CHAPTER – VIII

CONCLUSIONS & SUGGESTIONS

The fundamental factors in determining strikes are primarily dependent on social, economic and political conditions in which workers live and act and also on the attitude of the employers and state towards the workers. The nature of strikes like many other institutions is going, through evolutionary changes, taking on new forms and assuming new meanings. We have seen what has been happening to it in U.K. and U.S.A apart form our country.

The definition, of strike as given in section 2(q) of the Act does not require that the strike should be in furtherance of an industrial labour dispute, with the result sympathetic strikes and 'political strikes also fall within this definition. 'Partial cessation of work' is not included in the definition of strike. The term 'person' appearing in the definition is a source of uncertainty and it is to be replaced with the term 'workman' defined under 2 (s) of the Act to remove ambiguity. The strike should be in pursuance of an industrial demand and in the process of achieving collective bargaining with the employer or group of employers. The strike is the most potent weapon possessed by labour to force its demand upon the employer. Skillful
use of this weapon, threatened or actual may help one party to force the other to accept its demands or at least to concede something to them. The economy is for more capital intensive than in the past. The cost of strikes have gone up. The economic stringency has reduced the severity of strikes. With the diminution of strategic strikes, there has been a growth in the number of small protest strikes. The strikes as an effective weapon of collective bargaining is slowly losing its importance. The strikes are a vital safety valve. There can be no question of banning them. Taking away this weapon may only force the discontent to go underground and lead to other forms of protests which may be more injurious.

It is pity to note that so far India has not ratified the two ILO conventions namely. The Freedom of Association and protection of the Right to Organise Convention No.87 of 1948 and the Right to Organise and Collective Bargaining Convention No.93 of 1949. This means that India is slowly getting isolated on a very important issue of putting industrial relations on a more keen level. Giving the due and correct place, to freedom to strike, may still bring a sea change in the system of industrial relations and the ushering in of the collective bargaining may find solutions to long desired goal of achieving industrial democracy in India. The National Commission on Labour in its report has opined that collective bargaining cannot exist without the right to strike and the supreme court of India and the
place which strike or lock-out should have in the overall scheme of industrial relations needs to be defined. The right to collective bargaining has been greatly impinged by compulsory adjudication which leaves little chance or scope for collective bargaining in the industry.

The employer's strength is superior to that of the workers, although the latter are organised into trade unions and the recognition on the part of the state of the right to strike confirms the need for balance between the two sides as a means of effective social justice. Right to strike is sacred and inviolable. It is one of the most valued rights of workers. The right to strike has been specifically recognised in the Constitutions of many countries which have accepted collective bargaining as a method of solving industrial conflicts. The Right to strike is not absolute in India, U.K. and U.S.A. Reasonable restrictions have been imposed on this right. It has been thought necessary to place a restriction on the absolute freedom to embark on industrial action. Right to strike is not a fundamental right under the Constitution of India. The decisions in All India Bank Employees Association v The National Industrial Tribunal Bank Disputes Bombay and Kameswar Prasad v State of Bihar made it clear that there is no such a thing as a fundamental right to strike. Strikes should be used only as a last resort when all other avenues have proved futile and they cannot be punished as
long as they are used in a restrained, peaceful manner for good and justifiable reasons.

Although the right to strike is not a fundamental right, it has been recognised by necessary implications in the industrial legislations in India and express statutory provisions under the Industrial Disputes Act have been made for the purpose of regulating it. It is a recognised weapon to be resorted to by workers for ascertaining their bargaining power and for backing up their collective demands upon an unwilling employer. Restrictions should only be placed on the right to strike, where there are adequate safeguards and alternatives for the expeditious and effective settlement of disputes. The industrial jurisprudence of India will enter a new era if the constitutional protection is afforded to workers right to strike as a fundamental right. There will be effective collective bargaining if the right to strike is recognised as a fundamental right. There are remarkable similarities in the right to strike in India, U.K. and U.S.A. In these countries, the problem of special emergencies have attracted the attention of legislatures and courts and hence the prohibitions on the right to strike. Think that one can organise a union and one can achieve collective bargaining without the concomitant right to strike would be to talk about these rights only in the air without considering the reality in which these rights are to operate. The exercise of right to strike is a legitimate step in a labour dispute and is
generally admitted as an integral part, of the general right of workers and their organisations to defend their economic interests.

