ANATOMY OF INDUSTRIAL DISPUTES

Industrial disputes in general are settled through the mechanism of collective bargaining at the initial stage. The failure of collective bargaining leads the disputes to the system of conciliation under the statutory compulsion. The Industrial Disputes Act 1947 under Section 2(K) defines the industrial dispute as "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 non-employment or terms of employment or with the conditions of labour of any person." \(^1\)

Also, by incorporating Section 2A in the Industrial disputes Act, 1947, a right has been given to an individual workman himself to raise an industrial dispute with regard to termination, discharge, dismissal or retrenchment of his service even though no other workmen nor any trade union(s) of workmen raised it (or) is a party to the disputes. The disputes filed by an individual workmen under Section 2A of the Act are also construed as Industrial disputes as per Section 2(K) of the Act.

The Supreme Court of India in the case of Standard Vacuum Refining Co. v. Their Workmen\(^2\) observed that the definition of 'Industrial Dispute' could be examined in the light of three factors:
i) the 'FACTUM' (real or substantive fact concerning the dispute)

ii) the PARTIES - to the dispute

iii) the subject "MATTER" - of the dispute

As a whole the following conditions shall exist.

- There shall be an industry (Section 2(j) of the Industrial Disputes Act, 1947)
- There shall be a relationship between employer and workmen.
- Shall be connected with trade, business, manufacturing, undertaking, calling or production of material good and services.
- The activity carried on to satisfy human wants and needs; however profit motive is immaterial.
- The dispute shall be between, employer and employer or employer and workmen or workman and workmen.
- The dispute shall be connected with employment, non-employment, terms of employment or condition of labour.
- The dispute shall be connected with a workman or a group of workmen which has a direct or substantial interest. However, for an individual disputes (Section 2A) the substantial support of workman or trade union is not essential.

**Genesis of Industrial Disputes**

No doubt, industrial disputes in any form will disturb the economic, social and political growth of a country. Industrial disputes, hamper
the growth of an industry at an initial stage, in due course will assume national proportions affecting the entire society at large. The industrial disputes in public utility services (essential service such as water supply, electricity, postal & telegraph, railways, roadways, hospitals etc.) not only result in huge wastages of mandays but also dislocate the entire public life and often push down the economy of a country out of control.

Since it is essential for a researcher to study and analyse the various causes for industrial disputes, through the secondary sources of data in the form of available reports (for ten years), Policy Notes of the Labour Department, Government of Tamil Nadu.

G.S. Walkins and P.A. Dodd have observed that industrial unrest is merely the manifestation of mal-adjustments which correlates the intricate relation of man to job, of management and of both to the broader aspects of the economic and political systems.

It is also learned from other studies that the behaviour of human beings at workspot when acting together, creates industrial disputes at various angles. It is obvious that when workers spend their lifetime in industrial premises, a varying quantum of dissatisfaction, and discontent are likely to occur. If the employers cut down their expenditure on labour to increase profit, the discontented workmen are forced to establish their rights by stopping the work in order to draw the attention of employers.
Economists classify industrial differences under two heads:

i) Differences about the 'fraction of wages' which include the reward for labour and hours of work.

ii) Differences about the demarcation of functions which include all disputes arising out of claims by workmen to a large share in the work of management.

Psychologists and Sociologists explain the differences between the two group of individuals (Managements - Workmen) as the products of various ego and social transactions, respectively. Social scientists have attempted to replace the classical model of the "economic man" by that of the socio-economic man".8

In general, industrial disputes in industries occur due to factors which are essentially economic. At times non-economic causes such as psychological, ideological and political factors too often play a major role in the genesis of industrial disputes.

The Hawthorne studies of Roethlisberger9 and the findings of Elton Mayo10 reveal that workers' contentment do not depend on the physical conditions under which they work or the amount of money they earn. Further, the studies express the fact that the workmen in an industrial organisation cannot be understood merely in terms of their urge to earn, but as a product of numerous mental factors.

Lack of proper communication between the management and workmen may turn into conflicts which may often manifest in the form of industrial disputes.11 Obviously the problem of discipline in
industry may also assume serious dimensions of labour unrest. The enforcement on disciplinary matters embitters human relations where there is no common aim between the discipliner and disciplined. Therefore, the origin of industrial dispute is not only the product of capitalistic approach, but also the "by-product" of psycho-sociological approaches on labour.

