Chapter One

INTRODUCTION

The shift from an agrarian economy to industrial economy or a tendency towards it, is relatively a recent phenomenon in India. Between the two World Wars the British Administrators in India were constrained to encourage industries in the country. The process was further accelerated in the post-Independence era. A planned effort as a consequence was made at industrialisation. This has led to the emergence of a yet never phenomenon - unionisation of the labour force. This is not to say that the trade unions were unknown in the country previously. As a matter of fact the All India Trade Union Congress (AITUC) was formed in 1918. But the changed socio-political milieu in the post-Independence period has given a filip to trade union activities. Needless to add that the trade unions have spawned industrial protests. On the one hand,
the trade unions have attempted to protect, safeguard and promote the interests of the labourers, on the other, they have lent articulation to any dissatisfaction among the labourers. Industrial protests have been almost a logical consequence.

Many feel that in recent years industrial protests in India have been on the increase. It may be due to several reasons. The changed political ideology has made the common man, including industrial workers aware of their constitutional rights. The industrial labourer could no longer be subjected to open exploitation, they started clamouring for better service conditions. At the same time, they did not remain a discreet body of workers - common interests bound together into a group which could make its weight felt. The constitutional provisions relating to freedom of association further encouraged this. On the top of it, the right of franchise and periodical elections increasingly made the workers, both as individuals and as group, conscious of their role and their importance. The labourers as well as the trade unions found themselves as the potential pressure group which could carry weight with the political elite. Then there have been several economic factors as well. Spiralling inflationary trends have kept the wage pattern almost perennially unsatisfactory to the wage earners. Simultaneously, the 'exhibition effect' has distinctly raised the level of economic aspirations. Further, political ideology has also crystallised several new concepts in industrial relations in the country - collective bargaining, profit sharing, work consultations, participation in management and the like. The cumulative effect of all
these factors has, nonetheless, caused a distinct increase in the incidence of industrial protests.

At this juncture it may be pointed out that there is nothing worthy of note, from a criminological angle, in the industrial protest itself. On the contrary, industrial protests represent a modern way of social, political and economic interaction. An industrial enterprise, from a sociological point of view, comes about by the blending of capital and manpower resources, in the absence of one, the other perhaps would not survive. The labour force, therefore, may be regarded as the other inseparable half in an industrial establishment. The labour force has thus a tacit right to improved working conditions. Besides, the trade unions through their various activities, including protests, educate the constituent members. Industrial protests give vent to the hostile feelings of the labourers towards management/authority, make possible the presentation of their point of view, and enable them to secure better service conditions and a better standard of living. But in trade union activities, or say in industrial protest, there is more to it than meets the eye. It has been frequently reported that trade unions often take recourse to means which may not be socially or legally acceptable. Likewise, the industrial protests often reportedly transgress the limits of the freedom of expression, and turn violent.

**Industrial Protests**

In the developed and developing countries, industrial protests have been widespread and pretty well known. Although industrial
protests come about in many forms including joint petitions, charter of demands, delegation, pen and tool down strikes, strikes, demonstrations, rally, processions, picketing, gherao and dharna, the most popular form has been the strike.

"A strike is an interesting social phenomenon that is peculiar to an industrial society. It is an inequality of bargaining power between capital and labour, with the scales weighing in favour of capital, that has forced labour to adopt the weapon of strike which they feel will bring about a change in their position. It is a kind of industrial belligerency which is a product of modern industrial age" (Dhyani, 1965).

According to Feller, the word strike, "in its broad significance has reference to a dispute between an employer and his workers, in the course of which there is a concerted suspension of employment. As a form of labour activity, it is rarely carried on without picketing or boycotting. Because it is an expensive weapon, the strike is generally labour's last resort in connection with industrial controversies" (1965).

In ordinary legal parlance a normal "industrial strike is said to be the cessation of work by employees collectively in furtherance of a trade dispute. It means a refusal by a whole body of workers to work for their employers in consequence of either a refusal by the employers, of workmen's demand for an increase or of refusal by the workmen to accept a diminution of wages when proposed by their employers" (Dhyani, 1965).
Of late, industrial protests including strikes are on the increase. Are they due to rise in wants, inflation, change in the ideology of master-servant relations or politics? For example, within the span of 4 years and 9 months (1969 to 74) Bihar Government changed 11 times and thrice experienced President's Rule. Is there any relationship between the industrial protests and political environment in the area? Here a brief reference may be made to the multiplicity of trade unions operating in industrial areas. May be, this factor, too, contributes towards the increase in the incidence of industrial protests in the country (See Reddy, 1972).