Taking away this weapon general right of workers and their organizations to defend their economic interests. The working class has indisputably earned the right to strike as an industrial action after a long struggle, so that the relevant industrial legislation recognises it as their implied right. There are many causes for which the workers resort to strikes and the most sensitive issue among them is the wage structure and increase in prices. Payment of bonus, better conditions of service, compensation claims, regulating employment, recognition of unions, victimisation and unfair labour practices on the part of employer, to show sympathy to others on strike etc., are the various other causes for which the workmen go on strike. Whatever may be the cause, an industrial strike injures not only the party against whom it is directed, but also the party which initiates it and the society as a whole. The larger the number of workers, involved, the longer the duration of the strike and the more essential a commodity or service, the workers involved, the longer the duration of the strike and the more essential a commodity or service, the more widespread will be the effects of strikes. Strikes in India have had in most cases, political overtones and have not always been a trial of economic strength. Very often, a strike decision is not taken in a democratic way, it is generally determined by the keymen
who normally do not have legal back ground. The strike weapon penalizes every one and it has an appreciable effect upon the economy in general. The public will be put to hardship wherever the employer and the workers are locked up in a struggle. The new realities demand a closer perspective of the nature and magnitude of the impact of strike activity on economic development. The workmen while going in for industrial action do not bother about the consequences that follows. There is a need to evolve expeditious and efficacious machinery to resolve strike cases. The need is felt all the more to cut down the long delays of timesome litigation process. Ours is a developing economy and needs techniques of avoiding litigation and having resort to non-litigative mechanisms. It will help the workers, the employers, the industry and the nation. Strikes are not inherently unlawful of illegal, in India it is not the object which makes a strike illegal, it is the breach of statutory provisions which render certain industrial strikes illegal. A strike irrespective of its objectives becomes illegal if 14 days notice as required under the Industrial Disputes Act, 1947 is not served. On the other hand, a strike is not declared illegal if mandatory provisions are not contravened even if the object or purpose of the strike is unlawful. The question of the object comes into light to determined the aspect of justifiability or unjustifiability. In order to regulate strikes, the legislature has taken special care and declared certain strikes illegal if they contravene the provisions under the Industrial Disputes Act. The judiciary has made
attempts to classify the strikes as justifiable or unjustifiable. The reasons that illegal strike provisions have not succeeded in curtailing work stoppages is that penalties have been very sparingly used imposed. The distinction between justified and unjustified strikes has been established not by legislature but by the Industrial Tribunal and the Courts. Thus justifiability and unjustifiability of a strike is a judicial creation. Section 24 of the Industrial Disputes Act, 1947 provides that strikes would be illegal' only when they have been resorted to in contravention of the mandatory provisions of Sec.22 and Sec.23, or when they are in defiance of the order made under sub-sec.(3) of sec. 10 or 4(A) of Sec. 10A of the Act. The law has made a distinction between a strike which is legal and one which is not, but it has not made any distinction between an illegal strike which may be said to be justifiable and one which is not justifiable. In the absence of clarity and legal explanation as to what are unjustified strikes, it is necessary that this category of strikes should be properly defined and identified. Leaving this question entirely to the courts would allow, the present state of confusion to persist, again leading to denial of the freedom of strike to the workmen. A clear cut identification of situations wherein the strike is unjustified' would put the workmen on guard before resorting to a strike. It is unfortunate that the judicial trends are adding to the prevailing confusion. For instance inconsistent pronouncements, frequent changes in interpretation, over zealous emphasis on socio-economic notions and value
based decisions divorced from the objects and scheme of legislation are some of the prominent features of our Industrial adjudication. While it is an accepted principle of industrial adjudication that workmen own 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 paralyzed and brought to a stand still by an illegal strike inspite of the legal steps being taken by the management to resolve the conflict. The penalty provisions under the I.D. Act. 1947 are also not exhaustive. Penalties wherever applicable should be imposed. Otherwise- mere retention of penalty provisions not. Being invoked, is likely to reduce them. Penalty should be imposed on the employers, if it is proved that the strike was resorted to due to unfair labour practice or high handed action of the employer. The legislative and judicial processes have promises to keep if positive industrial peace in tune with distributive economic justice and continuity of native production were, to be accomplished. Though the appropriate government is vested with the discretionary power to prohibit the continuance of any strike, yet it should be extensively used in order to prevent the continuance of the dislocation caused to the life of the community by strikes. The whole system needs a creative change keeping in view the changing trends.