In the industrial arena, the employees normally expect higher wages, healthy working conditions, opportunity for development, job-satisfaction, protection against arbitrary treatment etc. The employers, on the other hand, expect good profit, less cost of labour, good discipline and industrial peace. Industrial disputes are possible only, when the expectations of both sides do not meet properly.\textsuperscript{12}

Even in developed countries like the U.K. and the USA, employees are less contented. This discontent is in part owing to greater education and awakening among them who now debate their true function and place in society and partly owing to the breaking up of personal bond between the employer and the employed. The causes of industrial disputes in developed countries are attitudinal rather than economic issues.\textsuperscript{13}

In India, the causes of industrial disputes are multipronged. During the pre-independence period (1901) there was a big strike in Bombay against the court judgment of six years imprisonment to Tilak. The workers participated in political strike against the trials of political leaders. Even after Independence, some strikes have occurred owing to the agitation of political parties on the issues of re-organisation
of States, National/State language etc. Besides these, low wage, demand for rise in dearness allowances, bonus, issues pertaining to leave, hours of work and other working conditions caused industrial disputes during the early stages of post-Independence period. Another significant cause for industrial unrest is the absence of adequate machinery for collective bargaining in India. In the recent years "suspicion" among the parties as per the view of Ilamathian E. has been one of the sources of industrial disputes. In this malignant growth of "suspicious attitude" neither the management trust the workmen/trade union, nor the workmen/trade union trust the management, which often reflected in the form of mal-treatment, victimisation, unfair labour practices, retrenchment etc. leading to industrial disputes.

The researcher, having reviewed the available literature, derived that the following variables attribute to the provocation of industrial disputes;

- Adverse economic and political system.
- Intra and inter-union rivalries.
- Unfair labour practices.
- Interpretations of various sections of legislative framework.
- Inadequate welfare measures.
- Excessive work load.
- Increased differences in sharing the gains of productivity.
Lack of human relations approach.

Unreasonable wages

Management attitude on labour.

Trade Union approach on management.

Maltreatment and wrong penalising.

Lack of proper machinery for collective bargaining.

Indiscipline among workmen.

Lack of close bond between workmen and management.

Illegal retrenchment, lay off and closures.

Illegal strikes and lock-outs.

Lack of proper policy on Trade Union recognition.

Lack of compulsion on the Act to register all Trade Unions under the Trade Union Act, 1926.

Absence of compulsory 'check off' system.

Duplication of or dual membership in Trade Unions.

External leadership in Trade Unions.

Multiplicity of Trade Unions in industries.

Selfish approach of Trade Union leaders.

Denial of workers right to organise, right to express.

Lack of involvement of workmen in activities of management.
- Declining work values and, work ethics.
- Declining trend in organisational commitment.
- Prevalence of weak organisational culture etc.

The National Commission on Labour (1969)\textsuperscript{15} observed that excessive legislation or legal complexities in regard to preservation of peace and settlement of industrial disputes, combination of too much law and too little respect for the law even at high levels, lack of necessary changes in the working of governmental machinery in accordance with changing needs and circumstances, inability of the trade unions to assume their responsibilities in a proper way, unhealthy trade union rivalry, growing personal differences among rank and file of labour and a tendency on the part of some employers/management of not giving due respect to internal leaders but to prefer to have discussion with outside leaders. Of late, the standard of discipline exhibited by the attitude and behaviour of workers in their dealing with the management has largely affected the status of industrial relations in any individual unit or whole of an industry in a region or regions. In several cases due to wrong leadership, a spirit of non-cooperation and apathy have developed. Often insubordination and disobedience among workmen are found to be on the increase. There has been a general tendency to criticise or oppose managerial policies or decisions even when they are in the right direction. Sometimes the management may itself be responsible for inducing workers to be
insubordinate. In either case a difference is bound to occur, leading to an industrial disputes.

In the Indian work situation, many causes as per the observations of NCL (1969) lead to industrial disputes and it would be very difficult to isolate one from the other. However, the researcher, in line with the classification of the Labour Bureau (Ministry of Labour Govt. of India) grouped all the variables attributable industrial disputes in six broad categories viz.

- Wages and allowances
- Bonus
- Retrenchment
- Working conditions (Personnel)
- Strikes and lockouts
- Other causes (Victimisation, maltreatment, etc.)

For a better clarity and understanding the researcher in this chapter has made an attempt to classify the types of industrial disputes.