Unionisation

Without proceeding any further the process of unionisation among the industrial workers may be brought into discussion. Generally speaking, it may be remarked that the trade unions or associations of workers come about to realise some common objectives. In view of the prevailing situation in most of the industrial countries, industrial protests and trade union activities are considered synonymous — indeed, this is a distorted view. The trade unions had been, originally, envisioned with broad based activities promoting social, cultural and economic interests of the tradesmen or the labourers. Of course, many a trade union even today does so. However, the majority of the trade unions have almost exclusively assumed the role of ventilating the grievances of their constituents and have become a perennial launching pad of industrial protests.
Trade unions are not altogether new. "The origin of the trade union movement in India may be traced back to the earliest times when guilds and panchayats in every village settled disputes between their members" (Giri, 1958). The constitutional guarantees in respect of freedom of association and expression have not only allowed unionisation but also have encouraged the process.

In view of proliferating labour laws and multi-channel redress mechanism, there are many who question the very rationale behind the unionisation of the labour force. But are the social institutions ever all-grasping? Do they always keep pace with changing aspirations of the individuals? This is beside the variance between the individual freedom of the social institution and that of the social order. At this juncture, we may gainfully quote Thoreau..... "Unjust laws exist; shall we be content to obey them until we have succeeded, or shall we transgress them at once? Men generally under such government as this, think that they ought to wait until they have persuaded the majority to alter them. They think that, if they should resist, the remedy would be worse than evil... As for adopting the ways which the State has provided for remedying the evil, I know not of such ways. They take too much of time and a man's life will be gone. I have other affairs to attend to. I came in this world not chiefly to make this good place to live in it, but live in it, be it good or bad... If (the law) is of such a nature that requires you to be the agent of injustice to another, then I say, break the law" (1963). M.K. Gandhi had a similar attitude towards the society in relation to the individual.
He felt that a passive acceptance of tyrannical laws is cowardice and equal to perpetuation of tyranny itself. Nevertheless, the fact remains that in a free society the trade unions have a positive place and role.

As has already been pointed out, the trade unions have come about to promote the interests of the workers through various processes. Theoretically speaking, they create conditions conducive to the welfare of the worker at large, in doing so they educate and inform common labourers in respect of their importance, and responsibility as citizens. There is no denying the fact that in a democratic and free society, trade unions represent a significant political infra-structure. On the one hand, they are found instrumental in politicizing the constituent members, and, on the other, they act as pressure groups in keeping the social and political policy purposive and directional. It would not be out of context to point out that more often than not trade unions have acted as nursery in turning out political elite. But all is not always well with the trade unions or their activities. It may be reiterated that in most of the cases the trade unions have become the embodiment of dissent. The articulation of worker's grievance, a never-ending chain, has often become their prime, if not sole, occupation. Up to this there is nothing in the trade union activities, seriously objectionable. However, the trade unions have, it is frequently reported, strayed into activities which confuse liberty with license. "The civil disobedience and the unwillingness of many to resolve this difference by established
legal means will surely lead to the destruction of the institution, which protects their freedom . . . . it is folly to hold that a utopia of individual rights will rise from the destruction of respect for the law" (Hoover, 1967). As a matter of fact many trade union activities could be difficult to be termed as any form of civil disobedience - these are often openly culpable.

Industrial Management

Industrial management is considered both an art and science. For efficient administration and improvement of industries management plays an important role. Industrial management may be regarded as the art of coordinating the elements or factors of production towards achievement of the purpose of an organisation. It is the accomplishment of objective through the use of men, materials and machines (See Kerr, 1960).

In the beginning the industries were mostly under the private management. With the passage of time, there emerged what is known as the 'corporation system'. Under this system, a fractional public ownership is enjoined. Of late, the government has also entered into the field. Thus tentatively the industrial managements can be grouped under three distinct heads: (1) Private (2) Corporate and (3) Public.

These three types are reported as having differing degrees of efficiency. They have their own set of rules and regulations. Still all the three are equally subject to the government policy and regulations. The principle of minimum input and maximum output is a useful spur in the human advancement. But it is
exceptionable that output is maximised at somebody else’s cost.

The interaction between management and labour has been referred to by Karl Marx, as class conflict between bourgeoisie and proletariat; which tends to foster revolution. According to Marxian view public ownership should do away with many a conflict—no struggle, no protest and so forth. If so, why there are strikes in the public undertakings?

As is seen in contemporary times, the trade unions constitute an inseparable link between the management and workers. Theoretically, the management and trade unions should go hand in hand, for some kind of a symbiotic existence. There should be no place for dissonance between the objectives of the two. Industrial management, all-along should be concerned with the personnel and their welfare. Adequate wages, profit-sharing, accident compensation and the like should be prompt. A progressive management, additionally, initiates measures designed to promote welfare and sundry activities, and to encourage worker’s participation in the management itself. In such a situation; on the one hand the equation between the management and the trade union would be balanced one, and on the other, it would keep the occasions of industrial disputes to a minimum.

