central and state government offices, and so on. Their members being educated and matured are aware of the capacity to pay off their organisations and, therefore, are more reasonable while they prepare their charter of demands.

7. Reformist Unions:

These unions may be either business unions or revolutionary unions.

i. Business Unions:

They are also known as 'bread and butter unions' and aim at securing the economic interests of their members and follow the method of collective bargaining to accomplish their objectives. ii.

Revolutionary Unions:

Revolutionary unions are opposed to the capitalistic industry and replace it by the socialistic systems through radical means such as strikes, boycotts and gheraos.

Revolutionary unions may be of any of the following forms:

a. Anarchist Unions:

These unions endeavour to destroy the existing economic system and usually use violent means.

b. Predatory Unions:

Initiated by Professor Hoxic, such unions believe in plundering benefits and ruthless pursuit of the matter in hand by adopting any means irrespective of ethical, legal or moral considerations. Predatory unions may be of two types as follows:

(i) Guerrilla unions - These unions can go to any extent, including resorting to terrorism and other violent means, to accomplish their objectives. It is the boss who rules the roost.

(ii) Hold-up unions - The unscrupulous bosses of workers' organisations and unscrupulous employers conspire together to exploit the customers by selling their products at very high rates; the major chunk of the money so earned goes to the pockets of these unscrupulous elements, leaving very little, if at all, for the workers.

Friendly uplift union

These unions mainly aim at improving the intellectual, moral and social life of their members.

These unions are not craft conscious. They rather focus on the interest of workers. They are idealistic in nature. Since they are law-abiding, they believe in the institution of collective bargaining and also the setting up of cooperative enterprises, mutual insurance, profit-sharing and . Such unions aim at snatching the power of capitalists by political action so that workers may become more powerful.

8. Friendly or Uplift Unions:

These unions mainly aim at improving the intellectual, moral and social life of their members.

These unions are not craft conscious. They rather focus on the interest of workers. They are idealistic in nature. Since they are law-abiding, they believe in the institution of collective bargaining and also the setting up of cooperative enterprises, mutual insurance, profit-sharing and the like.

Problems of Trade Union

1. Lack of Balanced Growth

Trade unions are often associated with big industrial houses. A vast majority of the working population is without any union backing. The entire agricultural sector is highly unorganized in India. The agricultural workers are subject to all kinds of exploitation. The same is true with respect to those working in small scale and cottage industries. Lack of balanced growth of trade unions in all sectors is one of the major weaknesses of the trade union movement in India.

2. Low Membership

Trade unions, with the exception of few, have low membership. This is because many employees are not willing to join unions although they are ready to enjoy the benefits arising out of the union actions. The reasons for the hesitation of employees to join unions include, among others, the need to take part in strikes and such other programmes, fear of pay cut and fear of punishment.

3. Poor financial Position

Low membership is one of the reasons for the poor financial position of the unions. Moreover, the subscription payable by every member is kept low. Some members may not even make a prompt payment of the small amount of subscription. There are also not very many sources from which unions can get funds. They may probably depend on contributions from philanthropists. The poor financial position can only weaken the trade union movement.

4. Political Control

Most popular trade unions in India are affiliated to certain political parties. These political parties are only keen on making every grievance of the working class a political issue to attain political gains. As a result the problem only gets wide publicity and remains unsolved,

5. Multiplicity of Unions

Often there exists more than one union within the same industry each backed by a political party. These various unions have conflicting ideologies. If one union comes out with a strike proposal another union may work against it. As a result, none of the unions is actually able to solve the problems of the workers.

6. Inter-Union Rivalry

The existence of many unions within a particular industry paves way for what is called inter-union rivalry. These unions do not work together for the cause of the workers. Each union may adopt a different approach to the problem. The inter-union rivalry may become a more serious problem for the workers. As a result, the employees are unable to derive the benefits of collective bargaining.

7. Lack of able Leaders

Another barrier to the growth of trade unions is the lack of able leaders. Some union leaders give a strike call even for petty problems that can easily be resolved through talks. On the other hand, there are leaders who have secret pact with the management. They get bribes from the government and work against the interests of the employees. Some leaders don't convene a meeting of the general body at all even when a crisis develops. They take unilateral decisions that are thrust on the employees.

8. Lack of Recognition

Most management is not prepared to recognize trade unions. This happens because of any of the following reasons. The existence of low membership that reduces the bargaining power of the union. The existence of more unions within the same industry. Inter-union rivalry. The indifferent attitude of the employees themselves towards trade unions.

9. Opposition from Employers

Apart from the fact that most employers are not prepared to recognize trade unions, they also do not let their employees form a union. This the employers are able to achieve by adopting certain punitive measures like intimidating employees victimizing union leaders, initiating disciplinary action against employees indulging in union activities and so on. Some employers also start rival unions with the support of certain employees. Sometimes, they may go to the extent of bribing union leaders to avert a

strike or such similar show of protest by employees. The employers fail to understand that the union enables the employees to express their grievances in a democratic manner and can also be used as a means of promoting better labor management relationships.

10. Indifferent Attitude of the Members

Union leaders alone cannot be blamed for the weakness of the trade union movement. The indifferent attitude of the members of certain unions is also a barrier. Some members do not even make a prompt payment of the subscription amount. The treasurer of the union has to go behind them, remind and persuade them to pay the subscription that is often a very small amount.

Problems of organizing Union in India

Problem of definition and identification one of the two main tasks entrusted to our Commission is to propose an umbrella legislation for workers in the unorganised sector. We have also been asked to see that the legislation, and the system that will be built around it, will assure at least a minimum protection and welfare to workers in the unorganised sector. We are deeply conscious of the urgency and importance of this task. In fact, both the main tasks entrusted to our Commission are urgent and difficult. But in a sense, it can be said that visualising a system of effective protection and welfare for the unorganised sector is a shade more difficult and complicated, if only because of the dimensions and variety of the workforce in the sector, and the various factors that have to be taken into consideration

Unlike the organised sector, in this sector we are dealing with workers who have not acquired a high profile, tasted the benefits that can be gained from organisation, or derived the advantages flowing from high visibility. In the unorganised sector, we have to deal with workers who are engaged in a variety of occupations or employments, ranging from those like forest workers, tribals trying to follow traditional vocations within their traditional habitats, and fishermen who venture out to sea in vulnerable canoes, to those who are working in their homes with software, or assembling parts for a highly sophisticated product. Many of them are victims of invisibility. The laws or welfare systems that we propose for them cannot be effective unless themselves are conscious of the laws, and acquire the strength to ensure that laws are brought into force; unless there are effective means to implement, monitor and provide quick redress; unless breaches of the law are punished with deterrent penalties, and unless the organs of public opinion

and movements and organisations mount vigil, and intercede to ensure that the We are aware that though other Commissions before us have also looked at the unorganised sector, it is for the first time that the Government has specifically asked a Commission to propose umbrella legislation to ensure the protection and welfare of the workers in this sector.

Course outcomes (CO)

After completing this unit, students will be able to:

Explain the meaning, objectives, and theories of trade unionism.

Describe the growth and development of trade unions in India, including organizations such as the All-India Trade Union Congress.

Identify various types of trade unions and their functions in protecting workers' rights.

Analyse the influence of left-wing ideology in labour movements.

Evaluate the problems faced in organizing trade unions in India, particularly in the unorganized sector

PROGRAMME OUTCOME (PO)

Students will develop the ability to critically analyse labour movements, trade union activities, and their impact on socio-economic development and workers' rights.

Five marks questions

S.NO	QUESTIONS	LOCF MAPPING
	<input type="checkbox"/> Define trade unionism and explain its objectives	
	Write a short note on the theories of trade unionism .	
	Describe the development of trade unionism in India .	
	Explain the types of trade unions	

	Write a short note on left-wing trade unionism	
	What are the main problems of organizing trade unions in India?	
	Explain the role of trade unions in protecting workers' rights.	
	Write a short note on the unorganized sector in India.	

Ten marks questions

S.NO	QUESTIONS	LOCF MAPPING		
1	Explain the concept and major theories of trade unionism.	CO2	PO1	K2
2	Trace the growth and development of trade unionism in India.	CO2	PO1	K2
3	Discuss the different types of trade unions and their functions.	CO3	PO1	K2
4	Analyse the role of left-wing trade unionism in labour movements.	CO4	PO1	K4
5	Examine the problems faced in organizing trade unions in India.	CO3	PO1	K3
6	Discuss the conditions and challenges of workers in the unorganized sector.	CO3	PO1	K3
7	Analyse the importance of trade unions in improving labour welfare	CO4	PO1	K4

UNIT V

To **introduce** the constitutional provisions and directives related to labour welfare in India.s

To **explain** the concept and legal aspects of strikes and lockouts in industrial relations.

To **analyse** the role of international organizations such as the International Labour Organization in protecting labour rights.

To **examine** important labour legislations in India, including the Trade Unions Act, 1926 and the Industrial Disputes Act, 1947.

To **evaluate** the recommendations of labour welfare bodies and the modern challenges faced by labour in India

Labour Laws and Legislations

In India labour legislation was undertaken somewhat in advance of the emergence of labor organizations. The incentive to labor legislation was furnished primarily by the uneasiness of the Manchester cotton manufacturers over the continued growth of the cotton mill industry in Bombay. They made repeated representations to the Secretary of State for India to apply British factory legislation en bloc to India so as to neutralize the 'unfair advantages which the Indian mill industry was enjoying because of its large-scale employment of child labour and long hours of work. On the representation of the Manchester Chamber of Commerce the Secretary of State brought pressure on the Government of Bombay to appoint a Factory Commission to investigate the conditions of work in the Bombay cotton mills. This was in 1875. The Commission was divided on the question whether factory legislation was needed for Indian workers. Representatives of employers on the Commission were vehemently opposed to the idea of regulating working conditions in the factories through legal measures.

The Government of Bombay shelved the Commission's Report as the majority did not favor any sort of factory legislation. The Manchester interests, however, continued to carry on their agitation for factory legislation. To this was added the voice of some social workers from Bombay of whom **Sorabjee Shapoorji Bengalee** was the chief spokesperson. He prepared a draft bill for the regulation of child labour in the cotton mills and sent it to the Governor of Bombay. When no action was taken in the matter, he got the draft published in the London 'Times' in September 1878. Shortly thereafter the House of Commons in England adopted a resolution on the necessity of adopting factory legislation in India. Pressure from the Secretary of State ultimately led the Government of India to prepare a bill on the subject. Although the bill was considerably whittled down during discussion, some amount of regulation of labour conditions was introduced when **the bill was passed as the Factories Act of 1881.**

The Factories Act of 1881 has been described as the result of agitation. The Factories Act of 1881 has been described as the result of agitation by "ignorant English philanthropists and grasping English manufacturers." The Act was made applicable to all

manufacturing premises using power-driven machinery, employing 100 or more persons and working for more than four months in the year. It regulated the conditions of work of child labourers only. They could be employed in a factory, as defined above, only if they had attained the age of 7 years. Until they were 12 years of age they could not be employed for more than 9 hours a day and were to be given a rest interval of 1 hour in a day and granted 4 holidays a month. The Act did not apply to plantations and cotton ginning factories. It included a few provisions for the workers' safety such as arrangements for the fencing of dangerous machinery. The inspection of factories was left to be arranged by the District Magistrates who could appoint special Factory Inspectors if necessary. Provisions were also made for the reporting of accidents in the factory

The limited scope of this Act could not satisfy the Manchester cotton interests. Their representations to the Secretary of State for stricter regulation of the labour conditions in Indian factories continued throughout the next decade. As the reports of factory inspectors appointed under the Act of 1881 brought to light the poor working conditions the cause of factory labour was also taken up by social reformers in India and England

The factories act of 1891 applied to all establishments using power and employing 50 or more persons. The provisions of the Act could, however, be extended to work-places employing as few as 20 persons at the discretion of the Provincial governments. This Act raised the age of employment of child laborers to 9 and reduced the hours of employment for children below the age of 14 to 7 hours per day. It introduced the system of medical certificates for children employed in factories. The hours of work of female laborers were limited to 11 per day with a 14 hour period of rest. Children and women were not to be employed in factory premises after 8 p.m. And before 5a.m. Except with special permission. All factories were required to stop work for half an hour between 12 noon and 2 p.m. And to allow a weekly day of rest. They were also to make suitable arrangements for sanitation, ventilation and provision of drinking water for their workers. After this Act the demand for fresh measures of reform abated for a few years. The cotton industry was then passing through difficult times.

But the prosperity of the jute industry in Bengal attracted the attention of the jute manufacturing industry in Scotland. In 1894 the Dundee Chamber of Commerce called for legislative measures to improve working conditions in the jute mills in and around Calcutta.

After the introduction of electric lighting in the factories during the 1890s. Hours of work were extended in all factories. In some cases workers were required to work for 15 to 16 hours at a stretch. There was a rise in absenteeism and loitering during work which could be attributed to the unusually long working day. Employers themselves began to feel that government intervention was necessary to regulate the hours of work of all classes of labourers, including male laborers who were so long believed to require no State intercession on their behalf. By the early years of the present century, when conditions in the cotton industry improved, both the British manufacturers of cotton and the Indian leaders of public opinion had started pressing their demand for fresh labor legislation on the Government of India.

The Indian Mines Act of 1901 applied to all excavations with a depth of more than 20 feet and undertaken to dig up minerals. Women and children under 12 were prohibited from being employed in a mine on work involving risk. For other workers certain regulations to improve safety conditions and protect health were introduced. The Central Government appointed a Chief Inspector of Mines to supervise the working of the Act, while Provincial governments were authorized to appoint inspection staff for mines in their respective territories.

The First World War saw a considerable growth in the number of factories and with it a slackening of the system of factory inspection. In the interests of production the authorities themselves had to relax some of the provisions of factory legislation during the War. When the war ended a comprehensive review of the existing factory law became necessary. Meanwhile the International Labour Organization had started working and its Conventions and Recommendations came to play an important part in the re-modeling of Labour legislation in India. The trade union movement also became an important factor to reckon with in the post-war period and some of the long-standing demands of working class organizations, such as compensation for employment injury, came to be conceded by the authorities almost immediately after the war.

The Factories Act of 1922 was made applicable to all establishments using mechanical power and employing 20 persons or more. Provincial governments were authorized to extend the provisions of the Act, at their discretion, even to workshops employing no more than 10 persons irrespective of whether they used mechanical power or not. The lower age limit for children was raised to 12 years and no child below the age of 15 could be employed for more

than 6 hours a day. For all adult workers, male and female, hours of work were limited to 11 per day and A weekly day of rest was to be provided to all workers and every worker was to be granted an hour's rest after 6 hours of work Provincial governments were asked to lay down standards of ventilation and other sanitary facilities in the factories. The number of factory inspectors was increased and their technical qualifications were raised

The Workmen's Compensation Act of 1923 recognized the important principle of employers' liability for all injuries sustained by workers in the course of their work. Scales of compensation for workers were prescribed, the amount of compensation varying with the workers' wages and the extent of disability suffered. Every Provincial government was required to appoint a Commissioner for Workmen's Compensation for the settlement of all claims arising under the Act. Employers were made liable for reporting to the Commissioner any fatal accident occurring in the factory. The Act also contained a list of occupational diseases which entitled a worker contracting such diseases to claim compensation from his employer.

The Indian Mines Act was amended in 1923. The scope of the Act was extended to all excavations for obtaining minerals, irrespective of depth; Employment of children under 13 for underground work was banned. The weekly hours of work were limited to 54 below ground and 60 above ground. All workers were to be given a weekly day of rest. The Act also authorized the Central government to prohibit underground work for women but considering the economic difficulties that such a ban would involve for miner's families the government did not impose any such ban until 1937

The Indian Mines Act of 1935 was also an outcome of the Whitley Commission's recommendations. This Act limited the working hours in mines to 54 per week for all types of work: for work above ground the daily limit was 10 hours and for underground work the daily limit was fixed at 9 hours. All workers in mines were to be granted 1 hour's rest after six hours of work. The minimum age for employment of children in mines was raised by this Act to 15 years. The health and safety provisions in this Act were further strengthened by three amendments during 1936-40.

Provision was also made in the 1930s for the regulation of hours of work of railway workers and the improvement of conditions of work of dock labourers. The Indian Railways Act of 1890

was amended in 1930 with a new section providing for a weekly maximum of 60 hours work for railway workers; workers whose duty was of an intermittent nature could be assigned work for 84 hours a week, but not more. Provision was also made for a weekly day of rest for the former category of workers. The Indian Dock Labourers Act, 1934 introduced a number of regulations to improve safety conditions for workers engaged in docks and wharves

Maternity Benefit Acts were adopted by several Provincial governments during the inter-war period. Bombay led the way in 1929, followed by Central Provinces (1930) and Madras (1935). But attempts to have a Central legislation on this subject proved ineffective.

The Payment of Wages Act, 1936 provided for the timely disbursement of wages to workers and debarred employers from making deductions from wages unless specifically authorized under the Act. No wage period was to exceed one month and on the expiry of that period wages had to be paid within one week. If a worker was discharged all sums due to him must be paid within two days. Fines and deductions were to be made only after notifying the employees about the nature of the offenses for which such fines were liable to be imposed. The Finning of children was prohibited. On no account was the fine to exceed more than half an anna in the rupee of the worker's earnings. Recoveries made from workers by way of fines had to be utilized for schemes of workers 'benefit.