Disputes relating to certain essential services had received the
attention and proposals to restrict the right to strike, either of certain group of workers or where the industrial action has certain consequences have been initiated. It is evident from the legislative history of labour laws that restrictions upon strikes arose because of their excessive use by the unions. Strikes are prohibited in essential services which are connected with national defence or supply of basic necessities to the public. The legal control of strikes in India has its genesis in the Trade Disputes Act. 1929. Every strike should be deemed to be legal until it is proved that it was unjustified or illegal. This approach would help the parities to know where they stand. When the battle lines are drawn and it would hardly help, as we have seen to drag the workmen to the court to declare a strike unjustified, and deny them the wages when the conflict is resolved to the satisfaction of all.

The facts of the case and the circumstances which led to the dispute have, been taken into account by the judiciary in deciding whether to award strike pay or not. A perusal of the various cases until the year 1990 go to show that the strikers are entitled to strike pay depending upon the legality and justifiability of the strike. But in the year 1990 the Supreme Court in the case of Bank of India v T.S. Keiawala had made a complete departure from earlier precedents and formulated the rule of no work - no pay. Whether the strike is legal or illegal the workers are liable to lose wages for the strike period. This approach of the court is not desirable. Out right
denial of wages even in cases of legal and justified strikes strictly tantamounts to denial of the right to strike. Social security measures for workers being conspicuous by their absence and lack of resources by the trade unions are some of the aspects to be looked into before denying the wages for the strike period. The strike pay is desirable if the strike is legal, justified and the workers sought help of the redressal mechanism available under law before resorting to strike.

Taking into view, the strikes by government employees, reasonable restrictions have been imposed upon them so that general public are not put to great inconvenience and there is no dislocation in normal civic life. There were instances when ordinances were promulgated imposing ban on strikes by government employees with penal sanctions. The time has come to realize that strike by government employees is basically labour management problem and deserves a treatment of that nature although there is a close association of employees resort to strike. In the beginning the government refuses to accept their demands and promptly bars the strike and issues a communique stating that the employees will be liable for disciplinary action. After protracted and delayed bargaining, they partially accept the demands and finally after cessation of strike, the action taken and the punishment imposed are usually withdrawn. This reflects an absence of clear cut policy on strikes, on the part of government and the ultimate result is the employees
going on sporadic strikes resulting in the administration being paralysed and the pace of planning and development disturbed. A potent cause for strikes has been the existence of disparity in emoluments between the central and the State Government employees. Whether a strike should be prohibited in one form or another according to the categories of employment in the government service is a matter within the discretion and powers of the government as an employer framing rules. Even though when a government employee participates in a prohibited strike he cannot be summarily dismissed until the procedure provided under Article 311 of the constitution is followed and principles of natural justice observed.

Strikes are inevitable in an industrial society. The frequency and intensity of strikes can be reduced, but it is not possible to abolish them altogether. The government may be justified in prescribing a particular code of conduct to be observed by the workers before they resort to strike, yet putting a blanket ban on the right to strike cannot be justified on social, moral, psychological, ethical, economic and other considerations. Appropriate grievance procedure, workers participation, job-satisfaction, profit sharing etc., can go a long way to reduce industrial conflicts. The government is more often that not practical to the unions affiliated to the ruling party. The law of strikes as talked about in the Industrial Disputes Act, 1947 has failed to provide a functional approach. Moreover neither the
industrial adjudication nor industrial law has evolved a rational synthesis between the conflicting claims of the employees and the employers to resolve impasse and avert strikes and lock-outs, undue delay to resolve industrial disputes by the courts is another discouraging factor which is to be looked into. There is a need to settle the disputes outside the courts i.e., at the bargaining table so that time and money are saved and bitterness and mistrust be avoided. Collective Bargaining is to the promoted rather than to, sharpen the tools of repressions.

Industrial law in India has not fully lived up to the current challenges of industrial life and the responsibility for this lies on the state by providing a healthy and balanced law which will not only benefit the workers but it will equally benefit the industry, the employers and the society at large.