**Typology of Industrial Disputes**

Industrial disputes, in growing complexity of causes and the difficulty in isolating one cause from other, often create confusion in conciliation procedure. It is essential to have an idea over the various facets of industrial disputes and arrive at a common typology. Industrial disputes
for the present study are brought under four broad types depending on issues involved relating to terms of employment; viz.

- Interest disputes (or) Economic disputes
- Grievance disputes (or) Legal disputes
- Disputes over unfair labour practices and
- Recognition disputes

**Interest Disputes (or) Economic disputes**

The disputes that arise out of deadlocks in the negotiations for a collective agreement are considered as interest disputes. This type of disputes relate to claims for new terms and conditions of employment, wage increase, the proposal for job security, fringe benefits or other improvements in terms of employment.

The interest disputes may often be prone to arguments on both sides of the parties. Arriving at a settlement in this kind of disputes involves the adoption of give-and-take policy on both sides, accommodation in the existing market-economy and compromise. The Conciliation Officer has to exercise considerable pains and employ tactful skill to bring about an amicable settlement in the case of economic disputes.¹⁷

**Grievance disputes (or) Legal disputes**

The disputes that arise from day-to-day worker’s grievances (or) complaints are considered as grievance disputes, which may also be
construed as legal disputes. These type of disputes afford some definite standards for settlement. The relevant provisions in the standing orders, collective agreement, employment contract, the legal provisions, judicial pronouncements etc. are to be considered for arriving at a settlement.\(^\text{18}\)

**Disputes over Unfair Labour Practices**

The disputes which arise from the act of interference with the exercise of the right to organise are considered as the disputes over unfair labour practices. The Industrial Disputes Act, 1947, vide Schedule V depicts the various items of activities of management and workmen constitute unfair labour practices [Section 2(ra)].\(^\text{19}\)

**Unfair Labour practices on the part of employers**

To interfere with, restrain from or coerce workmen in the exercise of their right to organise, from join or assist a trade union or to engage in concerted activities for the purposes of collective bargaining or other mutual aid or protection, that is to say;

- threatening workmen with discharge or dismissal, if they join a trade union;
- threatening a lock-out or closure, if a trade union is organised;
- granting wage increase to workmen at crucial periods of trade union organisation, with a view to undermining the efforts of the trade union.
To dominate, interfere with, or contribute support or otherwise, to any trade union that is to say:

- an employer taking an active interest in organising a trade union of his workmen; or

- an employer showing partiality or granting favour to one of several trade unions attempting to organise his workmen or to its members, where such a trade union is not a recognised trade union.

To establish employer-sponsored trade unions of workmen.

To encourage or discourage membership in any trade union by discriminating against any workman that is, to say:

- discharging or punishing a workman because he urged other workmen to join or organise a trade union;

- discharging or dismissing a workman because he took part in a lawful strike;

- changing seniority rating of workmen because of trade union activities;

- refusing to promote workmen to higher posts on account of their trade union activities;

- giving unmerited promotions to any workman with a view to creating discord amongst other workmen or to undermine the strength of their trade union;
- discharging office-bearers or active member of trade unions on account of their trade union activities.

To discharge or dismiss workmen;

- by way of victimisation;
- not in good faith, but in the colourable exercise of the employers' rights;
- by falsely implicating a workman in criminal case on false evidence or on connected evidence;
- for patently false reasons;
- on untrue or tramped up allegations of absence without leave;
- in utter disregard of the principles of natural justice in the conduct of domestic enquiry or with undue haste;
- for misconduct of a minor or technical character, without having any regard to the nature of the particular misconduct or the past record or service of the workman, thereby leading to a disproportionate punishment.

To abolish the work of regular nature being done by workmen and to give such work to contractors as a measure of breaking a strike.

To transfer a workman mala-fide from one place to another under the guise of following management policy.
To insist upon individual workmen, who are on a legal strike to sign a good conduct bond, as a pre-condition to allowing them to resume work.

To show favouritism or partiality to one 'set' of workers regardless of merit.

To employ workman as 'badlis', casuals or temporaries and to continue them as such for years, with the object of depriving them of the status and privileges of permanent workmen.

To discharge or discriminate against any workman for filing charges or testing against an employer in any enquiry or proceeding relating to any industrial dispute.

To recruit workmen during a strike which is not an illegal strike.

Failure to implement award, settlement or agreement.

To indulge in acts of force or violence.