Another legislative measure taken in the 1930s on the Whitley Commission's recommendation was the Employment of Children Act, 1938. This Act prohibited the employment of children below the age of 15 in handling of goods on the railways and in the ports. The Act was further amended in 1939 to incorporate a provision that no child below the age of 12 could be employed in workshops where certain specified industrial processes were carried out.

Labour Laws and Legislation

Labour law also known as employment law is the body of laws, administrative rulings, and precedents which address the legal rights of, and restrictions on, working people and their organizations. As such, it mediates many aspects of the relationship between trade unions, employers and employees. The term 'Labour Legislation' is used to cover all the laws which have been enacted to deal with "employment and non employment" wages, working conditions,

Industrial relations, social security and welfare of persons employed in industries. In other words, Labour law defines the rights and obligations of workers, union members and employers in the workplace. Generally, labour law covers:

- Industrial relations – certification of unions, labour-management relations, collective bargaining and unfair labour practices; Workplace Health and Safety;
- Employment standards, including general holidays, annual leave, working hours, unfair
- Dismissals, minimum wage, layoff procedures and severance pay.

There are two broad categories of labor law. First, collective labour law relates to the tripartite relationship between employee, employer and union. Second, individual Labour law concerns employees' right at work and through the contract for work. The labor movement has been instrumental in the enacting of laws protecting labour rights in the 19th and 20th centuries. Labor rights have been integral to the social and economic development since the industrial revolution. In India, labour legislation is treated as an arm of the State for the regulation of working and living conditions of workers. Organized industry in a planned economy calls for the spirit of co-operation and mutual dependence for attaining the common purpose of greater, better and cheaper production. Since this had not been happening voluntarily, the need for State intervention.

Evolution of Labour Laws

History of Labour Laws across World

Labour law arose due to the demands of workers for better conditions, the right to organize, and the simultaneous demands of employers to restrict the powers of workers in many organizations and to keep labor costs low. Employers' costs can increase due to workers organizing to win higher wages, or by laws imposing costly requirements, such as health and safety or equal opportunities conditions. Workers' organizations, such as trade unions, can also transcend purely industrial disputes, and gain political power –which some employers may oppose. The state of labor law at any one time is therefore both the product of, and a component of, struggles between different interests in society.

The International Labour Organization (ILO) was one of the first organizations to deal with labor issues. The ILO was established as an agency of the League of Nations following the Treaty of Versailles, which ended World War I. Post-war reconstruction and the protection of labor unions occupied the attention of many nations during and immediately after World War I. In Great Britain, the Whitley Commission, a subcommittee of the Reconstruction Commission, recommended in its July 1918 Final Report that “industrial councils” be established throughout the world. The British Labour Party had issued its own reconstruction programme in the documents titled Labour and the New Social Order. In February 1918, the third Inter Allied Labour and Socialist Conference (representing delegates from Great Britain, France, Belgium and Italy) issued its report, advocating an international labour rights body, an end to secret diplomacy, and other goals. And in December 1918, the American Federation of Labour (AFL) issued its own distinctively apolitical report, which called for the achievement of numerous incremental improvements via the collective bargaining process.

As the war drew to a close, two competing visions for the post-war world emerged. The first was offered by the International Federation of Trade Union (IFTU), called for a meeting in Berne in July 1919. The Berne meeting would consider both the future of the IFTU and the various proposals which had been made in the previous few years. The IFTU also proposed including delegates from the Central Powers as equals. Samuel Gompers, president of the AFL, boycotted the meeting, wanting the Central Powers delegates in a subservient role as an admission of guilt for their countries’ role in bringing about war. Instead, Gompers favored a meeting in Paris which would only consider President Woodrow Wilson’s Fourteen Points as a platform. Despite the American boycott, the Berne meeting went ahead as scheduled. In its final report, the Berne Conference demanded an end to wage labor and the establishment of socialism. If these ends could not be immediately achieved, then an international body attached to the League of Nations should enact and enforce legislation to protect workers and trade unions.

The British proposed establishing an international parliament to enact labour laws which each member of the League would be required to implement. Each nation would have two delegates to the parliament, one each from labour and management. An international labour office would collect statistics on labour issues and enforce the new international laws. Philosophically opposed to the concept of an international parliament and convinced that

international standards would lower the few protections achieved in the United States, Gompers proposed that the international labour body be authorized only to make recommendations, and that enforcement be left up to the League of Nations. Despite vigorous opposition from the British, the American proposal was adopted.

The Americans made 10 proposals. Three were adopted without change: That labour should not be treated as a commodity; that all workers had the right to a wage sufficient to live on; and that women should receive equal pay for equal work. A proposal protecting the freedom of speech, press, assembly, and association was amended to include only freedom of association. A proposed ban on the international shipment of goods made by children under the age of 16 was amended to ban goods made by children under the age of 14. A proposal to require an eight-hour work day was amended to require the eight hour work day or the 40-hour work week (an exception was made for countries where productivity was low). Four other American proposals were rejected. Meanwhile, international delegates proposed three additional clauses, which were adopted: one or more days for weekly rest; equality of laws for foreign workers; and regular and frequent inspection of factory conditions.

The Commission issued its final report on 4 March 1919, and the Peace Conference adopted it without amendment on 11 April. The report became Part XIII of the Treaty of Versailles. (The Treaty of Versailles was one of the peace treaties at the end of World War I. It ended the state of war between Germany and the Allied Powers. It was signed on 28 June 1919). The first annual conference (referred to as the International Labour Conference, or ILC) began on 29th October 1919 in Washington DC and adopted the first six International Labour Conventions, which dealt with hours of work in industry, unemployment, maternity protection, night work for women, minimum age and night work for young persons in industry. The prominent French socialist Albert Thomas became its first Director General. The ILO became a member of the United Nations system after the demise of the League in 1946.

Evolution of Labour Laws in India

The law relating to labour and employment is also known as Industrial law in India. The history of labour legislation in India is interwoven with the history of British colonialism. The industrial/labour legislations enacted by the British were primarily intended to protect the

interests of the British employers. Considerations of the British political economy were naturally paramount in shaping some of these early laws. Thus came the Factories Act. It is well known that Indian textile goods offered stiff competition to British textiles in the export market and hence in order to make India labour costlier the Factories Act was first introduced in 1883 because of the pressure brought on the British parliament by the textile magnates of Manchester and Lancashire. Thus India received the first stipulation of eight hours of work, the abolition of child labour, and the restriction of women in night employment, and the introduction of overtime wages for work beyond eight hours. While the impact of this measure was clearly welfare the real motivation was undoubtedly protectionist. The earliest Indian statute to regulate the relationship between employer and his workmen was the Trade Dispute Act, 1929 (Act 7 of 1929). Provisions were made in this Act for restraining the rights of strike and lock out but no machinery was provided to take care of disputes. The original colonial legislation underwent substantial modifications in the post-colonial era because independent India called for a clear partnership between labour and capital. The content of this partnership was unanimously approved in a tripartite conference in December 1947 in which it was agreed that labour would be given a fair wage and fair working conditions and in return capital would receive the fullest co-operation of labour for uninterrupted production and higher productivity as part of the strategy for national economic development and that all concerned would observe a truce period of three years free from strikes and lockouts. Ultimately the Industrial Disputes Act (the Act) brought into force on 01.04.1947 repealing the **Trade Disputes Act 1929** has since remained on statute book.

The Nature of Labour Legislations

The following points characterize the nature of labour legislations:

- i. The labour legislations are the products of the Industrial Revolution and they have come into being to take care of the aberrations created by it. They are different from common legislation, because they come to alleviate special disorders created by specific circumstances. Therefore, they are specific and not general in orientation, philosophy, and concept and even in practice.

ii. Labour legislation regards individuals as workers, whereas the general legislation regards him a citizen. The principles governing labour legislations are more influenced by the postulates of social justice than general justice. Workers are the weaker class of industrial society and have suffered long at the hands of employers. Therefore, these sets of legislation go out of the way in protecting workers and securing justice to them. The influences of 'discriminative justice' and 'distributive justice' can be clearly seen over them. All the labour legislations are heavily skewed towards labour and they are specifically designed like that.

iii. Labour legislation seeks to deal with problems arising out of the occupational status of the individual. Consequently, such problems as hours of work, wages, working conditions, trade unions, industrial disputes etc. come to be the main subject matter of labor legislations. Thus, the behavior of the individual or his groups is the function of labour legislation as of any other legislation. But under labour legislation, the individual is affected in the capacity of a worker or an employer. Therefore, the persons who are neither the employers nor the workers are least affected directly by labour legislation. To make the point clear, a few examples are necessary. A legislation regarding working conditions such as the factory legislation or laws regarding payment of wages or compensation for work injury or employment of women or children impinges upon the individuals as workers and the employers. On the contrary, a law regarding ownership of property or a law relating to the marriage or sales tax affects him as a citizen.

iv. Individuals have different roles to perform and different laws are designed for regulating the different roles. It is the role-relation that determines whether a particular legislation falls under the category of labor legislation, social legislation or general legislation. All these legislations try to meet the specific objectives of their respective target groups that is (a) to provide subsistence, (b) to aim at abundance, (c) to encourage equality, and (d) to maintain security.

v. As labour legislations are to regulate the conditions of labour in the industrial milieu, it is required to be adjusted as per the changing requirements of industry. This has to be done more frequently than the general legislation where changes are not that swift. Unless labor legislations are subjected to frequent revision and not left to continue as they are, they become obsolete and irrelevant. The Indian Labour Legislations are the best examples. Most of them have become

outdated as the required revisions have not been affected and gaps have been created between the expectation of industrial society and the institution of labour legislation.

vi. Not only contractual obligations, but beyond it by creating new rights and obligations. Labour Law can operate along with General Law. A 'theft' can be dealt by Labour Law as well as IPC No jurisdiction of civil courts.

Objectives of the Labour Legislations

Labour legislation in India has sought to achieve the following objectives:

- a. Establishment of justice – Social, Political and Economic.
- b. Provision of opportunities to all workers; irrespective of caste, creed, religion, beliefs; for the development of their personality.
- c. Protection of weaker sections in the community.
- d. Maintenance of Industrial Peace.
- e. Creation of conditions for economic growth.
- f. Protection and improvement of labour standards.
- g. Protect workers from exploitation.
- h. Guarantee the right of workmen to combine and form associations or unions.
- i. Ensure right of workmen to bargain collectively for the betterment of their service conditions.
- j. Make the state interfere as protector of social wellbeing than to remain an onlooker.
- k. Ensure human rights and human dignity.

Proper regulation of employee-employer relations is a condition precedent for planned, progressive and purposeful development of any society. The objectives of labour legislation are a developing concept and require ceaseless efforts to achieve them on a

continuous basis. In its landmark judgment in *Hindustan Antibiotics vs. The Workmen* (A.E.R. 1967, S.C. 948; (1967) 1, Lab.L.J.114) the Supreme Court of India made a significant observation. The object of the Industrial law, said the Court, was to bring in improvements in the service conditions of industrial labor by providing them the normal amenities of life, which would lead to industrial peace. This would accelerate the productive activities of the nation, bringing prosperity to all and further improving the conditions of labour.

Need and Importance of Labour Legislation in India

The need for labour legislations may be summarized as under:

- It is necessary for the health, safety and welfare of workers.
- It is necessary to protect workers against oppressive terms as individual worker is economically
- Weak and has little bargaining power. It encourages and facilitates the workers in the organization.
- It provides a mechanism to settle industrial disputes of various nature.
- It helps in enforcing social insurance and labor welfare schemes.
- It is instrumental in improving industrial relation i.e. employee-employer relations and minimized industrial disputes.
- It helps workers in getting fair wages
- It helps in minimizing labour unrest.
- It ensures job security for workers
- It promotes welcome environment conditions in the industrial system
- It helps in fixing rest pauses and work hours etc.
- It helps in providing appropriate compensation to workers, who are victims of

accidents.

Classification/Types of Labour Legislation

On the basis of specific objectives, which it has sought to achieve, the labor legislations can be classified into following categories:

- a. Regulative
- b. Protective
- c. Wage-Related
- d. Social Security
- e. Welfare both inside and outside the workplace.

The Regulative Labour Legislation

The main objective of the regulative legislation is to regulate the relations between employees and employers and to provide for methods and manners of settling industrial disputes. Such laws also regulate the relationship between the workers and their trade unions, the rights and obligations of the organizations of employers and workers as well as their mutual relationships.

1. The Trade Unions Act, 1926
2. The Industrial Disputes Act, 1947
3. Industrial Relations Legislations enacted by states of Maharashtra, MP, Gujarat, UP, etc.
4. Industrial Employment (Standing Orders) Act, 1946.

The Protective Labour Legislations

Under this category come those legislations whose primary purpose is to protect labour standards and to improve the working conditions. Laws laying down the minimum labor

standards in the areas of hours of work, supply, employment of children and women, etc in the factories, mines, plantations, transport, shops and other establishments are included in this category. Some of these are the following:

- Factories Act, 1948
- The Mines Act, 1952
- The Plantations Labour Act, 1951.
- The Motor Transport Workers Act, 1961
- The Shops and Establishments Acts
- Beedi and Cigar Workers Act, 1996

Wage-Related Labour Legislations

Legislations laying down the methods and manner of wage payment as well as the minimum wages come under this category:

- The Payment of Wages Act, 1936
- The Minimum Wages Act, 1948
- The Payment of Bonus Act, 1965
- The Equal Remuneration Act, 1976

Social Security Labour Legislations

They cover those legislations, which intend to provide to the workmen, social security benefits under certain contingencies of life and work.

- The Workmen's Compensation Act, 1923
- The Employees' State Insurance Act, 1948
- The Coal Mines PF Act, 1948

- The Employees PF and Miscellaneous Provisions Act, 1952
- The Maternity Benefit Act, 1961 6. Payment of Gratuity Act, 1972.

Welfare Labour Legislations

Legislations coming under this category aim at promoting the general welfare of the workers and improving their living conditions. Though, in a sense, all labour-laws can be said to be promoting the welfare of the workers and improving their living conditions and though many of the protective labor laws also contain chapters on labor welfare; the laws coming under this category have the specific aim of providing improvements in the living conditions of workers. They also carry the term “Welfare” in their titles.

- Limestone and Dolomite Mines Labour Welfare Fund Act, 1972
- The Mica Mines Welfare Fund Act, 1946
- The Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976.
- The Cine Workers Welfare Fund Act, 1981
- In addition, some state governments have also enacted legislations for welfare funds.
- Beedi Workers Welfare Funds Act, 1976

Miscellaneous

Besides the above, there are other kinds of labour laws, which are very important. Some of these are:

- The Contract Labour (Regulation and Abolition) Act, 1970.
- Child Labour (Prohibition and Regulation) Act, 1986.
- Building and other construction workers (Regulation of Employment and Conditions of Service) Act, 1996.

- Apprentices Act, 1961.
- Emigration Act, 1983.
- Employment Exchange (Compulsory Notification of Vacancies) Act, 1959.
- Inter State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979.
- Sales Promotion Employees (Condition of Service) Act, 1976.
- Working Journalists and other Newspapers Employees (Condition of Service and Miscellaneous Provision) Act, 1955.

The evolution of labour jurisprudence is the culmination of the incessant struggle waged by the workers' all over the world, for just and better conditions of work as well as security of their job. Labour legislations have now acquired the status of a separate branch of jurisprudence because of its special features and changing juristic ideas. The Nature of Labour Legislations has also been characterized. The labor laws are classified in to The Regulative Labour Legislation (which includes The Trade Unions Act, 1926, The Industrial Disputes Act, 1947, Industrial Relations Legislations enacted by states of Maharashtra, MP, Gujarat, UP, etc., Industrial Employment (Standing Orders) Act, 1946) The Protective Labour Legislations (which includes Factories Act, 1948, **The Mines Act, 1952**, **Plantations Labour Act 1951**The Motor Transport Workers Act, 1961, The Shops and Establishments Acts, Beedi and Cigar **Workers Act, 1966**, The Equal Remuneration Act, 1976) Social Security Labour Legislations (which includes The **Workmen's Compensation Act, 1923**, The Employees' State Insurance Act, 1948, The Coal Mines PF Act, 1948 , The Employees PF and Miscellaneous Provisions Act, 1952,the Maternity Benefit Act, 1961, Payment of Gratuity Act, 1972) Welfare Labour Legislations (which includes Limestone and Dolomite Mines Labour Welfare Fund Act, 1972, The Mica Mines Welfare Fund Act, 1946, The Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976 , The Cine Workers Welfare Fund Act, 1981. In addition, some state governments have also enacted legislations for welfare funds ,Beedi Workers Welfare Fund Act, 1976)Miscellaneous including The Contract Labour (Regulation and Abolition) Act, 1970, Child Labour (Prohibition and Regulation) Act, 1986, Building and other construction workers

(Regulation of Employment and Conditions of Service) Act, 1996 , Apprentices Act, 1961, Emigration Act, 1983, Employment Exchange (Compulsory Notification of Vacancies) Act, 1959 ,Inter State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 , Sales Promotion Employees (Condition of Service) Act, 1976 ,Working Journalists and other Newspapers Employees (Condition of Service and Miscellaneous Provision) Act, 1955.

Constitutional Rights and Directives

Origin of Labour Legislations

The origin of labor legislation is the history of continuous and relentless struggle for emancipation of the working class from clutches of aggressive capitalism. The struggle was between two un equals. The contract between capital and labour could never be struck on equitable terms. The social scientists interpreted this struggle in different ways. The point, however, was to change it. The change contemplated was one of transforming a slave into partner and thereby bridle the power of capital to impose its own terms on the workmen. Various factors helped this process to take place. The struggle was not easy. Numerous forces, directly and indirectly, hastened the pace facilitating the passing of labour friendly legislation.