During the last few years, the character of strikes has perceptibly changed. New innovations in this field have tended to restrict their length and size-in conformity with changing atmosphere. The economy today is far more capital-intensive than in the past. The costs of strikes have gone up. The economic stringency has reduced the severity of strikes. With the diminution of strategic strikes. There has been a growth in the number of small protest strikes. The strike as an effective weapon of collective bargaining is slowly losing its importance. The trade unions have also modified their traditional techniques of struggle. Now strikes are more like
demonstrations than wars. The innovations include intermittent strikes walkouts and protest strikes of short durations. Thus Strike has become a strategic weapon. These considerations lead us to conclude that a change in the basis of conflict is more a change of levels in the context of conflict than a shift towards its disappearance.

Strikes are a dramatic and fascinating aspect of industrial relations and consequences of strikes must be the focal point of any analysis of industrial relations system at work. Consequences of strikes are not confined to particular workers and employers concerned but they spread far and wide. Strikes have an appreciable effect upon the economy of the country in general. The economic effects work themselves out in a year or so, but legal sociological and political effects persist for considerably a long time and affect the worker, the union, the employer, the state and the society. The analysis in the preceding pages shows that no area of industrial law is more sensitive and delicate than of strikes. The law of strikes as talked about in the Industrial Disputes Act 1947, has failed to provide a functional approach. Therefore no sophisticated legal system of industrial jurisprudence has developed nor finer case law on strikes has emerged in India. Moreover, neither industrial adjudication nor industrial law has evolved a rational synthesis between the conflicting claims of the employees and the employers to resolve impasse and avert strikes and lockouts. Undue delay to resolve
industrial disputes by ht courts is painful for all lovers of industrial democracy. Early finality and prompt remedy in a sensitive area, where quick solutions is of the very essence of real justice\(^1\) must be the rule rather than the exception. The role of the Supreme Court in this vital areas has been none too encouraging. This may readily be observed from the recent decision in Rohtas Industrial case, where the strike took place in Sep. 1957, was finally resolved by the Supreme Court on 18\(^{th}\) Dec. 1975. Mr. Justice V.R. Krishna Iyer observes in this context.

"And the only survival after death as it were is a diehard litigation tied up to a few jeal points for adjudication by the highest bench and further his lordship states, By this cumulative lapse of time the generation of workers who struch work two decades age have themselves all but retired\(^2\)"

The result is that very few cases of resolving strikes go to courts. In other words strong trade unions have always preferred to resolve strikes at the bargaining table than in the Court-rooms.

There is also a need to settle disputes outside the courts. It will save time, money and avoid bitterness and mistrust. There cannot be two opinions that Industrial peace best flourishes where non-litigative mechanisms come into cheerful play before tensions develop or dispute brew speaking further


\(^2\)Ibid at 427. The cases was heard 12 years after the grant space leave.
in the *Mumbai Kamgar Sabha Case*³ Mr. Justice V.R. krishna Iyer opines. alternatives to the longish litigative process is a joyous challenge to Indian activist jurist and no field is in need of role of avoidance as a means of ending or pre-empting disputes as industrial life. Litigation, whoever wins or loses is often the funeral of both. We are developing country and need techniques of maximizing mediatory methodology as potent process even where litigation has erupted.⁴

The quest for innovative procedures to resolve labour disputes continues in the various countries. Task force, commissions, and legislative bodies have been involved in one way or the other in the search and hopeful results are expected. Conflict is one of the substances out of which human society built and is a fundamental aspect of the dynamism of a progressing society. In every system there are tensions and conflicts, and it effective steps are not taken to find a quick solutions, they may lead to the outbreak of a strike. "A strike is not a confrontation between the workers and the State but a trade dispute between workers and management. It should be regarded as such and the power of the State should not be used to break it."⁵

*Strikes should not be taken as challenges to management. They are merely symptoms of accumulated injustice. Treating symptoms rarely reaches the*

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³ The Mumbai Kamgar Sabha. Bombay. M/s. Abdul Faizullah & others at 33 Cyclosyes Judgement delivered as lalte as 10-3-1976 yet un reported.
⁴ Ibid at 34
roots of the disease. Suppressing strikes does not cure social unrest but probably increases it. Strikes are always regrettable but not always reprehensible. Until the social millennium is attained, they will continue to occur and will sometimes be necessary both as direct defence against injustice and oppression. To try to crush strikes by force on the supposition that they are politically motivated will amount to playing in the hands of wrong elements. Today there is a need for labour management relations to assume a new dimension. There is also a need on the part of the State to contribute in positive ways to the building of a viable economic society. Right to strike, though legally protected is far from absolute. It is extensively regulated in India, Australia and U.K. The recognition of the right, to strike confirms the need for maintaining a reasonable balance of power between the workers and employers, as a means of effective social justice.