Industrial management is not our direct focus, but for certain activities on the part of management, such as exploitation of labour, divide-and-earn policy, interference in trade union activities or dabbling, double dealing with trade union affairs, purchasing of trade union leaders, maintaining ‘scabs’ or under ground force to suppress trade union activities, attract the attention.
Ruling Party

In the post-independence period national leaders spearheaded the process of democratisation in the country. It would be agreed that democracy tacitly promotes dissent including industrial protests among the masses. The process of dissent, in turn, acts as a potential tool in bestowing upon the government a degree of legitimacy. Nevertheless, whatever the form of government the significance of sound labour relations endures. The laws enacted by the government may not be comprehensive enough. This is found especially true with labour laws. The frequent amendments of these laws substantiates the contention. Then, the laws may not get implemented to the spirit or even letter, for several reasons. In an expanding economy the problems of implementation of industrial laws, the procedures and the organisation designed to implement these laws may not be that streamlined. These factors are found to have some bearing on the form and nature of industrial protests (See Patil, 1975; Munson and Nanda, 1966; Munson, 1966).

In the country the role of ruling parties cannot be by-passed. On the one hand, a ruling party influences the policy and the working of the government and government machinery, on the other, it often wields considerable influence on the trade unions and their constituents. The political parties no doubt have a vested interest in the affairs of labour force and trade unions. Often political parties and trade unions act in concert and help each other to promote common or separate interests. The matter does not end here. The political parties often enter into shady deals
on matters concerning the industrial worker, trade unions, management and government.

Conciliation

When an industrial dispute arises, according to the statutes, workers are not supposed to take to street. There are certain sets of procedures to be undergone before launching a demonstration or work is struck. They would communicate the matter to labour authorities so as to bring about a negotiated settlement. When these methods fail to redress their grievances, then they may take to a strike, with prior notice (Vaid, 1965).

In the peaceful settlement of an industrial dispute 'conciliation, arbitration, mediation and lastly adjudication play an important role'. Webster defines conciliation as ... the effort to establish harmony and good-will .... the mediation of a labour dispute by a third party, government or private, having no power to compel settlement of the dispute but relying on only persuasion and suggestion. The virtue of conciliation is highlighted by many social scientists. Conciliation, says Dhyani, is an expression of one of the highest virtues which can be practised - the desire to understand and be able to be just to one another. The characteristic feature of conciliation are its flexibility, informality and simplicity (1965).

A conciliation officer is supposed to investigate the dispute thoroughly in order to reach a mutually acceptable settlement. The Industrial Disputes Act (IDA) distinguishes between ordinary industrial establishments and public utilities. Industrial disputes
in establishments employing 1000 or more workers are conciliated by the Regional Assistant Labour Commissioner. Labour officers have the responsibility for conciliating industrial disputes in establishments employing less than 1000 workers but above 250. All complaints and disputes in industrial establishments employing up to 250 employees are handled by the labour inspectors (Kumar, 1965).

If conciliation machinery is so 'capable' and efficient, then, why are industrial disputes on the increase? And, besides above capabilities, there have been reported several gaps and blind spots in redress channels. Therefore, these lacunae are the substantive concern of the present study.

Police

A discussion of the nature and implications of industrial protests would be well nigh incomplete without bringing the role of the police into picture. However, it may well be kept in mind that the police comes into picture when an industrial dispute remains unresolved and turns into 'a strike'. In these situations the police have to respect the rights of all concerned and to ensure maintenance of law and order. They are called upon to protect the industrial establishments and often the managerial personnel. Since many a times they are called upon to act at a short notice, they are supposed to keep a tab on union leaders, objectionable elements in the area, managerial activities and so forth and collect intelligence (Ghosh, 1968). At the same time they can ill afford to by pass the view of the political elite directly or indirectly involved in dispute. More often than not,
by design or chance the government issues directives to the police on the matters relating to industrial disputes, which may be found far from inambiguous. The police have to keep in view all these angles while acting in respect of industrial protests. Indeed the role of the police is often much akin to slippery-walk. "To deal with this enormously complex and immensely sensitive problem of popular disorder, mass violence and crowd control, the only agency which has to face this challenge almost single handedly is again the police, and very little or nothing has been done in the present to change this colonial image of the past" (Sharma, 1972).

In such an atmosphere "police is a kind of umpire by his job to apply impersonally some set of rules to make possible orderly social transactions in the community" (John, 1967).