Factors Influencing Labour Legislation

Early Exploitative Industrial Society

The origin of labour legislation lies in the excesses of the early industrialism that followed the Industrial Revolution. The early phase of industrialization in the capitalist countries of the world was an era of unbridled individualism, freedom of contract and the laissez-faire, and was characterized by excessive hours of work, employment of young children under very unhygienic and unhealthy conditions, payment of low wages and other excesses. Naturally, such excesses could not have continued for long without protest and without demand for reforms. The early Factories Acts flowed from these excesses and manifested the desire of the community in general to protect its weaker section against exploitation. The workers had very little legal protection available. Therefore, it can be safely said that the labor legislations are the natural children of the industrial revolution.

Impact of Contemporary Events

Along with the Industrial Revolution, revolutionary thinking of Rousseau, J.S.Mill, the French Revolution, Hegel, Marx & Engels and Russian Revolution greatly influenced the thought processes and hastened the pace of labor jurisprudence.

The world wars made it possible for the labourers to realize their importance that unless they produce, it will be difficult for warring nations to win. Therefore, they must stake their claims for better quality of work life.

The revolution in science, technology, communication and telecommunication also helped in bringing the world closer. It became easier for the working classes of the underdeveloped world to know the better conditions of service of their counterparts in the developed world

The Growth of Trade Unionism

The Trade Union movement, which itself springs from the industrial revolution, has been another factor which has quickened the growth of labour legislations. On the one hand, their demands for protection of the interests of the working class led to legislations in the field of wages, hours of work, women's compensation, social security and other areas; on the other hand, their growth necessitated legislation for the regulation of industrial disputes, their prevention and settlement and trade union rights and privileges. Trade unions have been as much conditioned by labor legislations as they have conditioned them.

Growth of Political Freedom and Extension of Franchise

Gradual extension and adoption of universal adult suffrage placed in the hands of the working class, a powerful instrument to influence the cause of state policy. Their representatives started espousing the cause of labour and getting progressive legislations passed. The workers used their political powers for betterment and amelioration of their lots.

Rise of socialist and other revolutionary ideas

In his analysis of capitalism, Marx showed that the exploitation of labour was inherent in the capitalist economic system. Therefore, he advocated the overthrow of the capitalist system. The echo of the slogan, "the workers of the world unite, you have nothing to lose but your

chains", reverberating throughout the capitalist world, sent a shudder among the conservative and capitalist circles to which ameliorative and protective labor legislations came as safe alternatives. They readily grasped labour legislations as an antidote to the spread of revolutionary ideas. The Fabian Society of England, the establishment of socialist and communist parties in many countries and first and second internationals strengthened the trend for progressive labour legislations.

The Growth of Humanitarian Ideas and the Concept of Social Welfare and Social Justice

The humanitarian ideas and role of humanitarians, the philanthropic and social reformers influenced the shape of labour legislation. Early Factories Acts were made possible because of the efforts of the humanitarians like Hume, Place, Shaftesbury and others. Researches in Social Sciences like Sociology, Psychology and Anthropology exploded the myth of the natural elite and gave a powerful push to the movement of social reforms, social change, social justice and labour legislation

Concept and Definition of Strikes and Lockout

Despite the decline in trade union membership in the inter-war years the continued militancy of its activists, which reached its climax in the General Strike of 1926, posed the greatest challenge in the twentieth century to the power of capitalism and by implication to the labourist ideology, which had always shrunk from such confrontation. 1926 marked a watershed. Trade union militancy was pushed to its ultimate limit in an unfavourable economic climate. It was faced with a powerful and well-prepared state machine, which seized with gusto the opportunity to deal a death blow to union defiance once and for all. The leadership of the trade union movement was also put to the test. As unwilling strike leaders in 1926, the TUC's concern had little to do with winning, and much more to do with ensuring that it prevented the unleashing of forces on both sides of the industrial divide over which it would have little control or influence. The aftermath of the strike proved to be disastrous for the trade union and labour movement, despite the fact that its leaders bent over backwards to accommodate themselves to a new situation in which both government and employers capitalized on their victory with barely concealed contempt for the power of labour, which they had been forced to tolerate hitherto.

The Trade Union Leadership

One aspect of syndicalist philosophy infiltrated official trade union circles, albeit for motives which were far removed from the revolutionary aims of its protagonists. The trend to union amalgamations proceeded apace after 1920. The impetus for this had been created during the war, during which centralized pay bargaining for discrete industrial groups had been accomplished by national federations of trade unions and employer organizations. A federation of engineering employers had been long established, thus it was no surprise that, albeit belatedly, the Amalgamated Society of Engineers joined with smaller craft unions in the industry to form the Amalgamated Engineering Union in 1920.

Among unskilled and semi-skilled workers, amalgamations of unions of general labourers with those of Dockers and carters produced the Transport and General Workers' Union in 1922. Under its first general secretary, Ernest Bevin, it was soon to become the largest union and exercised considerable influence within the Labour Party. The Gas Workers' Union was the satellite around which a number of smaller general unions, including the National Federation of Women Workers, clustered and produced in 1924 the National Union of General and Municipal Workers. Similar trends of amalgamations were evident among white collar workers – in the Post Office (Union of Post Office Workers, 1920) and Civil Service (Civil Service Clerical Association, 1922).

Another syndicalist principle used for pragmatic purposes was evident in the seemingly innocuous formation in 1921 of the General Council to replace the TUC's Parliamentary Committee. The new body had more extensive powers than the latter, but from the beginning it was clear that it was not going to be used to promote a coordinated onslaught on capital. Indeed, Bevin hoped that strikes would be fewer because of the power of this new organisation. Rather more modestly, while not treading on the toes of affiliates, the General Council hoped to promote better relations between them and to present an effective and hopefully united trade union front in its dealings with outside bodies. Thus it was that a tighter and more centralized leadership, dominated by a small number of large unions, emerged from the mass struggles of the previous decade, and whilst this had the potential for promoting effective solidarity between groups of workers in struggle, it could also be used with great effect for precisely the opposite purpose. The fact that sectionalism rather than solidarity remained the hallmark of trade unions

and hence of TUC leaders (who always reflected change rather than initiated it) was paradoxically assisted by this greater centralization.

The development of national collective bargaining, which had stimulated union amalgamation and federation, an industrial ‘coming of age’ of the trade union movement. It went together with official employer recognition of unions at workplace level alongside local bargaining procedures. The collective bargaining process even spread to industries in which trade unionism was not well developed. The system of joint industrial committees of employer and union representatives recommended in the 1917 Report of the Whitley Committee indicated the willingness of the government to encourage what they saw as a more orderly and centralized system of industrial relations. By 1921, 73 such Whitley Councils, as they came to be known, had been established and those which survived in the public and private sector (many of them in the public sector intact until the Thatcher years) concluded national pay and conditions agreements for their respective industries.

Thus it was that the interests of government, employers and the trade union leaderships, all worried by the challenge to their authority during the war years, were served by snatching the initiative from the militants through the creation of these new centralized structures. The very militancy which had induced this development was now turned to the advantage of the leadership, which claimed credit for the concessions and in doing so both emasculated and incorporated its initial driving force – the shop stewards. Although the revolutionary organisation of shop stewards had collapsed, the postwar compromise between capital and labour could not ignore them. In most unions and collective agreements, stewards were given an officially recognized role far beyond their original one of dues collectors and recruiting agents. Nonetheless, workplace militancy continued in the years after the war and this forced a persistent tension between the potential of centralization to achieve more effective class solidarity and the pressure to confine it within the bounds of traditional sectional interest. This tension reached its breaking point in 1926, the year of the General Strike

The Miners

The decline of Britain’s staple industries, as we have seen, was a prime cause of mass unemployment in the inter-war years. The position of the workers who remained employed

in such industries was grim. They were faced with a concerted attempt by the employers to cut wages and increase productivity. Due to the fact that the coal mining industry accounted for a sixth of the male labour force and was the strongest and best organized in trade union terms, miners were at the centre of the employers' offensive and bore the main brunt of the postwar attack. A defeat for the miners would enable managerialist domination, which had taken such a knock in the war years, to be reasserted and open the way for a successful attack on other groups of workers. The mine owners also had another aim.

During the war the state had assumed some measure of control over mining as an essential wartime industry. This had boosted the miners' demand for the nationalization of the industry – a policy supported by the Sankey Committee (appointed by the government in 1920 to avert a threatened strike for a 30 per cent pay increase). Needless to say, the owners were vehemently opposed to any form of state intervention, let alone nationalization. In the less revolutionary atmosphere of the 1920s Lloyd George dropped all pretence at concession and brought forward his plans to decontrol the mines. This coincided (probably not accidentally) with the owners' announcement of savage wage cuts to well below pre-1914 levels and an end to national wage agreements.

The fact that employers in other industries were attempting similar tactics helps to account for the wave of support given by the labour movement to the miners when, as a result of their determined refusal to accept the demands of the mine owners, they were locked out. The Triple Alliance (formed in 1914 of mine, railway and transport unions) called a rail and transport strike, but due to the backstage maneuvering of some of the union leaders, notably Frank Hodges and J. H. Thomas secretaries of the Miners' Federation and the National Union of Railway men, respectively, the strike was called off at the eleventh hour Daily Herald echoed the widely held view that this incident (unfortunately dubbed 'black Friday') 'was the heaviest defeat that has befallen the Labour movement within the memory of man' This perhaps exaggerated opinion was explicable in the light of the Herald's earlier analysis that the attack on the miners represented 'a frontal attack on the whole working class by the capitalists and their Government'

The miners were eventually starved into submission, leading, as predicted, to lockouts to enforce wage reductions on engineers, cotton operatives, builders, shipyard workers, seamen and others. This appeared to mark the end of the trade union militants' forward offensive which had

characterized industrial relations since 1910, leaving only the unemployed struggling to challenge the hegemony of the capitalist and labourist establishments. However, this defeat was by no means the dying gasp of a spent revolutionary creed as the renewed attack on the miners in 1925 was to show. By the time the mine owners, due to another slump in their badly run industry, demanded in 1925 yet another round of wage cuts and a lengthening of hours, they were faced with more formidable opposition from a regrouped coterie of militants who had, for the first time, gained leading positions in their own unions and on the TUC General Council

General Strike 1926

Although the government was caught unaware by the resolve of the TUC and the mass support for the miners in 1925, this did not indicate a lack of preparedness or willingness for a confrontation with militant trade unionism. Indeed, Red Friday galvanized the cabinet into taking the active preparations for conflict, which the hawkish Churchill had long advocated. The government established the Organisation for the Maintenance of Supplies (OMS) – a volunteer, ‘private’, strike-breaking body whose pretence at independence was belied by the fact that it received state funds for its operation and that its leadership was approved by the cabinet. By the time of the General Strike over 100,000 volunteers were ready, having been secretly trained by the OMS, to take over the running of essential services. At the same time the government made its own military-style preparations.

Ten Civil Commissioners were appointed with their own staff and with full authority conferred on them by the Emergency Powers Act to run the ten regions into which Britain was to be divided. They had made no plans to escalate the conflict after Red Friday; indeed, the fact that they had achieved a victory without direct action confirmed the right-wing labour leaders in their view that Baldwin’s government was prepared to be reasonable. . In fact, although adopting resolutions to overthrow capitalism, condemning imperialism and supporting the extension of workshop organisation, all of which were socialist in content, the 1925 TUC Congress did not address itself to concrete strategy. Furthermore, the hand of the right wing was strengthened in the elections to the new General Council, which included again, after his brief spell as a cabinet minister in the Labour government of 1924, J. H. Thomas. Thomas had expressed himself as ‘far from happy’ about Red Friday ‘because nothing is more dangerous to the future of this country

than when employers of labour and the government are compelled to concede to force what they have refused to concede to reason’.

A victory for the labour movement at the weakest point of capital formation – the coal industry – would have reverberations far wider than that industry, particularly when the weakness of British capital as a whole stood in sharp contrast to the development of socialism in the Soviet Russia – a point repeatedly made by the trade union militants. Hence the Tories chose in their propaganda to represent the fight of the miners and the widespread solidarity it attracted as a challenge not just to the coal owners but to civil society itself. Their own intelligence sources informed them that, given the effect of mass unemployment in sapping the strength of the trade unions, this was as good a time as any to deal the final blow and tame the movement once and for all.

The report of the Royal Commission (the Samuel Commission) was delivered in 1926. It recommended a reorganization of the industry, but not its nationalization. On the crucial question of wages, it rejected a continuation of the government subsidy and approved the wage reductions that the owners had tried to enforce the previous year. The gloves were off. The miners swiftly announced their intention to fight under the slogan ‘Not a Penny off the Pay, Not a Second on the Day’. The owners posted the lockout notices and after fruitless attempts at negotiation between the government, the mine owners and the TUC, a special conference of trade union executives was convened on 1 May to approve plans for a ‘national’ strike in defence of the miners, which began on 3 May. The fact that the TUC presented the strike in terms of a routine industrial dispute displayed a ludicrous contrast to the government’s insistence that it was a highly political event with potentially revolutionary significance. The strikers’ newspaper, *The British Worker* (published by the TUC), was at great pains to argue that workers ‘must not be misled by Mr. Baldwin’s attempt to represent the present struggle as a political one’. The greater the government’s scaremongering, the more the TUC sought to limit the scope of the dispute and to work for its speedy end no sooner had it begun. From the very beginning negotiations continued, at first secretly, between J. H. Thomas and Herbert Samuel, and then more openly. It resulted in the Samuel Memorandum – the so-called formula used to end the strike. This process was given a spurious legitimacy by the fact that the miners handed over their dispute to the TUC once the General Strike had been called. Had the government not adopted such a belligerent line,

it is quite likely that the General Council would have fought shy of entering the conflict in the first place, but they were left with no choice after workers on the Daily Mail refused to print a leading article denouncing the strike under the banner headline 'For King and Country'. Baldwin chose to treat this as an act of war and the bluff of the TUC moderates was called. It is only against the background of the TUC's reluctance to act, its readiness to negotiate at all times and its ideological unwillingness to recognize the political nature of the strike that the decision to call it off after nine days can be understood. However, it is less easy to understand why such a decision was made given the overwhelming support for the strike and its effectiveness, despite the carefully laid plans of the OMS.

This success was due in large measure to the work of Trades Councils and Councils of Action up and down the country, which, because of their unique position as the local link between trade unionists and the community, were able to perform all manner of detailed work on picket lines and in soup kitchens and in producing general propaganda in the form of leaflets and meetings which brought the message of the strike to masses of ordinary people who might otherwise have remained uninterested or uninvolved. All such activities were accomplished in the teeth of police harassment and mass arrests, with the armed forces strategically positioned close to suspected 'trouble spots'. Paradoxical though it may seem, it was the very success of the mobilization of the movement which frightened the TUC leadership and hastened their resolve to end the strike as quickly as possible. Rather than seeing such self organisation as a great achievement, it was viewed by the TUC as a potential pole of rival authority in which Communists and other militants were playing a leading role. It was vital, therefore, that the TUC maintained its grip before it lost control of the mass movement, and this could only be done while it remained in charge of the situation. Thomas openly admitted this to the House of Commons

Trade Unions and the Labour Party

Although the outcome of the second Labour government proved something of a shock to the trade unions, the policy of that government was in all essentials the political counterpart of Mondism. It would have been, given the closeness between the two wings of the movement, extremely difficult for Labour to have pursued the line it did had the TUC and its affiliates adopted a less collaborationist approach after the General Strike. The link between the

two wings was also a physical one when from 1928 the Labour Party and the TUC shared the same headquarters (Transport House) as that of the largest union, the Transport and General Workers. Following the Labour debacle in the general election of 1931 the TUC General Council held the party together through a revamped National Joint Council linking the two organizations and on which the TUC now had as many members as the Labour National Executive and the parliamentary party combined. The Effect on Women The effect of the General Strike's defeat was, as we have seen, severe indeed for the labour movement as a whole, but for women workers and women trade unionists it was disastrous. The peak of women's trade union membership reached in 1920 had dropped to a mere half million by 1939, despite the fact that the percentage of women within the total workforce had risen. This bleak statistic cannot be accounted for by suggesting that women somehow became 'anti-union' in the inter-war years. Obviously, the decline in membership has to be placed in the context of the overall decline, but within this there were specific features which help to explain the factors affecting women. Chief among these were the attitudes of the unions themselves. In the general climate of unemployment, cost-cutting and reversion on the part of the unions to narrow and sectionalist attitudes, women workers were perceived as a threat. Their employment was rising (from 27 per cent of the total workforce in 1923 to 30 per cent in 1939) at the expense, or so it was thought, of that of men.