To refuse to bargain collectively in good faith with the recognised trade unions.

Proposing or continuing a lock-out deemed to be illegal under the Act.

On the part of workmen and Trade Unions of Workmen

To advise or actively support or investigate any strike deemed to be illegal under this Act.
To coerce workmen in the exercise of their right to self-organisation or to join a trade union or refrain from joining any Trade Union, that is to say:

- for a Trade Union or its members to picketing in such a manner that non-striking workmen are physically prevented from entering the work places;
- to indulge in acts of force or violence or to hold out threats of intimidation in connection with a strike against non-striking workmen or against managerial staff.

For a recognised union to refuse to bargain collectively in good faith with the employer.

- To indulge in coercive activities against certification of a bargaining agent.
- To stage, encourage or instigate such forms of coercive actions as wilful "go slow" squatting in the work premises after working hours and "Ghero" of any of the members of the managerial or other staff.
- To stage demonstration at the residences of the employers or the managerial or other staff.
- To incite or indulge in wilful damage to employer’s property connected with the industry.
- To indulge in acts of force or violence or to hold out threats of intimidation against any workman with a view to prevent him from attending work.
Nearly sixteen items of activities on the part of the employers and eight items of activities on the part of workmen are listed as unfair labour practices, under the Industrial Disputes Act, 1947. But in practice, these listed activities are deviated for personal, economic and political gains by either of the parties, which constitute the major sources of industrial disputes.

**Recognition disputes**

The disputes over the rights of trade union to represent a category of workmen for the purpose of collective bargaining are considered as recognition disputes. In general, the recognition disputes, originate when the management refuses to recognise a trade union for the purpose of collective bargaining. As such, in India there is no central law to provide the guidelines for the recognition of trade unions. In Tamil Nadu the recognition of trade unions has no legal guidelines, however, the procedure laid down by the voluntary codes of discipline are adopted.

The observations and classifications of industrial disputes made in this chapter are pertinent for the analysis of the present trends in the settlement of industrial disputes in the course of conciliation.

**Trends in settlement of Industrial Disputes**

Among the other methods of settlement of industrial disputes, conciliation plays a pivotal role. It is a democratic method of settlement of industrial dispute where both the workmen and the
employer reserves their right to arrive at a settlement as stipulated under Section 12(3) of the Industrial Disputes Act, 1947. The Conciliation Officer helps the disputants resolve their differences and reach a mutual consensus. The NCL (1969)\textsuperscript{21} pointed out that the system of conciliation achieved a compulsory status over a period of 25 years in all disputes related to both public and non-public utility services, mainly because the adjudication is compulsory in the event of workmen, employer and the Conciliation Officer fail to arrive at a fair and amicable settlement of the disputes and also because of the right to raise a dispute on any issue by a rival union and the refusal of the employer to bargain with any or all the trade unions.

Industrial disputes in any form causing additional expenditure to the public exchequer. Manifestation of industrial disputes in the form of strikes and lock-out not only create law and order problem but also affect the industrial and economic life of both workmen and employers\textsuperscript{22}.

Further, industrial disputes in the form of strikes and lock-outs are a great menace to public life. Even when the disputes are settled, the bitterness and strife continue to linger endangering cordial social relations. In the case of strike or lock-outs in public utility services, the Trade Union(s) employer, inter alia forward a copy of the notice of strike/lock-out to the Conciliation Officer having jurisdiction over the area. It is the compulsory duty of the Conciliation Officer to commence the conciliation proceedings and intervene in the dispute between management and the workmen. During the pendency of
conciliation proceedings or within 7 days after the conclusions of the conciliation proceeding any form of strike or lock-out will be illegal. In a way strike/lockout in public utility services will be illegal as per the provisions of Industrial Disputes Act, 1947. In all other situation the management and workmen are free to seek the intervention of conciliation machinery, the Conciliation Officer is also free to intervene as per his discretionary powers stipulated in the Act.