Thus, it is always possible for the police to enforce the law to the letter, in the strike situations. But Professor Remington says that - "police insistence that their responsibility is to fully enforce the law is to perpetuate a myth which is impossible of achievement and would be undesirable in public relations position, but has seriously adverse consequence for police if they fail to recognise that their’s is a responsibility for the development of an adequate and fair law-enforcement programme in the legal limits" (1967).

There are many who also have something more to say on the role of police in industrial protests. If the police could have acted only as an umpire, many a ugly turn in industrial protests would have been forestalled. It is often reported that they have
adopted a posture much closer to a partisan attitude. Taking sides with the management, a political party or the trade union is frequently alleged. Occasionally they may act as puppetts manoeuvred by certain remote strings. These dark alleys often reported in the police working in respect of industrial disputes need to be studied.

Protests and Agitations

Industrial protests are like the tip of an ice-berg, they represent only a small fraction of a vast amount of labour unrest, emanating from a large number of issues. The British Labour Ministry listed the causes as follows: (1) Wage question (2) Wage decrease question (3) Other wage question (4) Hours of labour (5) Social conditions (6) Other working arrangements, rules and discipline (7) Trade union principle (8) Sympathetic action and (9) Miscellaneous (Ghosh, 1968). However, most labour disputes, keeping in view the situation in India, can be classified into two broad categories: (1) Labour problem oriented protests (2) Politically oriented protests – (in this category included are inter and intra union rivalry).

Survey of literature

The field of Industrial Relations has been the subject of numerous and varied researches. As a matter of fact, the cumulative knowledge in this field has come to claim 'Industrial Relations' as a separate discipline in itself. Especially, the aspects relating to genesis, development and resolution of protests by the workers have been receiving attention from almost
every branch of social science. The business cycles, composition of labour force, financial viability, type of managerial organisation etc., have been shown to be having some linkage with the nature, content and frequency of industrial protests by the workers (See Kerr and Seigel, 1954; Knowles, 1954; Ross and Hartman, 1960). Giri (1958) has meticulously summed up the changes in the character of labour force, relevant enactments, growth of trade unionism in India and so forth (See also, Saxena, 1952; Kyers and Kannappan, 1970; Punekar, 1948). Vaid (1972) and others have studied the changing forms of labour protests in West Bengal. Doubtless, the nature, magnitude and intensity of gheraos if rocked the state of Bengal; workers elsewhere used ladies as fence between them and the police (Ghosh, 1968; Khanna, 1973; Puri, 1973; Kumar, 1978). Despite activism shown by the workers, would it be inferred that the rank and file has been increasingly politicised? Have they been realising the consequences of their collective activity? Karnik (1975) has observed that the workers have rather been instigated to act overtly than voluntarily (see also, Crouch, 1966; Srivastava, 1955; Mathur and Mathur, 1957). While studying the industrial workers in Kanpur, Thakur (1969) has something to say: that relatively fewer protests would have surfaced but for inter and intra union rivalries they are on the increase (Mehta, 1977; Tripathi, 1968; Mathew, 1974). The role and functions of the trade unions and their leaders has been studied by many authors. Indeed, a code of conduct has been evolved for management as well as for trade unions in the interests of nation, for conducting their affairs (GOI Report, 1959). Many a times a digression in
the activities of unions and their leaders has been observed. In this direction, Moore (1964) mentions about the tactics followed by the unions to achieve their goals. According to him a variety of tactics are used by the trade union leaders. These include, 'closed union shop', 'using professional agitators', 'coercive techniques', 'politics', 'muscle-in in the affairs of other unions', 'maintaining goons' and the like. Further, the management is also not that innocent: faced with an agitation, their methods have also been equally subtle (see Hutchinson, 1969; Mills and Montgomery, 1945; Taylor, 1962). These aspects have also been studied from the angle of psychology by Stagner (1956). Voith, a criminologist, explains the phenomenon of industrial protests and violence from the angle of group conflict. In this, he observes that much needs to be studied. Any criminal action by an individual at the time of collective protest, would it be considered so in keeping with the conventional codes? Nevertheless, the organised and extra-legal activities of both management and trade unions are documented by almost every criminologist (see Sutherland and Cressey, 1953; Barnes and Teeters, 1966; Tannenbaum, 1938; Reckless, 1967). But little light seems to have been shed on these aspects in the country from an empirical angle. Since mixed economy has been encouraged in India, the labour relations in the public sector are expected to be imitative. Also, in keeping with the philosophy, the public sector should have been an exception to labour unrest. They should have been free from sharp practices to continue unhindered production. But Mehta observes that "the management of both
public and private sectors are gleefully counting on them (undesirable practices) for promoting unions of their convenience and choice — as was done in the past... (1977). The study conducted by Khurana (1972) shows that the industrial relations in the private sector have reached a point of stability, on the other hand, in public sector the unrest is yet to stabilise. Apart from the fact that employees in public sector are well-paid, what remains to be ascertained is that, why protests galore in public sector? The role of the ruling party in keeping watch on the policies and programmes of the government is well known. The government on its part may intervene in the field of industries and labour through various enactments. There are a variety of laws concerning: payment of wages, bonus, factory and plant, industrial disputes and so forth. After their enactment, these laws have been amended from time to time, to keep them suited to the socio-political change. Nevertheless, in the opinion of many the enactments are not entirely free from lacunae. Especially, the Industrial Disputes Act (IDA) has been observed to promote multi-unions and the like (Mathew, 1974). During the course of an industrial dispute the parties concerned are observed to have been using the loop-holes to uphold their stance (Dhyani, 1965; Munson and Namda, 1966). Further, a limited number of studies have been conducted with regard to dispute settlement machinery. Patil (1976) brings into focus the delays, organisational inadequacies, powers, qualifications of the personnel, political interference, high handedness of the management and trade union leaders (see also, Rao, 1967; Kumar, 1965). These aspects need to be
explained in an industrial complex like Dhanbad. The role of police in protest situations has been a subject of many seminars conducted by the police training organisations. For an effective action many stress that certain basic requirements on the part of personnel, equipment and organisation (see NPA, 1972; MHA, 1965; Ghosh, 1956). However, the use of sufficient force and minimum force at times are found at variance (see Editorial, 1972; Ghosh, 1968; Sharma, 1972). In the opinion of Ghosh (1956) the law relating to unlawful assemblies and riots is carefully studied in police training institutions but the tactical aspects of the problem to which crowds give rise has received for less attention. The mechanics of collecting and collating intelligence seems to be not efficient (Nayar, 1973). These aspects need further empirical probe. The literature generated by the various symposia and conferences on police in public agitations has been there. But their main thrust has been on powers, interference of judiciary, enquiry commissions, inadequate strength of police and so forth. The much publicised psychological approach of handling crowds has found little place in practice. Also, effectiveness of weapons used by the foreign countries has been acknowledged in the country but little efforts are made to utilise them (Applegate, 1968).