This provoked two contradictory attitudes on the part of the male leaders, both of which were motivated by self-interest, rather than the interests of women themselves. On the one hand, many unions which organized in industries with a high percentage of women workers (e.g. USDAW, NUT, NALGO and the Post Office workers) sought to restrict the employment of women by calling for a strict application of the marriage bar, or the introduction of one. Almost all of them refused to campaign or shelved demands for equal pay and instead pursued wage claims which increased the differentials between men and women. Others, like the Union of Post Office Workers in 1935, went further and called for a halt to female employment altogether. In these ways many of the unions contributed massively to the problem that they thought they were addressing, namely the use of women as cheap labour in a time of recession and high unemployment. On the other hand, the drop in trade union membership was a problem that might be redressed if only women could be persuaded to swell the declining ranks and boost the depleted coffers. Thus at the same time as pursuing negative policies on the employment of women, individual unions and the TUC were actively involved in recruitment campaigns. To its

credit the TUC did at least recognize that women were less likely to be used as a source of cheap labour if they were unionized. It established, in 1925, its own Women's Conference and later, in 1930, a Women Workers' Group (later known as the Women's Advisory Committee) to assist the General Council to tackle the 'problem' of women. The Women's Committee was left to launch a series of recruitment campaigns which proposed, sensibly, to increase the involvement of women by establishing local women's committees. Such committees would themselves campaign around the issues of most concern to women workers and would, thereby, assist in recruitment. These attempts were greeted with solid indifference. In the wake of their failure, the General Council itself stepped in 1937 and again in 1939 with its own remedy. It launched two campaigns; both based on the assumption that trade unionism would attract women if it appealed to them on the basis of such 'womanly' issues as personal health and beauty.

Trade unionism, according to a special leaflet adorned with a radiant-looking female clad in a swimming costume, was the 'ticket' to health and beauty, presumably because it would ensure that improved wages secured by unions could be used to buy cosmetics and other adornments. Apart from the fact that such male-designed campaigns were grossly insulting to women's intelligence, they were an abject failure as the membership figures showed. Then, as now, women workers needed to be convinced of the tangible benefits of trade unions on the issues of most concern to them as workers rather than as putative beauty queens. Yet in the defeatist, defensive and sectional attitudes of the trade union leaderships of the inter-war period, precisely the opposite message was conveyed

Establishment of I.L.O.

The establishment of the I.L.O in 1919 has been a very potent factor in conditioning the course of labor legislation all over the world. The acceptance of the principle that labour is not a commodity and the slogan that Poverty anywhere constitutes a danger to prosperity everywhere, have influenced the course of labor legislations in all the countries. The ILO, through persistent investigation of workers' living conditions have continuously established the need for ameliorative labor legislation. It has initiated proposals for labor legislations, subjected them to elaborate discussions and reviews and has adopted Conventions and Recommendations. The ILO, by trying to establish uniform labor standards in so far as the

diverse conditions and uneven economic developments of the world permit, has done a singular service in the field of labor legislation.

ILO, through Conventions and Recommendations, have undertaken the task of creating - international minimum standards of labour which constitute the International Labour Code. They cover a wide range of subjects including wages, hours of work, annual holidays with pay, minimum age of employment, medical examination, maternity protection, industrial health, safety and welfare, social security, freedom of association, right to organise and bargain collectively, employment conditions of seamen and unemployment.

The ILO standards have influenced Indian Labour Legislations to a great extent. ILO standards have formed the sheet-anchor of Indian Labour Legislations, especially after 1946 when the Indian National Government assumed office. The Directive Principles of State Policy in Articles 39, 41, 42, 43 and 43A of the constitution, lay down policy objectives in the field of labour having close resemblance and influence to the ILO Constitution and the Philadelphia Charter of 1944. Thus, the ILO both directly and indirectly has had a great influence on the Indian Labour Scene and Labour Legislation.

Directive Principles and State Policy and Labour Legislations

Articles 36 to 51 form Part IV of the Constitution and they deal with the goal of economic democracy, the socio-political content of political freedom and the concept of Welfare State. Though earlier decisions of the Supreme Court paid scant attention to the Directives on the ground that they are not enforceable in law courts, later decisions, specially from Keshavan and Bharati case, onwards, the following propositions have come before the courts for consideration.

1. There is no disharmony between Directive Principles and Fundamental Rights. They supplement each other.
2. Even Fundamental Rights cannot be ensured unless Directive Principles are implemented.
3. Parliament is competent to amend or abrogate any Fundamental Right to enable the state to implement Directives.

In *Minerva Mills vs. Union of India*, it was held that Directive Principles and Fundamental Rights should be harmonized without considering Directives as inferior and subservient to Fundamental Rights. Similarly a law which is inconsistent with Directives should be regarded as unreasonable while any action taken to give effect to any of the Directives should be regarded as reasonable. Against this backdrop, some of the Directives which are the backbone of labour jurisprudence, may be examined. Article 38 - (a) directs the state to promote welfare of the people by securing and protecting a social order in which justice, social, economic and political shall inform all the institutions of national life.

(b) directs that the State shall, in particular, strive to minimize inequality in income and endeavor to eliminate inequality in status, facilities and opportunities amongst individuals as well as groups of people in different areas and vocations.

Articles 39 - declares that the state shall, in particular, direct its policy towards securing That citizens, men and women equally, have the right to an adequate means of livelihood.

That the ownership and the control of the material resources of the community are so distributed as to best subserve the common good.

That the operation of the economic system does not result in concentration of wealth and means of production to the common detriment.

That there is equal pay for equal work for both men and women.

The health and strength of the workers, men and women and the tender age of the children not abused and that the citizens are not forced by economic necessity to enter the avocations unsuited to their health and strength.

The children are given opportunities and facilities to develop in a healthy manner and in condition of freedom and dignity and are protected against exploitation against moral and material abandonment.

Article 41 - directs that the State shall within the limit of its economic capacity and development make effective provision for securing right to work, to education, and to public

assistance in case of unemployment, old age, sickness and disablement and in other cases of undeserved want.

Article 42 - directs the state to make provision for securing just and humane conditions of work and for maternity relief.

Article 43 - directs that the state shall endeavor to secure, by suitable legislation or economic organization or in any other way to all workers, agricultural, industrial or other living wage, conditions of work ensuring a decent. Standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the state shall endeavor to promote cottage industries on an individual or cooperative basis in rural areas

Certainly these Articles envisage labor legislation as reasonable restrictions upon certain fundamental rights, specially freedom of business. Thus an employer must pay minimum bonus even during a year of loss. –

(Article 43A - inserted in Constitution (42nd Amendment) directs that the state shall take steps, by suitable legislations, or in any other way, to secure the participation of workers in management of undertakings, establishments or other organizations engaged in any industry.

This would mean that workers would no longer be hired labourers, but partners, Hindustan Tin Works vs. Employers - SC 1979, Gujarat Steel Tubes vs. Mazdoor

Sabha - SC 1980) interested in the success of the enterprise and would have share in the profits.

All these are fine. But while inserting Article 51A - Fundamental Duties, no mention was made of their neither duty nor even moral obligation to refrain from slowing down, striking etc. without observing legal formalities.

Concept and Definition of Strikes and Lockout

Right to ‘strike’: the source

The right to form trade unions has been located by the judiciary under Article 19(1) (c) of the Constitution of India, which confers fundamental right on the citizens to form associations

or unions. This right under Article 19(1)(c) is, however, subject to reasonable restrictions that may be imposed under clause (4) of Article 19 and Article 33 of the Constitution. The attempt to expand this right to include the right to engage in concerted activities (strikes) for mutual aid and protection including collective bargaining has, however, been rejected by the Supreme Court. There is no statute which gives to the Indian workers the right to strike in express terms as is given to the workers in the USA under Sections 7 and 13 of the National Labour Relations Act, 1935. However, this gap has been filled by the Indian judiciary by locating this right in the common law.

This declaration of the right to strike in a language that is not so assertive has had its implications of treating it as a very limited right. However, over the years, this right came to be recognized as a lawful right of the working class to bring the employer to the negotiating table. To use the expression of Ahmadi J. of the Supreme Court in *B.R. Singh v. Union of India*, the right of the worker to go on strike “though not raised to the highest pedestal of a fundamental right, is recognized as a mode of redress for resolving the grievances of workers”.

Definition of ‘strike’

According to Ludwig Teller, the word ‘strike’, in its broad connotation, has reference to a dispute between an employer and his workers, in the course of which, there is a concerned suspension of employment. He described four characteristics of a ‘strike’, as the term is employed in modern times, which are:

- (i) an established relationship between the strikers and the person or persons against whom the strike is called;
- (ii) The constituting of that relationship as one of employer and employee;
- (iii) The existence of a dispute between the parties and the utilization by the labour of the weapon of concerted refusal to continue to work as the method of persuading or coercing compliance with the workmen;s demand; and
- (iv) The contention advanced by workers that, although work ceases, the employment relation is deemed to continue, albeit in a state of a belligerent suspension.

Section 2(q) of the Industrial Disputes Act, 1947 (ID Act) gives an exhaustive definition of 'strike' which incorporates substantially the characteristics of strike as given by Ludwig Teller. Section 2(q) defines strike thus: 'Strike' means a cessation of work by a body of persons employed in any industry, acting in combination, or a concerted refusal, or a refusal under a common understanding, of any number of persons, who are or have been so employed, to continue to work or to accept employment.

A bare perusal of this definition shows that there has to be a 'concerted cessation of work' during normal working hours by a body of workers under a common understanding, etc. in an industry. The notion of quitting, cessation or discontinuance of work in combination, is an essential requirement of the definition of strike. Over the years, the various facets of this definition were subject to interpretation by the labour courts/industrial tribunals as also the Supreme Court in a number of cases.

Thus, it has been held that in order to establish such a concert, there need be no formal meetings, discussions, or even an interchange. It may be deduced from similar acts and course of conduct. The fact that the duration of strike was for a few minutes or for a few hours or for days together is irrelevant. There is nothing in the scheme of the Act or its provisions which shows that in order to constitute 'strike', the cessation or stoppage of work must be by virtue of an 'industrial dispute'. Likewise, the purpose behind the cessation of work would also be irrelevant in determining whether the cessation of work would constitute strike or not. It is implicit in the definition of strike that the 'cessation of work' or 'concerted refusal to work' must be in breach of the legal obligation to work or in defiance of the employe;s authority. Therefore, when the workmen refuse to do additional work, which the employer has no right to ask for, it would not amount to strike even if such refusal is concerted or under common understanding. The judiciary has recognized in the face of low unionization that for constituting a strike situation, it is not necessary that there should be concerted refusal or cessation of work by all the workers of the employer. It is sufficient if a substantial number of workers, say, 25 to 30 per cent, under a concert, refuse to work for the employer.

Some of the illustrative forms of strike situations recognized by judicial decisions under Section 2(q) of the ID Act, in a number of cases, include: 'pen down' strike by clerical staff,

‘tool down’ strike by factory workers, ‘stay in’ or ‘sit down’ strike by a group of employees who enter the premises but do not leave the plant or place of work.

However, it has been the consistent approach of the Supreme Court to treat ‘go slow’ and ‘work to rule’ as serious misconducts as these do not fit into the definition of ‘strike’ since there is no cessation of work in either of the two situations. In both these situations, the workers do their work so that they do not lose wages but at the same time do not work in terms of their contract of employment. In fact, under the Model Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946, ‘go slow’ has been held to be a serious misconduct. Das Gupta J. stated the legal position with respect to ‘go-slow’ thus:

‘Go-slow’, which is a picturesque description of a deliberate delaying of production, by workmen pretending to be engaged in the factory, is one of the most pernicious practices that discontented or disgruntled workmen sometimes resort to. It would not be far wrong to call this dishonest. For, while thus delaying production and thereby reducing the output, the workmen claim to have remained employed and thus to be entitled to full wages. Apart from this also, ‘go-slow’ is likely to be much more harmful than a total cessation of work by strike. For, while during a strike, much of the machinery can be fully turned off, during the ‘go-slow’, the machinery is kept going at a reduced speed, which is often extremely damaging to the machinery parts. For all these reasons, ‘go-slow’ has always been considered a serious type of misconduct

In subsequent decisions also the Supreme Court consistently took a serious view of the ‘go-slow’ and repeatedly emphasized the serious consequences that resulted from. The court has rightly condemned such tactics and has dealt with such cases severely. Sawant J., speaking for the court, has observed thus:

There cannot be two opinions that go-slow is a serious misconduct, being a covert and a more damaging breach of the contract of employment: It is an insidious method of undermining discipline and at the same time, a crude device to defy the norms of work. It has been roundly condemned as an industrial action and has not been recognized as a legitimate weapon of the workmen to redress their grievances. In fact, the Model Standing Orders, as well as the certified Standing Orders of most of the industrial establishments, define it as misconduct and provide for

disciplinary action for it. Hence, once it is proved, those guilty of it have to face the consequences which may include a deduction of wages and even a dismissal from service.

Lockouts and strikes

The ID Act treats 'strikes' and 'lockouts' similarly - one as the counterpart of the other. Strike is an efficacious weapon in the hands of the workers in the process of collective bargaining; so is lockout in the hands of the employers. As strike does not contemplate a severance of employer-employee relationship, lockout too does not sever the relationship. The law applicable to strikes under the Act is the law applicable to lockouts as well. An illegal strike followed by a lockout renders the lockout legal and vice versa.

Under the statutory law also, the right to strike and lockout is not absolute in view of the restrictions placed on them under Sections 10(3), 10-A(4-A), 22 and 23 of the ID Act. The purpose being that the proceedings before the conciliation or adjudication authorities, as the case may be, are held in a peaceful atmosphere and the society is not to be inconvenienced by 'strikes' and 'lockouts'. Whereas Sections 10(3) and 10-A (4-A) of the Act empower the appropriate government to prohibit continuance of a strike which is in progress in certain situations, Sections 22 and 23 seek to prohibit strike at the threshold.

The terms 'protected' and 'unprotected' strikes, 'economic strikes' and 'strikes against unfair labour practices' of the employer are not often used in India, though at times it may be stated that the cause of the strike was 'unfair labour practice' of the employer. However, by and large, all strikes are considered as economic strikes.

Under the ID Act, the commonly used terms are: (a) legal strikes; and (b) illegal strikes. Strikes which are in violation of any of the provisions of Sections 10(3), 10-A (3- A), 22 or 23 of the Act are described as 'illegal' strikes and those which do not violate any of these provisions are treated as 'legal' strikes. Legality or illegality of a strike is a question of law depending upon the issue as to whether there is technical compliance with the aforesaid provisions and has nothing to do with the object of the strike. A strike, even though well intended and in furtherance of the legitimate trade union objectives, resorted to in violation of any of the aforesaid provisions, would be illegal and punishable under Section 26 of the Act.

Giving a purposive interpretation to strikes/lockouts the Supreme Court has further classified them into 'justified' and 'unjustified' categories. It is submitted that this approach of the court was necessitated by the lack of a uniform approach to 'strikes' and 'lockouts' by the legislature. Whereas the purpose of the Trade Unions Act, 1926 (TU Act) is insulation of trade unions, its members and office-bearers from certain civil and criminal action in respect of their activities in pursuance of legitimate trade union objectives, the purpose of the ID Act is primarily to protect the interest of social control. Under the latter Act, it is the technical compliance with the provisions contained in Sections 22 and 23 of the Act, and not the purpose of the combination, which insulates trade unions, their office-bearers and members against penal actions under the Act. A 'legal strike' under the ID Act unrelated to the object of combination is, therefore, not liable to penal actions under this Act.

But it may render workers liable for penal and civil actions under the general law if it is not in furtherance of legitimate trade union objectives. On the other hand, a strike which is 'illegal' under the ID Act, but intended to further the legitimate trade union objectives, will make workers liable for punishment only under the ID Act; they are insulated against certain civil and penal actions under the general law if they are members of a registered trade union. In other words, the legality or illegality of a strike under the ID Act is unrelated to the purpose of strike; the purpose of the strike is all-important for being entitled to the immunities under the TU Act. Through judicial activism, the purpose of combination has been made a common feature in both the statutes to make strikes and lockouts object-oriented. Thus, a particular strike/lockout may have more than one classification. A strike/lockout may be 'legal' yet 'unjustified' or it may be 'illegal' but 'justified.' As stated above, the distinction between 'justified' and 'unjustified' strikes has not been established by the legislature but by the courts. A strike is considered justified, if it is in connection with a current labour dispute or directed against an unfair labour practice of the employer and is resorted to only after remedies provided by the statutory machinery of the ID Act, have been exhausted or proved futile. Further instances are where the management has adopted an adamant attitude and shown no eagerness to settle the matter or has resorted to discharge of union officials as an act of unfair labour practice. Unjustified strikes can be where the workers have not waited for the statutory machinery under the ID Act to intervene, or they have made unreasonably high demands, or where the demands are not bonfire. The nature, content and consequence of a strike, therefore, depend upon the approach of the court.

Effect of strike on contract of employment

There are no express provisions under the industrial relations law in India stating the effect of strike on the contract of employment. But industrial adjudication under the overall guidance of the Supreme Court has through case law built up a body of principles laying down the effect of strike on the contract of employment. A strike, legal or illegal, justified or unjustified, does not dissolve the employer-employee relationship automatically. The right to strike is in no way abridged by temporary replacements and the strikers may be entitled to wages for the strike period.

The justifiability or unjustifiability of a legal strike is relevant in the context of wages payable to the workmen for the period of strike. The effect of legality or illegality of a strike is also relevant in the context of disciplinary action because going on an illegal strike is generally made an act of misconduct under the Standing Orders. As observed in *India General Navigation and Railway Co. Ltd.*, the only question of any practical importance, which may arise in the case of an illegal strike, would be the kind or quantum of punishment which has to be modulated in accordance with the facts and circumstance of each case.