In Tamil Nadu, the industrial disputes in the form of strikes and lock outs resulting in huge mandays loss are analysed and presented here (Table 1)

Table 1: Number of strikes/lockouts and the mandays lost in industrial disputes, Tamil Nadu 1988-89 to 1997-98

<table>
<thead>
<tr>
<th>Year</th>
<th>No of Strikes &amp; Lockouts</th>
<th>Workmen involved</th>
<th>Man-days lost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1988-1989</td>
<td>186</td>
<td>75,853</td>
<td>23,16,925</td>
</tr>
<tr>
<td>1989-1990</td>
<td>265</td>
<td>1,35,548</td>
<td>25,65,078</td>
</tr>
<tr>
<td>1990-1991</td>
<td>180</td>
<td>2,58,162</td>
<td>72,78,969</td>
</tr>
<tr>
<td>1992-1993</td>
<td>243</td>
<td>1,04,403</td>
<td>24,22,103</td>
</tr>
<tr>
<td>1993-1994</td>
<td>212</td>
<td>58,406</td>
<td>16,65,495</td>
</tr>
<tr>
<td>1994-1995</td>
<td>141</td>
<td>37,674</td>
<td>9,10,947</td>
</tr>
<tr>
<td>1995-1996</td>
<td>186</td>
<td>48,569</td>
<td>16,53,047</td>
</tr>
<tr>
<td>1996-1997</td>
<td>225</td>
<td>77,863</td>
<td>20,97,870</td>
</tr>
<tr>
<td>1997-1998</td>
<td>230</td>
<td>70,403</td>
<td>30,55614</td>
</tr>
<tr>
<td>Total</td>
<td>2,105</td>
<td>10,41,749</td>
<td>2,68,37,520</td>
</tr>
</tbody>
</table>

Source: Office of the Commissioner of Labour, Govt. of Tamil Nadu, Chennai
The figures reveal that the industrial disputes manifested in the form of strikes and lock-outs have remained more or less static with little fluctuations, except during the year 1991 and 1995. From the year 1996, an ascending trend is evident from the histogram (diagram 5). Only in the year 1990 the number of strikes and lockouts reached the maximum number during the past decade. (1988-89 to 1997-98)

Diagram 5: Histogram showing the strikes and lockout (Tamil Nadu 1988-89 to 1998)

Though the number of strikes and lockouts were comparatively lesser during 1991, the total number of workman involved reached the maximum number of 2,58,162 and the mandays lost worked out to 72, 78 and 969 which was the highest during the decade.

Eventually, due to strikes and lock-outs of the past decade (1988-89 to 1997-98) numbering 2105 resulting in total mandays loss of 2,68,37,520 affecting the 10,41,749 workmen in toto. The
highest mandays lost occurred only in 1990-91 (72,78,969); followed by 30,65,614 man-days lost during 1997-98.

**The duration of the disputes**

The average duration of industrial disputes due to strikes and lockouts are worked out (in the Table 1) by dividing the total man days lost by number of workmen involved. The following table (Table 2) shows the time lost (or) the time taken per strike and lockout. The trend may be hypothetically derived that shorter the duration of the disputes the greater the effort put forward by the conciliation mechanism to restore normalcy. The table 2 given below reveals that a workman involved in the industrial dispute of strike and lockout remained off the job for an average of 27 days.

**Table 2: Average duration of strikes and lockouts in Tamil Nadu (1988-89 to 1997-98)**

<table>
<thead>
<tr>
<th>Year</th>
<th>No of workmen Involved</th>
<th>Mandays lost</th>
<th>Average duration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a)</td>
<td>(b)</td>
<td>(c)</td>
</tr>
<tr>
<td>1988-1989</td>
<td>75,853</td>
<td>23,16,925</td>
<td>30.55</td>
</tr>
<tr>
<td>1989-1990</td>
<td>1,35,548</td>
<td>25,65,078</td>
<td>18.92</td>
</tr>
<tr>
<td>1990-1991</td>
<td>2,58,162</td>
<td>72,78,969</td>
<td>28.20</td>
</tr>
<tr>
<td>1992-1993</td>
<td>1,04,403</td>
<td>24,22,103</td>
<td>23.20</td>
</tr>
<tr>
<td>1994-1995</td>
<td>37,674</td>
<td>9,10,947</td>
<td>24.18</td>
</tr>
<tr>
<td>1995-1996</td>
<td>48,569</td>
<td>16,53,047</td>
<td>34.04</td>
</tr>
<tr>
<td>1996-1997</td>
<td>77,863</td>
<td>20,97,870</td>
<td>26.94</td>
</tr>
<tr>
<td>1997-1998</td>
<td>70,403</td>
<td>30,55,614</td>
<td>43.40</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10,41,749</strong></td>
<td><strong>2,68,37,520</strong></td>
<td><strong>274.40</strong></td>
</tr>
</tbody>
</table>

Average duration - 27.44
The trend of settlement of industrial disputes, more particularly in the case of strikes and lock-outs, reflects a tendency of increase and decrease in the average duration. However, the trend reveals a steep increase in the average duration (43.40) during the year 1997-98, which is comparatively higher than the average duration of strikes and lockouts, in the previous years. The reasons may be attributable to the attitude of workman/trade Union (or) the managements or the efforts of Conciliation Officers or due to the socio-economic and political trend of the State, in general.