The current thinking of the State particularly during emergency indicates towards banning the strikes or making them illegal altogether. The strikes, it is suggested are a vital safety value. They cannot be suppressed without causing severe repercussions that will be every bit bad.

Though the Govt. may be justified in prescribing a particular code of conduct to be observed by the workers before they resort to strike yet putting

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6 Dorsen Waste in Industry (1921) at 314.
a blanket ban on the right to strike cannot be justified on social moral psychological ethical economic and other considerations. It may be well believed that such measures shall not disturb the equilibrium which is so essential for the success of collective bargaining system.

However, the trade union movement will not agree to the banning of strikes. It will always insist on keeping the weapon in its hands. To make strikes completely illegal would be regarded as intolerable both from the point of view of taking away liberty and because strikes cannot be prevented merely by suppression and if suppressed may find expression in much destructive ways.

It is however submitted that banning of strikes through legislative fact is neither desirable nor practicable. Even the attempts to ban strikes have been unsuccessful in Japan and other Western Counties. It is only in communist and dictatorial Countries that workers are denied the right to strike. This is no small lesson for our industrial sociologists and labour experts.

On the other hand neither workers nor unions like strikes for they always lead to financial and other losses. But there must be effective alternative channels for securing justice and redressal of grievances. It is

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only where these do not function properly that workers resort to strike and other varied tactics. Those entrusted with the task of shaping industrial policy must recognise this part of the situation. Instead of thinking in terms of rendering strikes unnecessary. It is more fruitful to promote collective bargaining than to sharpen the tools of repression. Such a repression cannot be dispensed with but it is peripheral to the main purpose of industrial law which is to redress any disequilibrium of power. There must be in the first place be done by regulating its normal exercise, and only in the second place suppressing its misuse.

As we have seen that consequences of strikes spread far and wide and workers suffer financial losses. It has also been seen that the United States and United Kingdom have developed a strike subsidy theory to assist and help the striker being the weaker side. In view of the developments in these countries, a great need is felt development such a subsidy in country like ours where the worker is ill-organised, ill paid and ill-fed, This is all the more essential where State is the employer. State must make a beginning in this direction and set an example for other industries to follow. In India no tangible headway has been made to reform the law relating to strikes and lock-outs notwithstanding the recommendations of great magnitude of the National Commission on Labour. This is amplified by the judgment of Supreme Court. Justice Krishna Iyer speaking for the Court observes
Industrial law in India has not fully lived up to the current challenges of industrial life both in the substantive norms or regulations binding the three parties—the State Management and labour. Metamorphisation of the whole area of labour law especially of Industrial conflict is the pertinent need of the hour to adjust the present day set up suit its rapid growing requirements in its national context. A healthy and balanced law will not only benefit the industry the employers and the society at large. The responsibility for this squarely rests on the State. We must learn from the experiences of USA and UK. Stressing the importance for reform Krishna Iyer J. further in the instant case says.

The legislative and judicial process have promises to keep it positive industrial peace in tune with distributive economic justice and continuity of active production were to be accomplished. The architects of these process will we hopefully expect, fabricate, creative changes in the system normative and adjectival.

In the words of Norman Selwyn, "The law can be seen as a pendulum which will only settled down when conditions are reached where the requirements of the worker, the union, the employer, the State and society can be reconciled."  

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9 Pananson Northcote C (Ed) industrial Description (1973) at 23. The Law in Britain.
Of course strike less society is an Utopian aim at least in a democratic set-up like ours for strike is a social necessity. But the advances in the face of the realm of poverty are immense but as long as this poverty persists as long as material conditions evolve conflict with be endemic within society, and will be moreover the motor of change.¹⁰

**SUGGESTIONS:**

1. The words in contemplation or furtherance of an industrial dispute should be inserted in the definition of 'Strike' given in Sec.2(q) of Industrial Dispute Act. 1947 so that the sympathetic and political strikes are taken, out of its purview thus making these illegal. It may be stated that in U.K. too sympathetic and political strikes are considered illegal. Also in Argentina, Sympathetic and Political strikes are forbidden.