The Supreme Court in *Express Newspapers (P) Ltd. v. Michael Mark* held that if employees absent themselves from work because of a strike, for the enforcement of their demands, there can be no question of abandonment of the employment by them. And, if the strike was in fact illegal, the employer may take disciplinary action against the workmen under the Standing Orders or otherwise, and dismiss them. This principle was further elaborated and the legal position was reiterated in *Oriental Textile Finishing Mills v. Labour Court* and *G.T. Lad v. Chemical and Fibers of India Ltd.* In the former case, the court, while dealing with the issue of resorting to replacement during an illegal strike, has taken a neutral position and observed thus

While it is an accepted principle of industrial adjudication, the workmen can resort to strike in order to press for their demands, without snapping the relationship of employer and employee, it is equally a well-accepted principle, that the work of the factory cannot be paralysed and brought to a stand-still by an illegal strike, in spite of legal steps being taken by the management to resolve the conflict. The management has the right in those circumstances, to

carry on the work of the factory, in furtherance of which, it would employ other workmen and justify its action on merits, in any adjudication of the dispute arising there from.

Punishment for participating in illegal strike

Participating in an illegal strike amounts to misconduct on the part of the employee and can expose him to disciplinary action. However, until an employee is formally dismissed from service for such misconduct, the relation of employment subsists and the continuity of service is not affected. However, dismissal of workmen for going on an illegal strike, without holding a domestic enquiry against them for the charge, in accordance with the principles of natural justice, will not be sustained in industrial adjudication. In *Oriental Textile Finishing Mills*, the Supreme Court held that where the strike is illegal, the management, in order to justify dismissal or order of termination of the services of the workmen on the ground of misconduct, need not prove that they were guilty of some overt act such as intimidation, incitement or violence. If the workmen persistently and obdurately refuse to join duty notwithstanding the fact that the management has done everything possible to persuade them and given them opportunity to come to work but they have without any sufficient cause refused, it would constitute misconduct and justify the termination of service. But if the strike is not illegal, disciplinary action of discharge or dismissal will be uncalled for.

The position of law, therefore, seems to be that if there are Standing Orders providing for a dismissal in an event of participating in an illegal strike while working in an establishment, the striking workmen may be punished or dismissed in compliance with its requirements which generally provide for holding of a departmental enquiry or giving an opportunity to the workmen to resume work after notice. In cases where there are no such Standing Orders, it would be necessary to serve the individual workman, who participated in the strike, with a charge sheet and also hold a regular domestic enquiry to determine the nature of misconduct and the quantum of punishment including dismissal. It is only after complying with these requirements that a workman, if found guilty of the charges, may be dismissed.

There may be actual participation or passive participation on the part of the workmen in an illegal strike. It may be that those who actually participated may deserve a more serious punishment than the passive participants. In *Gujarat Steel Tubes*, the Supreme Court held that

passive participants could not be punished to the same extent as the active participants or the militant workmen. The court has taken the stand that a mere participation in an illegal strike does not bar the strikers; claim for reinstatement if they are dismissed for “there may be reasons for distinguishing the case of those who have acted as dumb-driven cattle from those who have taken part in fomenting the trouble and instigating workmen to join such a strike or have taken recourse to violence.” In the former case, dismissal may not be justified, whereas it may be so in the latter. The court has, however, been very clear that violence has no place in industrial life and, therefore, even if a strike is legal and justified, if the workmen resort to violence, an order of dismissal may be proper.

Wages for the strike period

The question as to whether the workmen who participated in a strike, whether legal or illegal, are entitled to wages for the period of strike, has been subject of adjudication in some cases. In 1953, in *Buckingham & Carnatic Co. Ltd. v. Workmen*, the Supreme Court rejected the claim of the workers for wages for the strike period because the strike was found to be illegal for their failure to give notice of strike to the textile mill, a public utility service. In *Chandramalai Tea Estate v. Workmen*, a three judge bench of the court deprecated the indiscriminate use of the weapon of strike. The court, in the facts and circumstances of the case, held that the strike was unjustified. It was, therefore, held that the workmen were not entitled to even 50% of the wages for the period of strike. Similarly, in *Fertilizer Corpn. of India Ltd. v. Workmen*, wages for the period of strike were denied to the workers, because the strike, though not illegal, was unjustified in the facts and circumstances of the case.

In *India General Navigation*, the court held that since the law makes a distinction between a strike which is illegal and one which is not, an illegal strike cannot be characterized as justified. Classification of illegal strike as justified and unjustified, according to the court, is wholly misconceived, more so in the case of employees of a ‘public utility service’. Therefore, in order to entitle the workmen for wages for the period of the strike, the strike must be both legal and justified. This principle was conversely applied by a three judge bench of the court in the fact situation in *Churakulam Tea Estate (P) Ltd. v. Workmen*. In that case, the court held that the strike was neither illegal or unjustified and, therefore, the workmen were entitled to wages for the days on which they went on strike. It may be stated here that subsequently, the Supreme

Court observed in Gujarat Steel Tubes that what was stated in India General Navigation was that any legal strike may not be 'perfectly' justified and, therefore, what was stated in that case cannot be said to have laid down the law that a strike which is illegal cannot be justified in any circumstances. The court observed that an illegal strike may be justified for taking a lenient view while deciding the quantum of punishment.

It is to be noted that the Supreme Court has not followed any consistent approach while dealing with issues relating to strikes and lockouts. Till 1990, the court by and large adopted a consistent approach in evolving basic principles relating to strikes and lockouts by adopting the 'status' theory of workers. But in 1990, it departed from the 'status' theory and resorted to purely 'contractual' theory. In 1994, the court reverted to the 'status' theory again, after the change in its approach came under severe criticism. However, in 2003, the court again took a complete 'U' turn, at least in respect of employees working in government departments, negating the right of government employees to resort to strike, without even going into the issue whether the strike in question relates to departments which are sovereign or non-sovereign, falling within the definition of 'industry' under the ID Act. It is useful to examine the shift in the position of the Supreme Court from 1990 onwards.

A Division Bench of the Supreme Court in Bank of India, in a complete departure from the earlier precedents on the issue of worker's right to wages during strike period, chose to rewrite the law. The court applied the principle of 'no work no pay' and held that workers are not entitled to wages during the strike period irrespective of the fact whether the strike was legal or illegal, thus treating the employer and employee relationship as a pure and simple contractual relationship. One wonders whether the judges chose not to take cognizance of the earlier pronouncements of the court or whether attention of the court was not drawn to its earlier pronouncements.

In the instant case, the court was dealing with two appeals; one, raising the question of employer's power to deduct wages for the period of strike; and the other, with the power of the employer to deduct wages in a situation where employees resorted to go- slow tactics. The court in a common judgment dealt with both the issues. First, it addressed the question of employer's right to deduct wages during the period of strike. It ruled that where the contract or Standing Orders or the service rules/regulations are silent on the issue of workers entitlement to wages

during the strike period, the management has the power to deduct wages for absence from duty when the absence is a concerted action on the part of the employees and the absence is not disputed, irrespective of the fact whether the strike was legal or illegal. The court held that the question whether the deduction from wages would be pro-rata for the period of absence only or would be for a longer period would depend upon the facts of each case, such as, whether there was any work to be done in the said period, whether the work was in fact done and whether it was accepted and acquiesced, etc. But where there is a dispute as to whether employees attended the place of work or put in the allotted time of work or not, the dispute has to be investigated by holding an enquiry into the matter.

In such cases no deduction from wages can be made without establishing the act of omission or commission on the part of the employees concerned. Where the employees strike only for some hours but there is no work for the rest of the day, the employer may be justified in deducting salary for the whole day. On the other hand, where the employees put in work after the strike hours and the employer accepts it or acquiesces in it, the employer may not be entitled to deduct wages at all or be entitled to deduct them only for the strike hours. Further, the court held that if statutes, such as the Payment of Wages Act, 1936, or state enactments like the Shops and Establishments Act apply, the employer may be justified in deducting wages under the provisions of these statutes. The court went on to observe that even if these enactments do not apply, nothing prevents the employers from taking guidance from the legislative wisdom contained in these statutes to adopt measures on the lines outlined therein, when the contract of employment is silent about the entitlement of workers to wages for the strike period. The court held that the pro rata deduction of wages was not an unreasonable exercise of power.

Civil Liability of the Unions for Workers Participating in Illegal Strike

The Supreme Court in *Rohtas Industries Ltd. v. Rohtas Industries Staff Union* has held that the demand of the management for compensation against workers and/or their trade unions is not an 'industrial dispute' and as such the ID Act does not make provision for compensation for participating in an illegal strike. The restrictions contained in Sections 22 and 23 of the ID Act have been imposed in the interest of society. Non-compliance with these provisions is punishable as an offence under this Act. The ID Act being a complete code in itself, the remedy envisaged is only penalty and not compensation. However, if an employer brings action for

compensation under general law of torts complaining losses caused to him by workers by participating in an illegal strike, the registered trade unions, their office-bearers and members are within their right to establish that though the strike was illegal under ID Act, the same was motivated predominantly by legitimate trade union objectives and, therefore, the protection under Section 18 of the TU Act is available to them and no civil action is maintainable against them.

Labour Strikes ILO's Convention and Recommendation

It may be surprising to find that the right to strike is not set out explicitly in ILO Conventions and Recommendations. It has been discussed on several occasions in the International Labour Conference during the course of preparatory work on instruments dealing with related topics, but for various reasons this has never given rise to international standards (Conventions or Recommendations) directly governing the right to strike.¹ However, the absence of explicit ILO standards should not lead to the conclusion that the Organization disregards the right to strike or abstains from providing a protective framework within which it may be exercised.

Two resolutions of the International Labour Conference itself — which provide guidelines for ILO policy — in one way or another emphasized recognition of the right to strike in member States. The “Resolution concerning the Abolition of Anti-Trade Union Legislation in the States Members of the International Labour Organisation”, adopted in 1957, called for the adoption of “laws ensuring the effective and unrestricted exercise of trade union rights, including the right to strike, by the workers”. Similarly, the “Resolution concerning Trade Union Rights and Their Relation to Civil Liberties”, adopted in 1970, invited the Governing Body to instruct the Director-General to take action in a number of ways “with a view to considering further action to ensure full and universal respect for trade union rights in their broadest sense”, with particular attention to be paid, inter alia, to the “right to strike” (ILO, 1970, pp. 735-736). The right to strike has also been affirmed in various resolutions of the ILO's regional conferences and industrial committees, as well as by other international bodies.

Furthermore, though it does not explicitly mention the right to strike, the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), establishes the

right of workers' and employers' organizations to "organize their administration and activities and to formulate their programmes" (Article 3), and the aims of such organizations as "furthering and defending the interests of workers or of employers" (Article 10). On the basis of these provisions, the two bodies set up to supervise the application of ILO standards, the Committee on Freedom of Association (since 1952) and the Committee of Experts on the Application of Conventions and Recommendations (since 1959),² have frequently stated that the right to strike is a fundamental right of workers and of their organizations, and have defined the limits within which it may be exercised, laying down a body of principles in connection with the right to strike³ — giving rise to substantial "case law" in the broadest sense of the term — which renders more explicit the extent of the provisions mentioned above.

Of the remaining supervisory bodies of the ILO, the committees established under article 24 of its Constitution do not deal, in principle, with matters relating to the right to strike, since the Governing Body generally refers the corresponding complaints to the Committee on Freedom of Association. The few Commissions of Inquiry that have been set up in response to complaints under article 26 of the ILO Constitution for non-observance of Conventions relating to trade union rights refer in their conclusions to the principles of the Committee on Freedom of Association and of the Committee of Experts, and the same is true of the Fact-finding and Conciliation Commission on Freedom of Association.

Finally, the ILO Conference Committee on the Application of Standards has noted that a broad consensus exists among its members regarding the principle of the right to strike, although the views of the Workers' Group, the Employers' Group and the Government delegates do not coincide (see ILO, 1994b, pp. 25/31- 25/41, and ILO, 1998a, pp. 18/23-18/25). The Workers' Group fully supports the approach of the Committee of Experts regarding the right to strike, considering it to be inalienable from the right to freedom of association protected by Convention No. 87 and by the principles embodied in the ILO Constitution. The Employers' Group considers that the right to carry out direct action — for workers the right to strike and for employers the right to lock out — could perhaps be acknowledged as an integral part of international common law and, as such, it should not be totally banned or authorized only under excessively restrictive conditions. Nevertheless, the Employers' Group has emphasized that Conventions No. 87 and No. 98 do not contain specific provisions regarding the right to strike and, therefore, it does not

accept that the Committee of Experts should deduce from the text of these Conventions a global, precise and detailed, absolute and unlimited right. Several Government delegates on the Conference Committee on the Application of Standards, during the discussion of the General Survey of the Committee of Experts on freedom of association and collective bargaining, in 1994, stated their general agreement with the position of the Committee of Experts regarding strikes, while others expressed some doubts as regards particular considerations in the General Survey, or identified specific problems arising notably in connection with the public service; the majority of Government members made no comment. It should be borne in mind that, unlike the other supervisory bodies, the Conference Committee on the Application of Standards has a particularly large number of members

The purpose of this article is to elucidate the principles regarding the right to strike laid down by the Governing Body's Committee on Freedom of Association and by the Committee of Experts on the Application of Conventions and Recommendations, which have evolved substantially over the last decade. It is interesting to note that these bodies take each other's reports into account: the Committee of Experts frequently refers in its observations to the reports of the Committee on Freedom of Association in matters relating to respect for freedom of association in different countries, while the latter consults the Committee of Experts on the legal aspects of the cases it examines, or employs principles laid down by the Committee of Experts.

Taken up in turn are general issues, objectives of strikes, workers included or excluded, conditions for exercising the right to strike, strikes and collective bargaining, anti-union discrimination, abuses, legislative restrictions, summary of principles, and final observations.

International Labour Standards - ILO Conventions

The principal means of action in the ILO is the setting up of the International Labour Standards in the form of Conventions and Recommendations. Conventions are international treaties and are instruments, which create legally binding obligations on the countries that ratify them. Recommendations are non-binding and set out guidelines orienting national policies and actions. The approach of India with regard to International Labour Standards has always been positive. The ILO instruments have provided guidelines and a useful framework for the evolution

of legislative and administrative measures for the protection and advancement of the interest of labour. To that extent the influence of ILO Conventions as a standard of reference for labour legislation and practices in India, rather than as a legally binding norm, has been significant. Ratification of a Convention imposes legally binding obligations on the country concerned and, therefore, India has been careful in ratifying Conventions. It has always been the practice in India that we ratify a Convention when we are fully satisfied that our laws and practices are in conformity with the relevant ILO Convention. It is now considered that a better course of action is to proceed with progressive implementation of the standards, leaving the formal ratification for consideration at a later stage when it becomes practicable. We have so far ratified 47 Conventions of the ILO and protocol, which is much better than the position existing in many other countries. Even where for special reasons, India may not be in a position to ratify a Convention, India has generally voted in favour of the Conventions reserving its position as far as its future ratification is concerned. Core Conventions of the ILO: - The eight Core Conventions of the ILO (also called fundamental/human rights conventions) are:

- Forced Labour Convention (No. 29)
- Abolition of Forced Labour Convention (No.105)
- Equal Remuneration Convention (No.100)
- Discrimination (Employment Occupation) Convention (No.111)
- Minimum Age Convention (No.138)
- Worst forms of Child Labour Convention (No.182)
- (The above Six have been ratified by India)
- Freedom of Association and Protection of Right to Organised Convention (No.87)
- Right to Organise and Collective Bargaining Convention (No.98)
- C155 - Occupational Safety and Health Convention, 1981 (No. 155)
- C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

- (The above four conventions have not been ratified by India)

India is a founder member of the International Labour Organization, which came into existence in 1919. At present the ILO has 187 Members. A unique feature of the ILO is its tripartite character. The membership of the ILO ensures the growth of the tripartite system in the Member countries. At every level in the Organization, Governments are associated with the two other social partners, namely the workers and employers. All the three groups are represented on almost all the deliberative organs of the ILO and share responsibility in conducting its work. The three organs of the ILO are:

- **International Labour Conferences:** - General Assembly of the ILO – Meets every year in the month of June.
- **Governing Body:** - Executive Council of the ILO. Meets three times in a year in the months of March, June and November.
- **International Labour Office:** - A permanent secretariat.
- **The work of the Conference and the Governing Body** is supplemented by Regional Conferences, Regional Advisory Committees, Industrial and Analogous Committees, Committee of Experts, Panels of Consultants, Special Conference and meetings, etc.

International Labour Conference

Except for the interruption caused by the Second World War, the International Labour Conference (ILC) has continued, since its first session in 1919 to meet at least once a year. The Conference, assisted by the Governing Body, adopts biennial programmes and budget, adopts International Labour Standards in the form of Conventions and Recommendations and provides a forum for discussing social, economic and labour related issues. India has regularly and actively participated in the Conference through its tripartite delegations. The Conference has so far had 4 Indian Presidents viz., Sir. AtulChatterjee (1927), Shri Jagjivan Ram, Minister for Labour (1950), Dr.Nagendra Singh, President, International Court of Justice (1970) and Shri RavindraVerma, Minister of Labour and Parliamentary Affairs (1979). There have also been 8 Indian Vice Presidents of the International Labour Conference, 2 from the Government group, 3 from the Employers and 3 from the Workers' Group. Indians have chaired the important

Committees of the Conferences like Committee on Application of Standards, Selection Committee and Resolutions Committee.