In view of the above, there is a need for an integrated approach by taking into consideration the roles of different parties involved in the protest. The role of different agencies involved in the dispute/protest settlement needs to be deeply probed into. The dissatisfaction among the workers and its manifestation in relation to the nature and type of industries
needs to be studied. Above all, the digression in the roles of different parties in the protest has to be subjected to empirical verification. Except Moore, few of the authors have dealt the problem of industrial protests from varied angles. Industrial protests on the one hand are inseparable part of the processes in the democratic system of government, and, on the other, if unbridled tend to endanger the very system upon which they thrive. This is the prime consideration which forms the substantial concern of the present enquiry.

Present Work

The present study envisages to look into the currents and cross-currents operative behind industrial protests in Dhanbad, from a criminological angle. The form and the nature of industrial protests, no doubt are interesting. It becomes even more so interesting, if one attempts to look into those aspects which are patently/peripherally culpable.

There are several parties and processes which are ordinarily involved or which may be thought of to be in industrial protests. The industrial labour force in this country, taking an aggregate view, has been reported, to possess several characteristics which are unique and seldom found anywhere else. Reportedly, it is ignorant, ill-informed and inarticulate - who have been the subjected of exploitation by management and trade unions alike. The management may exploit and deprive them from fully enjoying the fruits of their labour. On the other hand trade unions may use them to further the interests other than of their own
immediate concern. In many situations trade unions are able to carry worker into the activities which he little understands. Instances are not lacking when emotions are beaten up culminating into violence. These objectionable aspects of trade union activities have seldom been subjected to systematic analysis.

Theoretically speaking, trade unions represent the unity and collective interests of the labourers. They are expected to be open and broad-based, and many-sided in their functioning. But there have often been noticed black spots. The problem is not that we have too much unionism in industrial labour force; the problem is perhaps we have too little of it. In most instances trade unions have not been the embodiment of popular participation— they have been in a way the preserve of a select few. Apparently, the lowly informed body of labourers has enabled the capture of trade unions by those with whom the interests of the labourers constitute only a second priority. The trade union leaders may look at their association with the trade unions only as a spring-board (see Ghosh, 1968) for furthering personal interests. Unscrupulous trade union leaders are not altogether unknown. Swindling of trade union funds, victimization of labour and management, racketeering to extract money, the use of musclemen to coerce the labour as well as management and so forth have been often reported (Saxena, 1959). Although difficult to ascertain, the involvement of foreign powers and money, has also been mentioned (Yunel, 1973). Then, a great many trade union activities have been observed to be a consequence of— inter union as well as— intra union rivalries (Sethi and Jain, 1968;
Subbiah and Saran, 1967). These issues call for an empirical verification.