2. The Partial Cessation of Work should be included in the definition of Strike given in Section 2 (q) of the Industrial Dispute Act, 1947 ("Partial Cessation of Work" is not only included in the Bombay Industrial Relations Act.1946 but also included in the definition of strike in. U.S.A. and South Australia.

3. If, the object or purpose of strike is unlawful the strike should be

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¹⁰Garce Nelto – The strike Reconsidered industrial relations contemporary issues Roberts. B.C. (Ed) 1968) at 65.
declared illegal (like U.K., U.S.A.)

4. Sec.28 of Industrial Dispute Act.1947 provides that any person who knowingly expends or applies any money in direct furtherance or support of any illegal strike shall be punishable with imprisonment for a term which may extend to six month or five which may extend to One Thousand Rupees, or with both. It is thus a apparent that a person who gives help in kind food cloth, etc cannot be penalized under this Sec.28 of the Act should be amended to read money or in kind. Similarly Sec.25 of the Act should be amended. Also Sec.7 of the Essential Service Maintenance Act, 1981, should be amended in the light of above suggestions.

5. Provisions should be made in the Act regarding imposition of penalty on the employer for his unfair labour practiced, for example; an employer discriminates against trade union members he refuse to bargain collectively with the employees' he interferes with the formation or administration of any trade union etc. It is significant to note that the term "unfair labour practice" has nowhere been defined" in the Industrial Dispute Act. 1947. Therefore, it is suggested that unfair labour practices on the part of an employer (as well as on the part of a trade union) should be clearly
6. As noted earlier, there is no provision in the Act on the wages for the illegal strike period. Though the Courts Tribunals ordinarily do not grant wages in case of illegal strike, it would be better if explicit provision is embodied in the Act to this effect. A proviso should be added that where the illegal strike was provoked by high-handed action of the employer or due to unfair labour practice of the employer, the strikes will be given half-wages.

7. It is the general experience that in order to develop healthy industrial relations there should well defined grievance procedure. It is not sufficient to device a grievance machinery, but at the same time it is necessary to ensure that the grievance officers are men of character and status so that they can handle the complaints and grievances of individual workers uninfluenced by the Supervisors and other junior officers and act in impartial spirit. Unless the workers have got confidence in the impartiality integrity and character of grievance machinery will fail to work satisfactorily. There should be a joint grievance machinery consisting of union members and management. In the same way, if the disciplinary machinery is manned by a competent officer who acts in impartial manner and does not play to the whims and caprices of the Departmental manner and does not
play to the whims and caprices of the Departmental officers and
decides the cases on strict legal principles then it will also generate a
sense of confidence among the workers because they know that, they
are not going to be victimised and at the same time if they commit
some fault then also they are not going to be spared. This will curb
the tendency of some militant workers towards undisciplined which,
if not restrained, generally leads to industrial strike and create an
atmosphere for strikes and lockout.

8. There should be prompt and effective communication, system
whether it is directly by workers or by management or through the
unions or the works, committees departmental meetings or any
there media depending upon the nature of issue involved. When an
issue is raised it is better to discuss it with the workers as early as
possible and not to go on postponing it. Workers should not only
kept informed but they should be educated on matters concerning
them from time to time so that outside trade union leaders do not
exploit their ignorance.

9. Mr. Gregor in human side of the Enterprise points out that if those
affected participate in the process of making a decision they are
more likely to be committed to implementing it. There is always
resistance to decision imposed from above. Moreover, there is
evidence that wide participation in decision making can improve the decisions made. Peter Drucker says in the Practice of Management “We have overwhelming evidence that there is actually better planning of the man who does the work, first responsibly participates in the planning.

10. There should be proper appreciation at the upper level of management the skill and responsibility power required by the job supervisor plant foreman. In the event of strike the race begins with the upper management and trade unions. Lack of delegations causes serious fit in the workers. It is the supervisory staff who feels the pulse of workers and can handle situation more efficiently, thus averting big conflict dispute over petty matters.