Governing Body

The Governing Body of the ILO is the executive wing of the Organization. It is also tripartite in character. Since 1922 India has been holding a non-elective seat on the Governing Body as one of the 10 countries of chief industrial importance. Indian employers and workers' representatives have been elected as Members of the Governing Body from time to time. Four Indians have so far been elected Chairmen of the Governing Body. They are Sir Atul Chatterjee (1932-33), Shri Shamal Dharee Lall, Secretary, Ministry of Labour (1948-49), Shri S.T. Merani, Joint Secretary, Ministry of Labour (1961-62) and Shri B.G. Deshmukh, Secretary, Ministry of Labour (1984-85). Earlier, the Governing Body of ILO functioned through its various Committees. India was a member of all six committees of the Governing Body

(i) Programme, Planning & Administrative;

(ii) Freedom of Association;

(iii) Legal Issues and International Labour Standards;

(iv) Employment & Social Policy;

(v) Technical Cooperation and

(vi) Sectoral and Technical Meetings and Related issues. Now the Governing Body of ILO functions through its various Sections and India takes part in all the proceedings of the Sections during the sessions of the Governing Body viz. Institutional Section (INS); Policy Development Section (POL); Legal Issues and International Labour Standards Section (LILS); Programme, Financial and Administrative Section (PFA); High-level Section (HL); and Working Party on the Functioning of the Governing Body and the International Labour Conference (WP/GBC)

The International Labour Office

The International Labour Office, Geneva provides the Secretariat for all Conferences and other meetings and is responsible for the day-to-day implementation of decisions taken by the Conference, Governing Body etc. Indians have held positions of importance in the International Labour Office.

International Labour Standards - Ilo Conventions

The principal means of action in the ILO is the setting up of the International Labour Standards in the form of Conventions and Recommendations. Conventions are international treaties and are instruments, which create legally binding obligations on the countries that ratify them. Recommendations are non-binding and set out guidelines orienting national policies and actions. The approach of India with regard to International Labour Standards has always been positive. The ILO instruments have provided guidelines and a useful framework for the evolution of legislative and administrative measures for the protection and advancement of the interest of labour. To that extent the influence of ILO Conventions as a standard of reference for labour legislation and practices in India, rather than as a legally binding norm, has been significant. Ratification of a Convention imposes legally binding obligations on the country concerned and, therefore, India has been careful in ratifying Conventions.

It has always been the practice in India that we ratify a Convention when we are fully satisfied that our laws and practices are in conformity with the relevant ILO Convention. It is now considered that a better course of action is to proceed with progressive implementation of the standards, leaving the formal ratification for consideration at a later stage when it becomes practicable. We have so far ratified 47 Conventions of the ILO and protocol, which is much better than the position existing in many other countries. Even where for special reasons, India may not be in a position to ratify a Convention, India has generally voted in favor of the Conventions reserving its position as far as its future ratification is concerned. Core Conventions of the ILO: - The eight Core Conventions of the ILO (also called fundamental/human rights conventions) are:

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- C187 - Promotional Framework for Occupational Safety and Health Convention,2006 (No. 187)
- (The above four conventions have not been ratified by India)

Chairmanship of the Governing Body of the ILO

After 35 years, India assumed the Chairmanship of the Governing Body of the International Labour Organization, marking a new chapter in the 100 years of productive relationship between India and ILO. Shri Apurva Chandra, Secretary (Labour and Employment) was elected as the Chairperson of the Governing Body of the International Labour Organisation (ILO) for the period October 2020- June 2021. The Chairperson of the Governing Body of ILO is a position of international repute. The Governing Body (GB) is the apex executive body of the ILO which decides policies, programmes, agenda, budget and elects the Director-General. Two of the above fundamental conventions viz., Occupational Safety and Health Convention, ILO. Consequent to the World Summit for Social Development in 1995, the above-mentioned Conventions 1,5,7 and 8) were categorised as the Fundamental Human Rights Conventions or Core Conventions by the ILO. Later on, Convention No.182 was added to the list. As per the Declaration on Fundamental Principles and Rights at Work and its Follow-up, each Member State of the ILO is expected to give effect to the principles contained in the Core Conventions of the ILO, irrespective of whether or not the Core Conventions have been ratified by them. Under

the reporting procedure of the ILO, detailed reports are due from the member States that have ratified the priority Conventions and the Core Conventions every two years. Under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, a report is to be made by each Member State every year on those Core Conventions that it has not yet ratified.

ILO Conventions Ratified by India

□ There are 47 ILO conventions and 1 protocol ratified by India. Out of 47 conventions and protocols ratified by India, of which 39 are in force, 5 Conventions and 0 Protocols have been denounced; 4 instruments abrogated.

□ List of International Labour Organisation Conventions Ratified by India

1. No.1 Hours of Work (Industry) Convention, 1919 14.07.1921
2. No.2 Unemployment Convention, 1919 14.07.1921
3. No.4 Night Work (Women) Convention, 1919 14.07.1921
4. No.5 Minimum Age (Industry) Convention, 1919 09.09.1955
5. No.6 Night Work of Young Persons (Industry) Convention, 1919 14.07.1921
6. No.11 Right of Association (Agriculture) Convention, 1921 11.05.1923
7. No.14 Weekly Rest (Industry) Convention, 1921 11.05.1923
8. No.15 Minimum Age (Trimmers and Stokers) Convention, 1921 20.11.1922
9. No.16 Medical Examination of Young Persons (Sea) Convention, 1921 20.11.1922
10. No.18 Workmen's Compensation (Occupational Diseases) Convention, 1925 30.09.1927
11. No.19 Equality of Treatment (Accident Compensation) Convention, 1925 30.09.1927
12. No.21 Inspection of Emigrants Convention, 1926 14.01.1928
13. No.22 Seamen's Articles of Agreement Convention, 1926 31.10.1932
14. No.26 Minimum Wage-Fixing Machinery, Convention, 1928 10.01.1955

15. No.27 Marking of Weight (Packages Transported by Vessels) Convention,
1929 07.09.1931
16. No.29 Forced Labour Convention, 1930 30.11.1954
17. No.32 Protection Against Accidents (Dockers) Convention (Revised), 1932 10.02.1947
18. No.41 Night Work (Women) Convention (Revised), 1934 22.11.1935
19. No.42 Workmen's Compensation (Occupational Diseases) Convention
(Revised), 1934 13.01.1964
- 20 No.45 Underground Work (Women) Convention, 1935 25.03.1938
21. No.80 Final Articles Revision Convention, 1946 17.11.1947
22. No.81 Labour Inspection Convention, 1947 07.04.1949
23. No.88 Employment Services Convention, 1948 24.06.1959
24. No.89 Night Work (Women) Convention (Revised), 1948 27.02.1950
25. No.90 Night Work of Young Persons (Industry) (Revised), 1948 27.02.1950
26. No.100 Equal Remuneration Convention, 1951 25.09.1958
27. No.107 Indigenous and Tribal Population Convention, 1957 29.09.1958
28. No.111 Discrimination (Employment & Occupation) Convention, 1958 03.06.1960
29. No.116 Final Articles Revision Convention, 1961 21.06.1962
30. No.118 Equality of Treatment (Social Security) Convention, 1962 19.08.1964
31. No.123 Minimum Age (Underground Work) Convention, 1965 20.03.1975
32. No.115 Radiation Protection Convention, 1960 17.11.1975
33. No.141 Rural Workers' Organisation Convention, 1975 18.08.1977

34. No.144 Tripartite Consultation (International Labour Standards) Convention,
1976 27.02.1978
35. No.136 Benzene Convention, 1971 11.06.1991
36. No.160 Labour Statistics Convention, 1985 01.04.1992
37. No.147 Merchant Shipping (Minimum Standards), 1976 26.09.1996
38. No.122 Employment Policy Convention 1964 17.11.1998
39. No.105 Abolition of Forced Labour, 1957 18.05.2000
40. No.108 Seafarers' Identity Documents Convention, 1958 07.01.2005
41. No.174 Prevention of Major Industrial Accidents 06.06.2008
42. No. 142 Human Resources Development 25.3.2009
43. No. 127 Maximum Weight 26.3.2010
44. No.185 Seafarers' Identity Documents Convention (Revised), 2003 09-10-2015
45. Maritime Labour Convention, 2006 (MLC 2006) 09-10-2015
46. Minimum Age Convention (No.138) 13-06-2017
47. Worst Forms of Child labour Convention(No-182) 13-06-2017

Main Conceptual Contributions Of Recommendation 195

In this chapter some of the main conceptual contributions of Recommendation 195 shall be analysed regarding configuration of policies and training systems, and inputs shall be provided to broaden the analysis of the large majority of subjects brought up in this governing instrument. To do so, some categories of great interest shall be addressed (decent work, competencies, employability, gender perspective, quality management, etc.), linking them to the suggestions proposed in the Recommendation and providing information on Latin American and the Caribbean experiences that exemplify some processes and results recommended. The new

Recommendation proposes innovations and challenges that are important for the countries of all regions in matters of training and employment policies. Nonetheless, Cinterfor/ ILO is convinced that several of the main conceptual aspects and of the practical recommendations of this new governing instrument of the ILO are being adopted and developed by vocational training institutions in Latin America and the Caribbean. Because of this the experience accumulated by them has been gathered up in many of the rationales of the revision process and has oriented the approaches adopted by the Recommendation. Among them, and by way of example, the focus on employability can be mentioned as an expression of the conception of lifelong education in the area of training for work, gender mainstreaming in the design and management of policies, crossing of gender and competency-based training approaches, etc. These facts can be verified in the examples of the modus operandi of the institutions of the region that have been included together with the conceptual development of the principal themes collected in the Recommendation.

Moreover, it must be pointed out that the Latin American and Caribbean region has a large institutional history that at the same time is a great strength in vocational training matters. At present, the majority of the countries in the region have at least one national training institution the experience of which has allowed the rapid adoption –in the last few years– of one of the most notable innovations that have occurred in the area of training in the last decade: the modernization and updating of training programmers in such a way that they express packages of labour competencies, i.e., capacities to achieve results where performance is the fundamental source of evidence. This is one of the many expressions of the pioneering effort made by the American vocational training institutions. The effort has simultaneously encompassed the adoption of the most modern, efficient and flexible schemes of institutional organization and management, the development of a culture of quality that seeks to reach both the processes involved in providing training services and the results obtained, the search for mechanisms that assure the relevance of that supply and a constant concern to strengthen the role of vocational training in relation to the achievement of greater social equity and the assurance of decent work for everyone, both female and male.

Trade Union Act, 1926

Trade Unionism has made its headway owing to growth of industrialization and capitalism. Trade Unionism asserts collectively the rights of the workers. In industrially advanced countries trade unionism has made a great impact on social, political and economic life. India, being an agricultural country, trade unionism is restricted to industrial areas and it is still in a stage of growth. The earliest known trade unions in India were the Bombay Millhand's Association formed in 1890, the Amalgamated Society of railway servants of India and Burma formed in 1897, Printers' Union formed in Calcutta in 1905, the Bombay Postal Union which was formed in 1907, the Kamgar Hitwardhak Sabha Bombay formed in 1910. The Trade Union movement began in India after the end of the First World War. After a decade following the end of First World War the pressing need for the coordination of the activities of the individual unions was recognised. Thus, the All India Trade Union Congress was formed in 1920 on a National Basis, the Central Labour Board, Bombay and the Bengal Trades Union Federation were formed in 1922.

The All India Railwaymen's Federation was formed in the same year and this was followed by the creation of both Provincial and Central federations of unions of postal and telegraph employees. The origin of the passing of a Trade Unions Act in India was the historic Buckingham Mill case of 1940 in which the Madras High Court granted an interim injunction against the Strike Committee of the Madras Labour Union forbidding them to induce certain workers to break their contracts of employment by refusing to return to work. Trade Union leaders found that they were liable to prosecution and imprisonment for bona fide union activities and it was felt that some legislation for the protection of trade unions was necessary. In March, 1921, Shri N. M. Joshi, then General Secretary of the All India Trade Union Congress, successfully moved a resolution in the Central Legislative Assembly recommending that the Government should introduce legislation for the registration and protection of trade unions. Opposition from employers to the adoption of such a measure was, however, so great that it was not until 1926 that the Indian Trade Unions Act was passed. The Indian Trade Unions Bill, 1925 was introduced in the Central Legislative Assembly to provide for the registration of Trade Unions and in certain respects to define the law relating to registered Trade Unions in Provinces of India.

Statement of Objects and Reasons

This Bill has been prescribed in response to the following Resolution which was adopted by the Legislative Assembly on 1st March, 1924: "This Assembly recommends to the Governor-General in Council that he should take steps to introduce, as soon as practicable, in the Indian Legislature, such legislation as may be necessary for the registration of Trade Unions

. The question was examined in detail by the Government of India and local Governments were consulted and public opinion was invited. In the light of opinions received a draft Bill was prepared and published in September, 1924. The Government of India, after considering the criticisms received on that Bill, see no ground for modifying the general principles underlying the Bill, and except for minor alterations, the present Bill is a reproduction of the Bill previously published.

The general scheme of the Bill is that a Trade Union making the necessary application will, on compliance with certain stated conditions designed to ensure that the Union is a bona fide Trade Union, and that adequate safeguards are provided for the rights of its members, be entitled to registration. The Union and its members will thereupon receive protection in certain cases in respect of both civil and criminal liability. No restriction is placed upon the objects which a registered Trade Union may pursue, but the expenditure of its funds must be limited to specified Trade Union purposes. The legal position of Trade Unions which do not register will be unaffected by the Bill.

ACT 16 OF 1926

The Indian Trade Unions Bill, 1925 having been passed by the Legislature received its assent on 25th March, 1926. It came into force on 1st June, 1927 as the Indian Trade Unions Act, 1926 (16 of 1926). By section 3 of the Indian Trade Unions (Amendment) Act, 1964 (38 of 1964) the word "Indian" has been omitted and now it is known as

THE TRADE UNIONS ACT, 1926 (16 of 1926).

LIST OF AMENDING ACTS AND ADAPTATION ORDERS

1. The Indian Trade Unions (Amendment) Act, 1928 (15 of 1928).
2. The Government of India (Adaptation of Indian Laws) Order, 1937.

3. The Repealing and Amending Act, 1942 (25 of 1942).
4. The Indian Independence (Adaptation of Central Acts and Ordinances) Order, 1948.
5. The Adaptation of Laws Order, 1950.
6. The Part B States (Laws) Act, 1951 (3 of 1951).

7. The Indian Trade Unions (Amendment) Act, 1960 (42 of 1960).
8. The Indian Trade Unions (Amendment) Act, 1964 (38 of 1964).
9. The Central Labour Laws (Extension to Jammu and Kashmir) Act, 1970.

The main provisions made in this Act are as under

Trade Union:

Trade Union means 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.

Registration of Trade Union

The Act provides for the registration of the trade unions with the 'Registrars of Trade Unions' set up in different States. For registration of a trade union, seven or more members of the union can submit their application in the prescribed form to the Registrar of trade unions. The application shall be accompanied by a copy of the 'rules of the trade union' and a statement giving the following particulars:- (i) Names, occupations and addresses of the members making the application; (ii) The name of the trade union and the address of its head office; (iii) The titles, names, ages, addresses and occupations of the office bearers of the trade union as per the format given in the Act. The Registrar, on being satisfied that the Union has complied with all the requirements of this Act, registers the trade union.

Registration Certificate

On receipt of the application for registration, the Registrar issues a certificate of registration in the prescribed form as a conclusive evidence of registration of that trade Union

Cancellation of Registration

A certificate of Registration may be withdrawn or cancelled by the Registrar either after an application of a Trade Union or if the Registrar is satisfied that the certificate is obtained by fraud or mistake or that the trade union had ceased to exist or willfully and after notice from the Registrar contravene any provisions of the Act or rules etc.

Annual Statutory Returns

The registered trade unions (workers & employers) are required to submit annual statutory returns to the Registrar regarding their membership, general funds, sources of income and items of expenditure and details of their assets and liabilities, which in turn submits a consolidated return of their state in the prescribed preformed to Labour Bureau, Ministry of Labour and Employment. The Labour Bureau on receiving the annual returns from different States/Union Territories consolidates the all India statistics and disseminates them through its publication entitled the 'Trade Unions in India' and its other regular publications. Every trade union shall send annual returns to the Registrar in triplicate on or before the 1st day of June of the year succeeding the calendar year.

Uses of Funds

The general funds of a registered trade union shall not be spent on any other objects than those specified in the Act. Also, a registered trade union may constitute a separate fund, from contributions separately levied for or made to that fund, for the promotion of the civic and political interest of its members. No member shall be compelled to contribute to such fund and a member who does not contribute to the said fund shall not be excluded from any benefits of the trade union.

Maintenance of Accounts

The account books of a registered trade union and the list of members there of shall be open to inspection by an office-bearer or member of the trade union at such times as may be provided for in the rules of trade union.

Disqualification

A person shall be disqualified for being chosen as, and for being a member of, the executive or any other office-bearer or registered trade union if- (i) he has not attained the age of eighteen years; (ii) he has been convicted by a court in India of any offence involving moral turpitude and sentenced to imprisonment, unless a period of five years has elapsed since his release.

The Trade Unions Act 1926 has been amended from time to time and the most important being the Trade Unions (Amendment) Act, 2001. This Act has been enacted in order to bring more transparency and to provide greater support to trade unionism in India. Some of the salient features of the Trade Unions (Amendment) Act, 2001 are:-

- No trade union of workmen shall be registered unless at least 10% or 100, whichever is less, subject to a minimum of 7 workmen engaged or employed in the establishment or industry with which it is connected are the members of such trade union on the date of making of application for registration.

A registered trade union of workmen shall at all times continue to have not less than 10% or 100 of the workmen, whichever is less, subject to a minimum of 7 persons engaged or employed in the establishment or industry with which it is connected, as its members.

A provision for filing an appeal before the Industrial Tribunal / Labour Court in case of non-registration or for restoration of registration has been provided.