As has been already outlined the role of management in industrial protests is inseparable. In an oversimplified manner it may be said that industrial protests are the consequence of a dissonance between the interests of management and the labourers. Nonetheless, the fact remains that in many instances the management has indulged in open or clandestine exploitation of the labourers. It may coerce them to accept the management-line in respect of working conditions, wage structure, and the like. It has often precipitated industrial unrest by over-looking the interests of the labourers, by pursuing ill- ADVISED production policies or by misusing the funds meant for the labourers such as provident fund. Mention may be made of the unusual interests taken by the managements in trade union affairs of the labourers. Often a rival 'company union' may be promoted, trade union leaders may be purchased, goonda squad may be maintained, or authorities including police may be bribed to curb or wreak the trade union activities. But these are only surmises.

Ruling Party

The role of the ruling party in industrial protests is found replete with spots where one can easily lay his finger. Apart from sketchy labour laws, there have been reported many situations in which the ruling party, has more often than not taken sides with the management, or trade union in disputes.
Party bosses may adopt a pro-management posture to placate the management, ulterior motives not ruled out. But mostly such partisan attitude may be motivated by the large funds, the industrial houses liberally donate, particularly on the eve of elections. On the other hand instances are not lacking when they have taken sides with the labour or trade unions. Often party cadres, election campaigners and active workers are drawn by the political parties from the rank and file of trade unions. Besides, siding with the labourers means maintaining sizeable vote banks - a factor important for keeping the political party in government. Then, there have been reportedly several occasions when industrial protests have been fomented and the trade unions have been used to buckle down industrialists to the knees before the party in power. These are the issues that arouse research interest.

Police

Generally speaking, in industrial protests the role of police ranges between an umpire and a custodian of law and order. Industrial protests however present a ticklish situation before the police. There are seen operative several currents and cross-currents which make the role of police close to tight-rope walking. Then the police have their own fallings. Often they take sides with the management, trade union or the interested political party. Sometimes, they may take recourse to coercion and excessive force in putting down labour unrest. Occasionally allegations of graft, have been levelled: their pockets have been lined by the management to suppress legitimate trade union activities. However, these aspects have so far attracted little research attention.
Conciliation

At this juncture, the redress mechanism available to labourers may be outlined. There are several factors which hamstring the work of conciliation. The officials charged with the task, often have inadequate education, training, remuneration and working conditions. Moreover, inadequate legal provisions or powers impede their work. Besides, the conciliation machinery designed to smoothen labour relations is reported to suffer from certain other shortcomings. There have been noticed delays, often deliberate delays, in the conciliation proceedings. Undue political influences have hampered the course. In some instances officials may be purchased by the management. While investigating the problem of industrial protests those angles need to be kept in mind.

Objectives

Although democratic system of government guarantees freedom of expression, and association and thereby indirectly permits and promotes protests including industrial protests, the stability of the system itself depends upon the social order. This is the main assumption behind the present study. The principal parties in industrial protests have already been delineated. To some extent the objectionable/ culpable role of these parties in industrial protests has also been indicated. Keeping these issues in view the present investigation aspires:

(a) to project critically the main parties involved in industrial protests; (b) to analyse the personal as well as professional
characteristics of trade union leaders; (c) to analyse the role of management, trade union, government, police and conciliation machinery in industrial protests; (d) to sort out the ostensible and underlying causes of industrial protests; (e) to delve into the ways generally capable to contain industrial protests within the legal or constitutional limits.

Hypotheses

I Discontentment amongst, and protests by, industrial workers over various compensatory measures made available to them in return for their labour, varies with the type of industrial activity in the organisation.

II The labour unrest is related to the type of management, in other words, it varies from public sector to private sector industries.

III Management does not suppress the legitimate activities of workers and do not employ any illegitimate means towards it.

IV Dissatisfaction amongst industrial workers with respect to various compensatory measures made available to them in return for their labour, varies with their demographic characteristics.

V In terms of education, training and public service record the trade union leaders are equipped to serve the workers better.

VI Trade union leaders give priority to the problems of the workers.
VII Trade union leaders while dealing with management or other trade unions are guided more by ends than by means.

VIII Police procedures and police working are adequate to deal with labour unrest.

IX Police working in respect of industrial protests is guided by rules and regulations and is not influenced by management, trade union leaders or politicians.

X The machinery available to the workers to redress their grievances is organisationally and operationally adequate.

XI Politicians are cultivated to win over their support or that of ruling party against, among other things, labour activism by managements.