11. If the employers keep a statistic about the cost of living index and treat workers as co-partner in their joint enterprise the profit of capital must be divided equitably. Hence, wages should commensurate with the rise of cost of living. It is therefore suggested that a price board may also be appointed to examine the price structure.

12. Collective bargaining should be given paramount importance to maintain industrial peace for successful collective bargaining it is
essential to develop responsible leaders among the labour force who while enjoying the confidence of the workers in their leadership and moderate in their approach and are amenable to reasons. Managements have to play a vital role in developing such a leadership among the workers. Collective bargaining is the best way of solving industrial disputes and conflicts because it encourage the give & take attitude and also certain amount of interdependence good-will and friendship which are not found in arbitrations and adjudication. Adjudication in variably produce suspicion, hostility and bitterness.

Without stretching it further, I would say that by creating mutual trust and confidence, watching each other’s interest improving healthy and strong communications developing enlightened supervisory level creating strong internal leadership etc., the employers and employees can create healthy industrial relations and avoid all types of Industrial unrest which not only is harmful for the workers, their families and employers but is also determined to the Industrial Growth specially in a developing country like India.
SCHEDULE FOR THE EMPLOYEES

1. Name : 
2. Designation, Age and Sex : 
3. Educational Qualifications : 
4. Are your employment conditions satisfactory : 
5. What are the causes of disputes in your firm : 
6. Is your Association with your higher Authority pleasant. : 
7. Whom do you approach for your grievance? : 
8. Are you a member of Trade Union? : 
9. Does your union keep you informed about the stage of bargaining between Employers and officers : 
10. Could you alive the demos through the strike : 
11. Are you satisfied with your officers : 
12. Do you support the long duration of Strike : 

SCHEDULE FOR THE WORKERS

1. Name:
2. Designation, Age and Sex:
3. Educational qualifications:
4. Are your Employment Conditions Satisfactory:
5. What are the causes of labour disputes in your firm?:
6. Are you afraid of victimisation by the Management?:
7. Is your association with your higher authority pleasant?:
8. Whom do you approach for your grievance?:
9. Are you a member of Trade Union?:
10. Does your union keep you informed about the stageof bargaining between union and management?
11. What should be the main object of your union?:
12. What method should union adopt to settle the Disputes?:
13. Could you achieve the demands through the strikes?:
14. Do you support the disciplinary action of the management against the workers who have participated in an illegal/unjustified strike?:
15. Are you satisfied with youV union?:
16. Do you feel that union is benefited out of their Political affiliation?:
17. Opinion survey if any conducted before the Commencement of strike?:
18. Do you support the long duration of strike?:
19. Do you agree if the Government is going to impose Restrictions on right to strike?
# SCHEDULE FOR MANAGEMENT

1. Name:  
2. Designation, Age and Sex:  
3. Educational Qualifications  
4. Name of the concern and Address:  
5. What kind of dispute do you usually face?:  
6. What kind of disputes you settle at industry Level:  
7. Do you think that Employer's are satisfied With your settlement:  
8. When are the management constrained to go on lockout?:  
9. What role conciliation officers are paying in settling your industrial disputes?:  
10. Do you feel that right to lock-out is an essential?:  
11. Workers attitude during lock-out period:  
12. What suggestions you make to improve the system of Industrial (syste) relations in your firm:  
13. What is the method of termination?:  
14. In promoting harmonious relations what is your advice to union leaders?:  
15. Do you face any problem from outsiders In Unions?:  
16. Do you think that unions are politically Motivated?:  
17. Do you think that adequate welfare measures Would minimise industrial disputes?:  
18. What is impact of inter-union rivalry On industrial relations in your concern?:  


SCHEDULE FOR OFFICERS

1. Name : 
2. Designation, Age and Sex : 
3. Educational Qualifications : 
4. Name of the concern and Address : 
5. What kind of dispute do you usually face? : 
6. Do you think that Employer's are satisfied With your settlement : 
7. Do you feel that strike is an essential : 
8. Employer's attitude during strike period : 
9. What suggestions you make to improve the system (strike) relations in your firm: 
10. What is the method of termination : 
11. In promotion relations what is your advice to union leaders : 
12. Do you face any problem from outsiders in unions : 
13. Do you think that union and employees Motivated : 
14. What is import of strike :