All office bearers of a registered trade union, except not more than one third of the total number of office bearers or five, whichever is less, shall be persons actually engaged or employed in the establishment or industry with which the trade union is connected.

Minimum rate of subscription by members of the trade union is fixed at Rs 1 per annum for rural workers, three rupees per annum for workers in other unorganized sectors and

Rs 12 rupees per annum in all other cases. The employees who have been retired or have been retrenched shall not be construed as outsiders for the purpose of holding an office in the trade union concerned.

For the promotion of civic and political interest of its members, unions are authorized to set up separate political funds.

Industrial Disputes Act

The conflicts and disputes between employer and employees on any industrial matter are known as industrial disputes. Relations between employers and employees are frequently clouded by a sense of exploitation, distrust and discontent. They give rise to industrial conflicts or disputes. Industrial disputes mainly relate to the difference between the workmen and the employers. We shall also mean industrial disputes between the workmen and the workmen, between employers and employers also.

Definition as per Industrial dispute Act 1947

According to Section 2 (k) of the Industrial Disputes Act, 1947, “The term ‘industrial dispute’ means “any dispute or difference between employers and employers or between employers and workmen, or between workmen and workmen, which is connected with the employment or no employment or the terms of employment and conditions of employment of any person”.

Principles to judge the nature of dispute

Section 2A of the Industrial Disputes Act, 1947, a workman has a right to raise an industrial dispute with regard to termination, discharge, dismissal, or retrenchment of his or her service, even though no other workman or any trade union of workman or any trade union of workmen raises it or is a party to the dispute.

It affects the large number of workmen who have a community of interest and the rights of these workmen must be affected as a class.

It must be taken up either by the industry union or by a substantial number of workmen.

Grievance turns from individual complaint into a general complaint.

There must be some nexus between the union and the dispute.

Strike According to Patterson

“Strikes constitute militant and organised protest against existing industrial relations. They are symptoms of industrial unrest in the same way that boils are symptoms of disordered system”. Strike is the most important form of industrial disputes. A strike is a spontaneous and concerted withdrawal of labour from production.

Strike and its types Primary

These strikes are generally aimed against the employers with whom the dispute exists. They may include the form of a stay-away strike, staying, sit-down, pen-down or tools down, go-slow and work-to-rule, token or protest strike, cat-call strike, picketing or boycott. General and political strikes and bandhs come under the category of other strikes.

Secondary (Sympathy Strikes)

In this form of strike, the pressure is applied not against the employer with whom the workmen have a dispute, but against the third person who has good trade relations with the employer. However, these relations are severed and the employer incurs losses. This form of strike is popular in the USA but not in India.

Lockouts

Lock-out is the counter-part of strikes. While a ‘strike’ is an organized or concerted withdrawal of the supply of labour, ‘lock-out’ is withholding demand for it. Lock-out is the weapon available to the employer to shut-down the place of work till the workers agree to resume work on the conditions laid down by the employer.

Gherao & Boycott

Gherao means to surround. It is a physical blockade of managers by encirclement aimed at preventing the egress and ingress from and to a particular office or place. The National Commission on Labour has refused to accept ‘gherao’ as a form of industrial protest. Boycott

aims at disrupting the normal functioning of the organization. The striking workers appeal to others for voluntary withdrawal of co-operation with the employer. Boycotting classes and examinations are seen in the Universities also.

Industrial Causes

Grievances relating to employment and other factors : A :Attitude of workers B :increases demand for DA and other allowances. C: Violence among the other workers D : introduction of new tools and machinery.

Management's Attitude towards the worker

Disinterested management to discuss with the workers.

Management's unwillingness to recognize a particular trade union.

Not involving the workers in decision-making.

Inadequate communication.

Not successful in implementing labour laws .

Irrelevance of certain provisions of labour laws in the context of challenges of present industrial climate and imperatives of development due to competitive environment

Political instability and centrestate relations contribute to industrial conflicts

Malviya Commission on Labour Welfare

The Malviya Commission on Labour Welfare was established to address the pressing issues faced by workers in India, particularly concerning their well-being, working conditions, and social security. Labour welfare has been a significant aspect of economic and social policy, and this commission played a crucial role in shaping labour laws and welfare measures in the country. The recommendations of the Malviya Commission aimed at improving the quality of

life of workers, ensuring fair wages, safe working environments, and adequate social security provisions.

The need for a dedicated commission on labour welfare arose due to the exploitative conditions prevailing in various industries. Workers were subjected to long working hours, low wages, and inadequate safety measures. The Malviya Commission was tasked with examining these issues and suggesting reforms that would enhance the welfare of the labour force. The primary objectives of the commission included:

1. Identifying key labour welfare concerns and proposing policy solutions.
2. Recommending measures for occupational safety and health.
3. Ensuring fair wages and financial security for workers.
4. Strengthening social security systems such as pensions, health insurance, and unemployment benefits.
5. Promoting industrial harmony and preventing labour disputes.
6. Encouraging the establishment of welfare facilities such as housing, education, and medical care for workers and their families.

Recommendations of the Malviya Commission

The commission proposed several key recommendations that played a pivotal role in transforming labour welfare policies in India. Some of the major recommendations included:

1. Improvement of Working Conditions

The commission emphasized the need for safer workplaces, urging industries to adopt modern safety measures and provide protective equipment to workers. Regulations on working hours, overtime pay, and workplace sanitation were introduced to improve labour conditions.

2. Wage Reforms and Financial Security

The commission advocated for the establishment of a minimum wage policy to protect workers from exploitation. It also recommended wage revisions in response to inflation

and cost-of-living adjustments. Additionally, the report suggested the formation of a wage board to ensure periodic assessment and revision of wages.

3. Social Security Measures

Recognizing the vulnerability of workers to economic downturns and occupational hazards, the commission recommended the implementation of robust social security schemes. This included:

- Provident fund and pension schemes for retired workers.
- Health insurance coverage to provide medical assistance.
- Unemployment benefits to support workers in case of job loss.

4. Labour Unions and Collective Bargaining

The commission underscored the importance of trade unions in protecting workers' rights and improving industrial relations. It encouraged the government to recognize and regulate trade unions, ensuring fair collective bargaining practices between employers and employees.

5. Employment Generation and Skill Development

To address unemployment and underemployment, the commission suggested policies aimed at job creation. Skill development programs and vocational training were recommended to enhance workers' employability and productivity. Special attention was given to rural and unorganized sector employment.

6. Welfare Facilities for Workers and Their Families

Apart from workplace-related concerns, the commission also emphasized the overall well-being of workers. It recommended the provision of welfare facilities such as:

- Affordable housing schemes for workers.
- Educational support for workers' children.
- Access to quality healthcare facilities.

- Recreational centers and community development programs.

Impact of the Malviya Commission on Labour Welfare

The recommendations of the Malviya Commission led to significant legislative and policy changes in India's labour welfare framework. Several labour laws were enacted or amended based on the commission's findings, resulting in:

- Strengthening of industrial safety regulations.
- Introduction of the Minimum Wages Act.
- Expansion of social security coverage for workers.
- Improved industrial relations through structured dispute resolution mechanisms.

The commission's recommendations also influenced later policies, shaping modern labour welfare measures and contributing to the overall economic development of the nation.

The Malviya Commission on Labour Welfare was a landmark initiative in India's labour policy history. Its comprehensive approach to improving working conditions, ensuring financial security, and promoting social welfare significantly impacted the lives of millions of workers. The commission's recommendations continue to guide labour welfare policies, highlighting the importance of a fair and just working environment in fostering economic growth and social stability.

National Commission on Labour

The policy makers of the independent India building on the institutional legacies of the colonial era (such as compulsory, tripartism, laws relating to formation and control of trade unions) designed the institutional framework of the Industrial Relations System (IRS) conforming to the political and economic objectives of free India. The political fall outs of the partition of India, the challenges posed by the communist movement, the need to promote faster economic development and the logistical requirements of the planned economic system necessitated corporatist strategy managing the IRS via law, judiciary, and active labour

administration. The normative considerations such as unequal distribution of power in the labour market and the benign nature of the state lent legitimacy to the state interventionist strategy. The institution of free collective bargaining was held to be incompatible with economic planning. Thus, union affairs were closely regulated, controls were imposed on strikes; collective bargaining was shelved for future. The institutions of the state viz. executive, legislature, judiciary, and labour administration determined the substantive and procedural rules of the system which are usually made by the bipartite processes elsewhere. This institutional framework remained unchanged despite the dismal record of the state interventionist strategy and the appointment of several Commissions Committees.

Significant changes have been made in the economic system since 1991. The reformers argued that reform of IRS and the labour market policies are complementary to those carried out in the economic system. The labour market actors also talked of changing the legal and the institutional basis of the IRS and the labour market. Their agenda differed, but the need for reform was loudly raised. The government has been talking of labour reforms for some time. It is in these circumstances that the NDA government constituted a labour commission headed by a former trade union leader and labour minister. One of the terms of the reference for the Commission was to suggest changes in the labour law pertaining to the organized sector bearing in mind the recent developments such as globalization. The Commission submitted its Report in 2002. The recommendations relating to labour flexibility arrangements received wide attention but the recommendations relating to the restructuring of the IRS has received little attention. This paper sets out to evaluate the recommendations of SNCL relating to the industrial relations system.

International labour standards and India:

The Constitution of India and the Fundamental Principles and Rights at Work (FPRW) adopted by the members of the ILO at the International Labour Conference in 1998, should shape the institutional framework of the IRS in India. The Commission accepted this contention. But there are some problems here. India, the founder member of the ILO, has ratified only 39 of the 182 Conventions. However, it has not ratified the core conventions relating to two subjects, freedom of association and collective bargaining (Nos. 87 and 98) and child labour (Nos. 38 and 182). It is contended that the Constitution of India and labour legislation uphold the principles of

the core conventions. Specifically, India has not ratified the conventions relating to unions and collective bargaining owing to some "technical difficulties" relating to application of these to government employees and civil servants

The basic argument of the government is that the government servants are an integral part of the sovereign democratic power and enjoy a special role and treatment in the system and hence cannot be allowed to strike (an essential component of unionism) as this would mean striking against itself. The strike by government employees and teachers in Tamil Nadu in June 2003 revived this controversy. The Rule 4 A of the Central Civil Services (Conduct) Rules, 1955 prohibits government servants from joining any association not recognized by the government. Further the same Rule prohibits them from joining demonstrations. If the government employees despite these measures strike, the government enacts severe laws such as Essential Services Maintenance Act (ESMA) and takes repressive measures like arrests, suspensions/dismissals of strikers and leaders. The government's stand on the freedom of association of government employees and the way it is conducting labour relations in this sector can be argued to be volatile of the Labour Relations (Public Relations) Convention, 1970. The government's arguments do not justify non-ratification of conventions 87 and 98; these conventions can be ratified by exempting certain services as desired by the government – indeed the virtue of the convention ratification mechanism is their flexibility.

The real intention of the government seems to be that it is not interested in allowing the right of collective bargaining to industrial workers coming under the government departmental undertaking like railways. Secondly, the government cannot escape the compliance process in view of the obligations arising out of the FPRW1998 noted earlier. However it has to be noted that India's record in respecting the conventions relating to unions is quite impressive. The Commission has not discussed these sensitive and politically difficult issues; it merely talks ideals and values, but skirts the real issues on conventions. It should have strongly recommended ratifying the core conventions, if not others; its silence is more eloquent.

Bilateralism and Trade Unions

The Commission is fully committed to promote bilateralism. Not only the growth of unionism is seen to "play a useful and constructive role in the growth and development of

the establishment ", bilateralism is seen to promote "harmonious industrial relations". The growth of bilateralism, the Commission rightly recognises, is expected to bring in reduction, if not total avoidance of state's role in employment relations. In fact, the bold and controversial recommendation to do away with the statutory obligation to issue notice of change under section 9A of the ID Act is premised on the strength of bipartism.

The Commission endorsed the existing provisions in the Trade Unions Act 1926 (as amended in 2001) that would reduce the multiplicity of unions and the role of outsiders and political leaders in unions. The Commission has recommended that union registration eligibility conditions i.e. requirement of 10 per cent membership in an establishment shall not apply in the case of unions or associations in the unorganized sector; this recommendation is a clear recognition of the increasing importance of this sector and the difficulties in organizing these workers. This will surely give the union movement its much needed legal incentives to enlarge its base. But one is not sure how far the unions of unorganized workers will be able to comply with the wide ranging requirements attendant on registration. The union law in India regulates the internal affairs of the unions. The first National Commission on Labour (FNCL) (1969) advanced the reason that as the state offers protection to registered unions it has the right to regulate its internal affairs. (1969: para 29) While there may be some merit in this argument the long run objective of the legislation should be to reduce the presence of law in unions/internal affairs.

Trade unions do not accept the state ;meddling in their affairs (AITUC comments on the FNCL). Perhaps, the law should provide a model constitution of a union and leave the matters to the members and the leaders. In fact many countries as the Commission notes do not have the provision of registration of unions.

The Commission rightly recognizes that the union law does not provide for recognition of unions. The issue is one of the unresolved issues of the 1RS? The intriguing aspect here is the unwillingness of the three actors of the system in resolving it and allowing the status quo to continue. The merit of this Commission's work here is that unlike the FNCL it has given a clear cut perspective on this issue however unacceptable to many unions. It recommends that membership verification by check off method should be the general pattern. It makes the check off system compulsory in the establishments employing more than 300 workers while in others

the method could be left to the unions and the Labour Relations Commission (LRS). The Commission recognizes the possibility of victimization by management and persecution by competing unions inherent in the check off method in smaller establishments, say in establishments employing less than 300 workers, but not so much in other larger ones ? hence different prescriptions for the two size groups.

Secondly, victimization is less possible in modern times when the acceptability of unions is widespread, which assertion is difficult to accept given the widespread prevalence of anti-union ideology and actions? Hoisted managerial attitudes and actions have been found to be one of the significant reasons for the decline in unionism. The anti- union stance in India is very much evident and well known; in fact the employer representative; submission to the Commission must have made this clear.

The Commission lists the pros and cons of the two methods, check off and secret ballot and prefer the former to the latter. The central trade union organizations (CTUOs) excluding the INTUC and the NLO support the secret ballot method. There is disagreement however among those who favor secret ballot regarding the logistics of it. The BMS wants voting rights to be restricted to union members only while others want all workers to be voters irrespective of their being a union member or not. The latter stand is inadmissible as non-union members will be participating in the union affairs in the general sense and deciding the fate of unions in contention. These unions have pointed out that apart from being the authentic democratic method secret ballot has worked well in some states (e.g. Andhra Pradesh) and industries - in fact the Supreme Court has considered it as an ideal method of determining bargaining agent. The unwritten reason of or rejection of secret ballot in the past was the fear of communist Unions challenge; presently, as the membership figures show the non radical unions, BMS, HMS, INTUC have much larger following than the radical ones such as AITUC (whose following has greatly declined over five decades) and CITU, UTUC etc. In fact, what is intriguing is the choice of check off method when most of the unions prefer secret ballots.

It is interesting to note that the Study Group on Labour Law (SGRL) has suggested a combination of the two methods: it suggests that the union with more than half of the following will be the negotiating agency in the event that no union has such a following, then the unions will be arranged in the descending order and the secret ballot will be conducted between the top

two unions for the negotiating status. The Commission recommends de-recognition of the recognised union for calling an illegal strike; this is an absurd clause. It is well known that legal strikes under the Indian laws are difficult.

Specifically, the penal provision of de-recognition should be applied in case of unions indulging in violence or criminal activities. On the other hand, though the employer is legally bound to recognise the union whose recognition certificate is in force, the proposed legislation has not specified the penal provisions for employer;s refusal to do so. It is interesting to note that trade unions are skeptical about the practice of sole negotiating agents, generally considered ideal for strengthening unions and collective bargaining. It appears the unions would find proportional representation. Expectedly the employers are opposed to this suggestion. The bitter experience of the sole negotiating model of the Bombay textile industry must have caused fears of impossibility of dislocating the entrenched union favoured by the state and employers. But multi-union representing bodies may work in a few instances, but not ideal for conducting meaningful negotiations. The sharp exchanges in the magazines of the trade unions on the role and stance of each other in the negotiations conducted by a joint forum of major unions reflects the incompatibilities of such a forum with healthy bargaining. Trade unions cannot seek institutional arrangements suiting the ever multiplying and divisive character of the union movement.

The efforts to bring about unity begin and end with well intentioned statements in the annual conferences and multi-union gatherings; the ghosts of political and personality conflicts even lurk there. In fact, the current tendency in the union movement's world over also in the case of global unions is to effect mergers and amalgamations to rationalize union movement and gain strength in the context of declining unions. This process makes economic sense and provides organizational gains. The Commission recommends that the recognised unions only can take up collective disputes and call strikes, while the unions having at least 10 per cent support can take up individual disputes and grievances; in fact, unions having less than 10 per cent following would have no locus stand in the establishment. This essentially presents the disruptive role of minority unions. More importantly the Commission has sought to remove the current anomaly in the current legal framework, namely settlements arrived in the course of conciliation [12(3)] stand superior to agreements arrived in collective bargaining It recommends that an agreement

reached with a negotiating agent should be binding on all parties to the agreement, successors and assignees of the employer and all persons who were employed, and would be employed. This measure would again contribute to the strengthening of collective bargaining institutions. It would have given greater effectiveness if the Commission had specifically required employers to disclose information without which the negotiation process would not be meaningful and efficient? Needless to add, the employers need to be expected to disclose some kinds of information which might be held in secrecy, hurt competition and affect security, etc. In fact, disclosure of information would moderate the union position.