Cause-Wise Analysis

The Industrial Disputes manifested in the form of strikes and lock-outs may have one or more causes. It is difficult to explore the non-economic factors which are responsible for the genesis of industrial dispute. In fact, the economic factors coupled with non-economic and political factors, collectively lead to strikes and lock-outs, in industries. As discussed earlier, an analysis of industrial disputes which lead to strikes and lock-outs, are made from the available secondary sources of data for the period from 1992-93 to 1997-98. The Table 3 shows that the economic factors such as wages, allowances and bonus have been responsible for most of the strikes and lock-outs. It reflects the absences of definite wage policy in the state. There is a "lag" between the wage and cost of living, management and workmen attitude on wages.
The other factors responsible for industrial strikes and lock-outs such as retrenchment and other punishments are insignificant when compared to economic factors-wage and bonus. Since 1992-93 there has been an increasing trend on bonus issues causing industrial disputes. The percentage of bonus causes rose from 14.88 (1992-93) to 32.17 (1997-98). However, the other causes (victimisation, and also maltreatment and other unknown factors) were high (51.25%) during the year 1992-93. But slowly, there has been a decreasing importance for other factors since 1993-94 to 1997-98. It is evident from the Table 3 that there has been an increasing trend on the bonus and wages issues which are responsible for strikes and lockouts in the State. The conciliation machinery should be suitably tuned to the changing need of the day. Besides this, uniform wage and bonus Policy may be introduced by the Government to prevent such industrial disputes and thus build up a strong base for industrial peace in the State.


<table>
<thead>
<tr>
<th>Year</th>
<th>Wage &amp; Allowances</th>
<th>Bonus</th>
<th>Retrenchment</th>
<th>Personnel</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of Disputes</td>
<td>%</td>
<td>No. of Disputes</td>
<td>%</td>
<td>No. of Disputes</td>
</tr>
<tr>
<td>1992-93</td>
<td>64</td>
<td>26.45</td>
<td>36</td>
<td>14.88</td>
<td>2</td>
</tr>
<tr>
<td>1993-94</td>
<td>90</td>
<td>42.45</td>
<td>28</td>
<td>13.21</td>
<td>—</td>
</tr>
<tr>
<td>1994-95</td>
<td>49</td>
<td>34.75</td>
<td>33</td>
<td>23.40</td>
<td>18</td>
</tr>
<tr>
<td>1995-96</td>
<td>47</td>
<td>25.27</td>
<td>43</td>
<td>23.12</td>
<td>9</td>
</tr>
<tr>
<td>1996-97</td>
<td>68</td>
<td>30.22</td>
<td>61</td>
<td>27.11</td>
<td>1</td>
</tr>
<tr>
<td>1997-98</td>
<td>57</td>
<td>24.78</td>
<td>74</td>
<td>32.17</td>
<td>12</td>
</tr>
</tbody>
</table>

Total

Source: Office of the Commissioner of Labour, Government of Tamil Nadu, Chennai
### Table 4: Industrywise analysis of strikes and lockouts in Tamil Nadu (1988-89 to 1997-98)