Methodology

The present investigation is significant both from theoretical and operational angles. Criminology being a relatively new branch of human curiosity has yet to reach the stage where related concepts and empirical models would be available in standard and/or agreeable form. Wheeler points out... "a striking characteristic of the literature in criminology is the almost total absence of systematic studies on conceptual material" (1970). The present investigation, on the one hand, has to develop its own operational models, and on the other, it may further the theoretical foundations in criminology. Besides, in doing so, it may facilitate an understanding of the currents and cross-currents behind the phenomenon of industrial protests. As such, the present enquiry primarily remains exploratory and formulative in character.
As would be clear from the earlier discussion, the concepts involved in the present work are many and, possibly cutting across several disciplines. This calls for an interdisciplinary approach. Also it warrants a restatement of the concepts to be employed in the work. Industrial protests are the open expressions of dissatisfaction by the labourers towards existing system, in the form of strikes, gherao, demonstrations and the like. "A strike is a collective protest expressed by withdrawing labour from work. It is the most aggressive form of industrial protest - apart from sabotage" (Allen, 1954).

Industrial management may be regarded as the art of coordinating the elements of factors of production toward the achievement of the purposes of an organisation. It is the accomplishment of objectives through the use of men, material and machines (see Kerr, 1960). The corporate sector or corporation, is a central economic institution of modern society. It is, in its most general definition, an association of individuals united for a common purpose and acting in common name. The law is prone to emphasise that the corporation is a body chartered or recognised by the State; that it is a formal agreement, in the nature of a contract among people joined in a common purpose, that can hold property, contract, sue and be sued in a common name; and that it has a length of life not subject to the lives of its members (Galbraith, 1970).
Next, trade unions are the voluntary organisations of the workers to promote and protect their interests by collective action (Giri, 1958). Webster defines conciliation as... the effort to establish harmony and good will.... The mediation of a labour dispute by a third party governmental or private, having no power to compel settlement of the dispute but relying only on persuasion and suggestion.

Sutherland and Cressey observe that "police" refers primarily to the agents of the state whose function is the maintenance of law and order and especially the enforcement of the regular criminal code" (1924).

Sample

In the present exploratory study the district of Dhanbad, Bihar has been selected as the area of study. This area offers several analytical advantages. Situated in the south-eastern corner of the State, the district has an area of 2994 sq. kms, and a population of 1,14,66,417, according to the census, 1971. Since long it has been the scene of hectic mining as well as industrial activity. Basically Dhanbad is a district of industries, and coal-mining being the dominant industry. The district contributes more than 50 per cent of the total coal output in the country. Apart from sprawling coalmines there are a large number of small, medium and heavy industries (Fertiliser, steel, coke, naphthlene, coal-tar, firebricks, stone crushing, and engineering industrial units). Besides this, the working population in the area has been reported to be endowed with certain interesting characteristics.
Beginning from the less-informed and inarticulate casual labourers to highly vocal and radical labourers, the area has been reportedly humming with trade union activity - frequent strikes, gheraos, and violence. These characteristics relating to Dhanbad should stand the ensuing analysis in good stead.

Looking to the objectives of the present study necessarily many sources of information have to be enlisted. The major responsibility of maintaining industrial peace rests on labourers and their leaders, and management. Yet, mostly in the satisfactory resolution of disputes the labour department and police come into the picture. These five organisations are usually in constant interaction. With these considerations, the present study has included in the sample, respondents from management, trade unions, labour force, labour department and the police.

All the officers (covenanted functionaries such as junior executives, engineers, doctors etc.) from the industries have been included in the sample. Likewise, all the trade union leaders in the above-mentioned industries have been included in the sample. In the case of workers, a list has been prepared in accordance with muster-rolls or register of identity cards and 50 workers were picked up randomly from each sampled industry. Towards the other sub-sample of officials of the labour department all the officials belonging to both the state and the central departments have been included. Most of the officials are stationed at Dhanbad town and only 6 posted in mufissil areas. Initially it was planned to contact also those police officials who are with the intelligence
wing. These functionaries supposedly keep a constant tab on various socio-political developments in the area including trade union activities. But the Central Intelligence Bureau "Regretted its inability to permit contact with its officials in Dhanbad", for reasons better known to itself. Consequently, the sampling design focused itself on the officials working with District Executive Force (DEF). Following an experience survey all the officers SI and above ranks were included in the sample. As is well-known these police functionaries are posted at police stations (PS) all over the district.