Modern Challenges

Labour, as a fundamental factor of production, has undergone significant transformations due to globalization, technological advancements, and socio-economic changes. Modern labour faces numerous challenges that impact employment, wages, job security, and overall worker well-being. These challenges are complex and interconnected, requiring a multi-dimensional approach to address them effectively. One of the major challenges in modern labour is the impact of automation and artificial intelligence. Technological advancements have significantly altered traditional job roles, leading to job displacement in several industries. Automated machinery, artificial intelligence, and robotics have replaced many manual and routine jobs, increasing the demand for high-skilled workers while reducing opportunities for low-skilled labourers. This shift has resulted in wage disparities and widened the socio-economic gap between different sections of the workforce. Another pressing issue in labour is the rise of the gig economy and informal employment. With the advent of digital platforms, freelance and contract-based work has increased, providing flexibility but also leading to job insecurity and lack of social protection. Gig workers often lack benefits such as health insurance, paid leave, and retirement plans, making them vulnerable to financial instability. Countries must adopt policies that regulate the gig economy while ensuring fair wages, job security, and social benefits for workers in non-traditional employment sectors.

Globalization has also reshaped the labour market, bringing both opportunities and challenges. While it has created new job markets and increased employment opportunities, it has also resulted in wage suppression and job outsourcing. Many multinational corporations prefer to set up production units in developing countries where labour is cheaper, leading to wage

stagnation and poor working conditions in certain regions. Moreover, labour exploitation, including unfair wages, long working hours, and poor workplace conditions, remains a significant issue in many industries, especially in developing nations. Strong labour laws, strict enforcement, and international collaboration are necessary to address these challenges and ensure ethical labour practices worldwide. Labour rights violations continue to be a critical issue affecting workers globally. Despite legal frameworks protecting workers, many industries still face issues such as child labour, forced labour, discrimination, and workplace harassment. Migrant workers, in particular, often face exploitation, inadequate wages, and unsafe working conditions due to their vulnerable status. Governments and labour organizations must work together to strengthen labour laws, enforce compliance, and provide protection to marginalized workers. Income inequality is another major challenge affecting modern labour markets. Wage disparities between high-income and low-income workers have widened, making it difficult for low-wage earners to meet basic living standards. Minimum wage policies, collective bargaining, and fair pay practices must be implemented to bridge the gap and ensure economic justice for all workers. Additionally, gender wage gaps continue to persist, with women often earning less than their male counterparts for the same work.

Labour migration, both domestic and international, has also introduced new challenges. Many workers migrate in search of better employment opportunities, but they often face challenges such as exploitation, legal barriers, and cultural differences. Migrant workers are vulnerable to low wages, job insecurity, and inadequate living conditions, especially in countries with weak labour protection laws. Policymakers must implement fair migration policies, ensure legal protections for migrant workers, and provide support systems to safeguard their rights. Social security and benefits for workers remain a concern in many countries. Many employees, especially those in informal sectors, lack access to pension schemes, health insurance, and unemployment benefits. Governments must strengthen social security systems to provide financial protection for workers, ensuring they have adequate support during unemployment, retirement, or health crises. Expanding universal social security coverage can enhance job stability and reduce financial uncertainties for millions of workers worldwide.

Education and skill development are crucial in addressing modern labour challenges. The evolving job market requires a workforce equipped with relevant skills and knowledge to

meet industry demands. Investing in education, vocational training, and lifelong learning programmes can help workers adapt to technological changes and secure stable employment opportunities. Public-private partnerships in education and skill development can bridge the gap between industry needs and workforce capabilities, ensuring sustainable employment growth. Economic recovery plans, financial assistance, and job creation strategies that prioritize worker security and well-being. Modern challenges in labour require comprehensive solutions that address technological disruptions, job security, fair wages, and worker rights. Policymakers, businesses, and labour organizations must collaborate to create sustainable employment opportunities, enforce labour laws, and promote economic justice. By investing in skill development, social security, and inclusive workplace policies, societies can ensure a fair and equitable labour market that benefits all workers in the evolving global economy

THE MALAVIYA COMMISSION ON LABOUR WELFARE

Officially known as the committee on labour welfare issues in India, its report published in 1969 is a valuable resource for understanding the state of labor welfare at that time and the recommendations made to improve it

. Labour welfare means the voluntary efforts made by the employer to provide better conditions of employment in their own industries. Its main objective is to secure an improved standard of living for the workers, which affects the worker's psychology and results in an increase in their productive efficiencies. Labour welfare improves physical, mental and moral conditions of workers. Labour welfare includes housing, medical, educational, rest rooms, recreation, canteen, games and sports club facilities, adequate wages, reasonable working hours, insurance etc. By providing these facilities to the workers, efficiency increases considerably.

These facilities create confidence in the worker; he feels happy and thus takes more interest in the work. It also provides goodwill and the relation between worker and employer becomes good, which reduces indiscipline and helps to maintain industrial peace. When a worker has full facilities, he will be free from worries and will therefore work in the factory with full efforts and interest. Insurance facilities and good working conditions create an atmosphere of security and a feeling of insecurity is removed from the mind of the worker and thus he takes more interest in his work. In present days workers are very much worried due to their housing

problems, inadequate wages and expensive education. If these problems are removed then a major part of the workers will be removed and if his cultural uplift by providing recreation facilities and adding cultural and social activities are looked after, then workers will work with full heartedness and more interest devoting more physical and mental efforts.

The Concept Welfare is called as a relative concept for it is related to time and space. Changes in it have an impact on the system. As a result the potential changes in the welfare content keep changing with time and space. It has also been observed that welfare as a concept differs from country to country and from place to place. Secondly, welfare is a positive concept, as to establish a minimum standard of living, it would demand certain minimum acceptable conditions of existence in both biological and social. Thus, when this is defined it is necessary for the components of welfare in terms of health, food, clothing, housing, medical assistance, insurance and so on are to be taken care of. Furthermore, labour welfare as a concept has both positive and negative sides like, it deals with the provision of opportunities which enable the worker and his family to lead a good life, socially and personally and on the negative side it provides opportunities for un desirable consequences and labour problems. The concept of labour differs from country to country, industry to industry and from time to time and region to region. Further it also depends on the kind of problems with which the society is confronted that is moulded according to the age group, sex, socio cultural background, economic status and educational level of the employees in various industries. The utilization philosophy of the labour welfare work as a motivating force towards every labour and for those interested in it

.Objectives of Labour Welfare

In the beginning humanitarianism and social awareness motivated labour welfare activities. Driven by the desire for greater efficiency and output from workers and with a view to attract better workers, employers lured them into their Organisation through labour welfare measures. Further, some of the few issues tackled by labour welfare measures are as stated below. Such labour welfare measures persuade workers to accept mechanization and sometimes labour welfare measures were used by the employers as a tool to combat the outside agencies on their employees. Labour welfare measures are often undertaken to avoid paying tax on surplus and simultaneously building up good relations with the employee.

Principles of Labour Welfare

Principle of Adequacy of Wages – labour welfare measures cannot be a substitute for wages, workers have a right to adequate wages, but a high rate of wages alone cannot create a healthy environment nor would bring in commitment on the part of the workers. A combination of social welfare, emotional welfare and economic welfare together would achieve good results. Principle of Social Responsibility – according to this principle, industry has an obligation towards its employees to look after their welfare and this is also backed by the constitution of India in its directive principles of state policy. Principles of Efficiency – plays an important role in welfare services and is based on the relationship between welfare and efficiency, though it is difficult to measure this relationship.

Whether one accepts the social responsibility of industry or not, the employer quite often accepts the responsibility for increasing such labour measures as would increase efficiency. For eg. Diet planning in canteens. Principle of Re-personalisation - the development of human personality is found to be the goal of industrial welfare and this principle should counteract the harmful effects of the industrial system. Therefore it is necessary to implement labour welfare services, both inside and outside the factory. Principle of Totality of Welfare – emphasizes that the concept of labour welfare must spread throughout the hierarchy of an Organisation and employees at all levels must accept this total concept of labour welfare without which the labour welfare would not be implemented. Principle of Co-ordination – is a concept of co-ordinated approach that will promote a healthy development of the worker in his work, home and community. This is essential for the sake of harmony and continuity in labour welfare services.

Growth of Labour Welfare in India – Pre – Independence

The origin of labour welfare activity in India goes back to 1837, following the abolition of slavery in the year 1833 and British colonies started importing Indian labour. Then the labour welfare activity was mainly controlled by legislation and the earliest act in this regard was the Apprentices Act of 1850, that was passed to protect the orphaned children to learn various trades with the help of experienced craftsmen. The next act was the Fatal Accidents Act of 1853 aimed at providing compensation to the families of workmen who lost their lives as a result of any

actionable wrong at the workplace. This act was followed by the Merchant shipping act of 1859, which intended to regulate the employment of seamen and provide for their health, accommodation and protection. The review of all these early enactments shows that they were drawn up with specific objectives and that they do not indicate any planned policy or approach to the labour welfare. Thus they were only attempting to regulate employment rather than improve their working conditions of labour. 22 years elapsed after the shipping act before the first Indian factories was passed in 1881, which marked the beginning of a series of labour laws that brought improvements in the working conditions of labour. The conditions of the labour that worked in the textile mills in Bombay in the 1870 onwards were the immediate cause for this act to be enacted.

National commission on labour

Main Recommendations of the National Commission on Labour

1. We recommend that the Central Government and the State Government should have a uniform policy on holidays, only 3 national holidays be gazetted - namely Independence Day, Republic Day and Gandhi Jayanti Day, two more days may be added to be determined by each State according to its own tradition and apart from these each person must be allowed to avail of 10 restricted holidays in the year, Government holidays should be delinked from holidays under the Negotiable Instruments Act.
2. Flexibility in the hours of work per week and compensation for overtime.
3. Attempt to change the basis of tenure in all jobs (permanent as well as non-permanent) to contractual and for stipulated periods, involves a basic change in attitude and notion. If transforming the basis of all employment is a social necessity because it has become an economic necessity for industrial and commercial enterprises, then, it is equally necessary to create social acceptability for the change and the social institutions that can take care of the consequences.
4. The commission recommends that the government may lay down a list of highly paid jobs who are presently deemed as workman category as being outside the purview of the laws relating to workmen and included in the proposed law for protection of non-workmen. Another

alternative is that the Govt. fix a cut off limit of remuneration which is substantially high enough, in the present context such as Rs.25,000/- p.m. beyond which an employee will not be treated as ordinary "workman".

6. Existing set of labour laws should be broadly grouped into four or five groups of laws pertaining to:

i) Industrial relations

ii) Wages

iii) Social security

iv) Safety

v) Welfare and working conditions and so on

7. It is necessary to provide a minimum level of protection to managerial and other (excluded) employees too against unfair dismissal or removal. This has to be through adjudication by labour court or Labour Relations Commission or arbitration.

8. Central laws relating to the subject of labour relations are currently the ID Act, 1947, The TU Act, 1926, Industrial Employment (SO) Act, 1946, Sales Promotion Employees (Conditions of Service) Act, 1976. There is State level legislation too on the subject.

9. We recommend that the provisions of all these laws be judiciously consolidated into a single law called "The Labour Management Relations Law" or "Law on Labour Management Relations".

10. Commission has recommended to the withdrawal of essential services maintenance Act

11. The Commission has suggested to identify a bargaining agent on the basis of a check-off system, with 66% entitling the Union to be accepted as a single negotiating agent and if no union has 66% support, then Unions that have the support of more than 25% should be given proportionate representation on the college.

12. A check-off system in an establishment employing 300 or more workers must be made compulsory for members of all registered trade unions.

13. The Commission also recommended that recognition, once granted, should be valid for a period of 4 years to be co-terminus with the period of settlement.

14. No claim by any other Trade Union / Federation / Center for recognition should be entertained till at least 4 years have elapsed from the date of earlier recognition.

15. Every establishment shall establish a grievance redressal committee consisting of an equal number of workers and employers representatives.

16. The said committee is the body to which all grievances of a worker in respect of his employment will be referred for decision within a given time frame.

17. The commission has recommended maintenance of a panel of arbitrators by the LRC concern, to settle the disputes.

18. The matters pertaining to individual workers, be it termination of employment or transfer or any other matter be determined by recourse to the Grievance Redressal Committee, conciliation and arbitration / adjudication by the Labour Court. Accordingly, Sec.2 a of the ID Act may be amended.

19. The system of legal aid to workers and trade unions from Public Fund be worked out to ensure that workers and their organisations are not unduly handicapped as a result of their inability to hire legal counsel.

20. Strike should be called only by the recognised negotiating agent and that too only after it had conducted a strike ballot among all the workers, of whom at least 51% of support the strike.

21. Workers participation in management - the legislative teeth should be provided.

22. The Commission urges that these recommendations

23. The Commission urges that these recommendations are taken up as a whole and not in a piece-meal manner that may destroy the context of inter-relation and holistic approach.

24. The provisions in respect of small establishments can be in the form of a separate law name Small Enterprises (Employment Relations Act) or be included in the general law as a separate chapter to ensure that the interest of the workers are fully protected,

25 even while lessening burden on the management and providing them with vigilance in exercising managerial functions.

26. The Commission would recommend that no worker should be kept continuously as a Casual or temporary worker against a permanent job for more than 2 years.

27. The Commission recommends that every employer must pay each worker his one-month's wage, as bonus before an appropriate festival, be it Diwali or Onam or Puja or Ramzan or Christmas. Any demand for bonus in excess of this up to a maximum of 20% of the wages will be subject to negotiation. The Commission also recommended that the present system of two wage ceilings for reckoning entitlement and for calculation of bonus should be suitably enhanced to Rs.7500/- and Rs.3500/- for entitlement and calculation respectively.

28. There should be a national minimum wage that the Central Government may notify. This minimum must be revised from time to time. It should, in addition, have a component of dearness allowance to be declared six monthly linked to the consumer price index and the minimum wage may be revised once in five years. The Commission also recommends the abolition of the present system of notifying scheduled employments and of fixing/revising the minimum rates of wages periodically for each scheduled employment, since it feels that all workers in all employments should have the benefit of a minimum wage.

29. There is no need for any wage board, statutory or otherwise, for fixing wage rates for workers in any industry.

30. The Commission recommended enactment of a general law relating to hours of work, leave and working

30. The Commission recommended enactment of a general law relating to hours of work, leave and working conditions, at the work place.

31 For ensuring safety at the work place and in different activities, one omnibus law may be enacted, providing for different rules and regulations on safety applicable to different activities.

32. The National Employment Service has to be strengthened to help efficient utilisation of manpower and particularly critical skills required for planned economic growth. The national character of the service should be fostered and strengthened for this purpose.

33. Provision of gainful employment to physically handicapped/disabled persons should form part of an enlightened social policy. To the extent possible, employers should accept it as a matter of industrial ethics to rehabilitate persons disabled because of industrial accidents. Rehabilitation Homes for the physically handicapped should be provided jointly by employers and Government.

34. A solution to the problem of "sons of the soil" has to be sought in terms of the primacy of common citizenship, geographic mobility and economic feasibility of locating industrial units on the one hand and local aspirations on the other.

35. Young persons from families whose lands are acquired for industrial use should be provided training opportunities for employment likely to be created in new units set up on these lands. 36. The steps recommended above should apply equally to recruitment in the private sector, though the mechanism to regulate recruitment in the private sector will necessarily differ from the public sector

COURSE OUTCOMES (CO)

Develop knowledge about **labour rights and legal protections for workers in India.**

Understand the **role of labour laws in regulating industrial relations.**

Analyse the **historical development of labour legislation in India.**

Improve **critical thinking on labour welfare policies and reforms.**

Gain the ability to **evaluate modern labour issues and challenges in India.**

PROGRAMME OUTCOME

Students will be able to **explain the development of labour laws in India and analyse the role of legislation in protecting workers' rights and resolving industrial disputes.**

Five marks questions

S.NO	QUESTIONS	LOCF MAPPING		
1	Write a short note on constitutional provisions for labour welfare.	CO2	PO1	K2
2	Explain the concept of strike.	CO2	PO1	K2
3	What is meant by lockout?	CO1	PO1	K1
4	Write a short note on the International Labour Organization (ILO).	CO2	PO1	K2
5	Explain the Trade Union Act of 1926.	CO2	PO1	K2
6	Write a short note on the Industrial Disputes Act.	CO2	PO1	K2
7	Write a short note on modern challenges in labour legislation	CO2	PO1	K2
8	Explain the recommendations of the Malviya Commission on Labour Welfare.	CO3	PO1	K3
9	Write a short note on the National Commission on Labour.	CO2	PO1	K2
10	Explain the role of ILO conventions and recommendations.	CO2	PO1	K2

Eight marks questions

S.NO	QUESTIONS			
1	Discuss the constitutional rights and directive principles related to labour welfare in India.	CO3	PO1	K3
2	Explain the concept and causes of strikes and lockouts in industrial relations.	CO3	PO1	K3
3	Analyse the role of the International Labour Organization (ILO) in labour welfare.	CO4	PO1	K4
4	Discuss the features and significance of the Trade Union Act of 1926.	CO3	PO1	K3

5	Examine the Industrial Disputes Act and its role in resolving industrial conflicts	CO3	PO1	K2
6	Discuss the recommendations of the Malviya Commission on Labour Welfare.	CO3	PO1	K3
7	Analyse the role of the National Commission on Labour in improving labour conditions	CO4	PO1	K4
8	Examine the modern challenges faced by labour laws in India.	CO3	PO1	K3

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