<table>
<thead>
<tr>
<th>Year</th>
<th>TEXTILES</th>
<th>ENGINEERING</th>
<th>TANNERIES</th>
<th>TOBACCO &amp; BEEDI</th>
<th>PLANTATION</th>
<th>OTHERS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of strikes &amp; lock outs</td>
<td>Workmen involved</td>
<td>Man days lost</td>
<td>No. of strikes &amp; lock outs</td>
<td>Workmen involved</td>
<td>Man days lost</td>
</tr>
<tr>
<td>1988-89</td>
<td>90</td>
<td>25,039</td>
<td>8,48,478</td>
<td>37</td>
<td>11,392</td>
<td>6,28,803</td>
</tr>
<tr>
<td>1989-90</td>
<td>159</td>
<td>96,265</td>
<td>12,02,773</td>
<td>31</td>
<td>14,278</td>
<td>5,29,635</td>
</tr>
<tr>
<td>1990-91</td>
<td>81</td>
<td>2,22,988</td>
<td>59,35,753</td>
<td>21</td>
<td>3,933</td>
<td>2,14,847</td>
</tr>
<tr>
<td>1991-92</td>
<td>149</td>
<td>1,07,516</td>
<td>13,99,710</td>
<td>24</td>
<td>7,345</td>
<td>3,06,259</td>
</tr>
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<td>1992-93</td>
<td>148</td>
<td>74,157</td>
<td>12,62,052</td>
<td>25</td>
<td>8,991</td>
<td>3,01,116</td>
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<td>1993-94</td>
<td>127</td>
<td>33,110</td>
<td>9,49,397</td>
<td>16</td>
<td>2,144</td>
<td>1,22,264</td>
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<td>1994-95</td>
<td>79</td>
<td>18,293</td>
<td>5,36,689</td>
<td>5</td>
<td>4,016</td>
<td>42,410</td>
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<td>1995-96</td>
<td>108</td>
<td>31,749</td>
<td>6,27,267</td>
<td>7</td>
<td>606</td>
<td>12,133</td>
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<td>1996-97</td>
<td>139</td>
<td>39,976</td>
<td>12,49,784</td>
<td>18</td>
<td>3,382</td>
<td>99,139</td>
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<td>1997-98</td>
<td>108</td>
<td>30,835</td>
<td>12,58,492</td>
<td>20</td>
<td>3,222</td>
<td>2,66,571</td>
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</table>

**Total** 1188  203  622
The table 4 highlights the break-up of industrywise strikes and lock-outs for the period 1988-99 to 1997-98 in Tamil Nadu. The table reveals that the number of strikes and lock-outs is comparatively higher in textile industries. The total mandays lost due to strikes and lock-outs during the year 1990-91 (72,78,969) is attributable to the issues involved in textile industry (59,35,753). It works out to 81.55% of total mandays lost during that period.

The strikes and lock-outs in engineering industries show a declining trend except during the year 1996-97 and 1997-98, where the number of mandays lost also substantially increased. In tanneries the mandays lost due to strikes and lock-outs was high (1,07,787) only during the year 1996-97. In tobacco and beedi industries the strikes and lockouts were minimum (10) and the mandays lost was high (22,000) during the year 1989-90. With regard to strikes and lockouts in plantations, the table 4 reveals the highest mandays loss (2,84,442) during 1997-98. However in other industries too an increasing trend of mandays loss is observable from the table.

The following Pie diagram (Diagram 6) depicts the industrywise breakup of total number of strikes and lockout witnessed during the last decade. (1988-89 to 1997-98).
It is evident (from the table 4 and diagram 6) that the industrial disputes manifested in the form of strikes and lockouts are more prevalent in textile industries and resulted in the huge loss of mandays, which is causing concern for the management, workman and to the society at large. Intervention of state labour administration in handling industrial disputes more particularly in textile industry was found to be inadequate.

In the present context of liberalisation, globalisation, privatisation and modernisation, the State conciliation mechanism should adequately concentrate to resolve the differences between the management and workmen, keeping in mind the trend of industrial disputes.
The Industrial disputes in the form of strikes and lock-outs in Tamil Nadu for the period 1989 to 1998 have remained more or less static with little fluctuations. However from the year 1996 onwards, it reflects the ascending trend.

The mandays lost due to strikes and lockouts during 1997-98 was worked out as 30,55,614, which was the highest since 1991-92. Indeed, during the year 1990-91 the figure was 72,78,969, which was an abnormal one during the decade.

Further, the study observes an average duration of strike and lockout in Tamil Nadu during the decade (1989-1998) works out to be 27.44 days. Again the average duration of the period of strikes and lock-outs is found high during the year 1997-1998 (i.e.) 43.40.

The causewise analysis reveals that the economic factors are found to be one of the major causes, whereas the non-economic factors are found to be insignificant.

The textile industry is more prone to strikes and lockouts in Tamil Nadu. The mandays lost due to strikes and lockouts in Textile industries works out to be 81.55% which is comparatively higher than other industries.

Therefore, attention of the Government is sought to minimise the strikes and lockouts, the duration of mandays loss, more particularly in textile industry.
2. AIR 1960 SC 948


18. Ibid