Looking to the large number of industries the sampling technique has been adopted. As such, industries in Dhanbad have been stratified into (a) public (b) corporate and (c) private sector, on the basis of the lists supplied by the district industries office. One industry from each has been randomly picked up for study. In the case of coalmines the Bharat Coking Coal Ltd. (BCCL) has been selected. This has added problem to the sampling procedure: After nationalisation 214 mines have been grouped into 86 units, and these have been again distributed into 22 sub-areas; Again, for logistic and administrative convenience 22 SAS have been grouped under 5 Areas. For the sake of present investigation a coal mine in the 5th area and 20 SA was randomly selected. Thus the basic sample of industries comprises: (a) one corporation producing electrical goods, (b) two refractory industries and one coal-mine.
## Respondents

<table>
<thead>
<tr>
<th>Company</th>
<th>Management personnel</th>
<th>Trade union leaders</th>
<th>Workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Coal-mine</td>
<td>40</td>
<td>29</td>
<td>50</td>
</tr>
<tr>
<td>B Electrical engineering</td>
<td>5</td>
<td>19</td>
<td>48</td>
</tr>
<tr>
<td>C Fire brick I</td>
<td>6</td>
<td>19</td>
<td>47</td>
</tr>
<tr>
<td>D Fire brick II</td>
<td>3</td>
<td>-</td>
<td>35</td>
</tr>
</tbody>
</table>

Apart from the respondents mentioned above, the officials belonging to the State and Central labour departments, numbering 22 have been contacted. Also, the officers up to the rank of Sub-Inspector (SI) have been included in the sample (53).

Thus the total sample of respondents consists of:

- Management personnel: 54
- Trade union leaders: 67
- Workers: 180
- Labour officials: 22
- Police: 53
- Total: 376

## Data Tools

Keeping view the complexity of the problem and the diversity of the informants a number of tools have been used for collecting data. In the case of management people, trade union leaders and workers, interview technique has been adopted. The
interview schedule have been pre-tested and standardised during the course of an experience survey. The interview schedule for the management covers information areas such as: 1) demography 2) economic background 3) intra and inter union conflict 4) exploitation and coercion of labourers 5) bribing trade union leaders 6) support to strike 7) failure of strikes 8) violence 9) lathials 10) social security 11) police promptitude 12) awards by the labour department 13) political interference and the like. The interview schedule for trade union leaders covers following areas of information: 1) demography 2) trade union and political shifts 3) wage structure 4) payments 5) social security 6) strike breaking 7) informal intelligence 8) lathials (musclemen) 9) violence 10) intra and inter union conflict 11) security staff 12) police promptitude 13) bribe 14) awards in disputes and so forth. The schedule for workers incorporates: 1) demographic and social factors 2) trade union membership 3) shifts in membership 4) wage-structure 5) social security 6) threats, coercion, exploitation and violence 7) lathials 8) false strikes 9) failure of strikes 10) reasons for being a trade union member 11) intra and inter union conflict and the like.

The other tool, the questionnaire was found advantageous in the case of labour officials and police. The questionnaire for labour officials incorporates areas on: 1) demography 2) wage structure 3) payments 4) recognition criteria 5) Wage Board recommendations 6) social security 7) strike breaking 8) lathials 9) labour exploitation, coercion and violence 10) failure of
strikes 11) Government policies 13) police promptitude and so forth. Similarly, the questionnaire for the police respondents contains the items mentioned earlier, and in addition, source specific items. 1) types of duties 2) collection of intelligence 3) powers, arms, and ammunition 4) joint exercises with military 5) police-strength 6) identification and isolation of anti-social elements at the time of strike 7) equipment and the like. As planned, to facilitate the cross checking of information bits, nearly 70% of the questions have been kept common in the tools mentioned above (see appendices).

As industrial protests are a social phenomenon, to bring out the mechanism of protests at various stages, the case study method has been utilised. Towards this end extensive officials records have been consulted from managerial, trade union, police, and labour offices.

Besides, during the data collection the technique of systematic non-participant observation has also been used, so as to gain insight into protests. On the basis of tools and techniques mentioned earlier the data for the study have been collected during December 1974 to July 1975.

Analysis

The data thus collected have been categorised, coded in the light of hypothesis outlined earlier. Due to the largeness of the data and varied analysis plans they have been electronically analysed at Delhi University Computer Centre. First, codes have
been transferred on to the eighty column code sheets, and checked on the basis of which computer cards have been punched and verified. The computer programme used to analyse the data has been the S.P.S.S.G. Again the computer output has been verified, docatted and distributed in the light of hypotheses. These hypotheses have been grouped under chapters finally giving us the present report. The first and last chapters are introduction and conclusion. The setting of the study, Dhanbad, has been described in chapter two. Types of managements and the interaction between them and workers appears in chapter three. On the same lines chapter four deals with aspects relating to workers. Similarly, chapter five focuses on trade union leaders. The role of the police in industrial protests has been dealt with in chapter six. Chapter seven concerns with the political aspects of protests. And, the grievance redressal machinery has been delineated in chapter eight.