2.1 INTRODUCTION

The impact of industrialisation is found in fundamental transitions which revolutionised our society, changing it from a rural culture to a culture based on technology, industry and urban lifestyle. From these changes a way of life emerged characterized by the proximity and dependency of people as conditions of social life and harbouring the threats of human conflict. These threats of social integrity are present in all societies ranging from primitive to modern. But when the people shifted from a relatively primitive to a relatively technologically advanced society, along with the emergence of industrial civilization; these threats of human conflict gave rise to numerous psychological and sociological problems. As the very existence of every society rests on harmonious relations of its people and processes, such problems jeopardize a relatively new technological society like ours. With the advancement of technology in the industrial field the situation became so complicated that it drew the attention of not only the industrialists but also the Government and social activists of the nation. Analysing the factors behind the system it is found that human workforce is a unique and indispensable resource in industry. The view went against the mechanistic concept of human being, and the belief of the 'Slot machine man' who responds only and readily to monetary stimulus. It is opined that the industrial worker is a human being, he likes to work with people with whom he can have pleasant personal relations and can exchange his ideas and emotions with some degree of certainty.
that he will receive a favourable response. Hence, to eliminate the disrupting forces which undermine human collaboration in the industrial sphere, they develop a system of relationships through the manpower and its organizational pattern. They view this system of relationships otherwise known as 'industrial-relations' as a vehicle for accomplishing goals and objectives of the industry.

The economic fate of the people in this industrial age is surely linked to industrial relations in industries. It plays a vital role in the development of a nation's economy. In any industry there are bound to be two parties—employers and employees, who are to collaborate and co-ordinate in the industrial task so as to maintain and improve the productivity and to achieve the industrial goal. Hence, the labour management relations is not an end in itself but is related to a great extent to the general economic development of a country through the process of production.

In the earlier days of factory system of production, the employer was in a dominating position freely exercising authority over the employees. Technological advancement and the politico-socio-economic churnings have changed the character of labour force. The autocratic attitude of the employers and a subservient feeling in employees put industrial establishments in danger.

The technological changes in the industry, the economic imperatives and the political and social implications of a democratic way of life postulate the inevitability of industrial peace; they also make us aware of dangerous consequences of strained relation in industry in the form of strikes and lockouts. Unless harmonious relations between labour and management is established, there cannot be lasting peace in industry, which is the primary requisite for any scheme of higher productivity.
2.2 CONCEPT OF INDUSTRIAL RELATIONS

The term 'industrial relations' though a basic concept to all, it is defined in different ways by various authors. In the ordinary sense, it is the relationship between employers and their employees as governed by statutes. Industrial relations is concerned with people at work and their inter relationships.

According to Encyclopedia of Britannica, "The subject of industrial relations includes individual relations and joint consultation between the employers and work people, at the place of work; collective relations between employers, their organizations and the trade unions and the part played by the state in regulating these relations". According to Allan Flanders, "A system of industrial relations is a system of rules." These rules appear in the form of legislations, statutory orders, trade union regulations, collective agreements, arbitration awards and accepted customs and values. In other words the subject of industrial relations deals with regulated or institutionalized relationships in industry. In the view of Richardson, "The field of industrial relations is very comprehensive and can be conveniently divided into four parts.

(1) Relations within the undertaking
(2) Collective relations
(3) Functions of the state
(4) International aspect.

Cassal Man's Labour Dictionary defines "Industrial relations as a relation between employers and employees in industry. In the broad sense the term also includes the relations between various unions between the state and the unions, and between the employers and the government. According to Wilbert E. Moore, "Industrial relations include both internal relations within industrial organization and external relations within industry
and society." According to the usage of the I.L.O the term refers to "the relations between the state and the employer's and worker's organisations". 

Industrial relations is the formal relations between management and labour exemplified in union negotiations, collective agreements and machinery provided by the law for the settlement of disputes through conciliation and arbitration. According to T.N. Kapoor, "The term Industrial Relations should be understood in the sense of labour management relations as it percolate into a wide set of relationships touching extensively all aspects of labour such as union policies, personnel policies and practices including wages, welfare and social security, service conditions, supervision and communication, collective bargaining, etc, attitudes of parties and governmental action on labour matters."

From the above definitions it is clear that the term industrial relations covers the whole field of human relations that exists and grows out of employment conditions between employers and employees or between their organizations. In modern age, the term includes all matters that arise in the day today associations between employers and workers. The concept of industrial relations can be divided into identifiable phases of personnel relations and labour relations. Personnel relations is the relationship between the employers and the employees at the individual level and termed as employer-employees relation. Labour relations is the collective relations between organised labour and employer and is called labour-management relations or union management relations.

2.3 INDUSTRIAL RELATIONS IN RETROSPECT

Industrial relations, what we mean today with the rise of factory system and large-scale modern industry; succeeded historically earlier relations between master and servants and owner-manager and his few employees. In the past, employees had no voice against their
autocratic employers nor any power to maintain their own family. This type of master-servant relationship took the shape of noble-serf relationship with a degree of improvement. The serfs enjoyed some sort of privileges such as freedom in maintaining their own families. In both the cases the employees served as directed in return for a payment and had no determining voice in the management of industry.

Then the industrial relations was regulated between the master craftsmen and their employees. Production was usually concentrated in family units and small scale industries in which the head of the family was the master-craftsman. The journeymen and apprentices after completion of their training under the master craftsman, and learning the necessary techniques were equipped to set up their own independent establishments. The employees were not merely servants but had voice against their employers.

A couple of centuries ago the industrial revolution had sheltered in the soil of Great Britain having its earliest impact on the relations between employers and employees. In the factory system of production before the relations were more direct unlike the modern factories employing thousands of work people many of whom rarely came into personal contact with their employer or with the owner of the capital. The industrial development influenced greatly and brought vital changes in the managerial philosophy as well as the philosophy of the working class. Since the workers could rarely afford ownership rights they came to regard themselves as a class distinct from employers and shareholders. The workers recognised their weakness in negotiating individually with their employers and began to form trade unions to strengthen their bargaining power and to protect their interests.
Gradually, the trade unions developed in the sphere of industrial activities, similar to other countries. The same trend of developments and cleansing continued throughout the 20th century. Now, as the guardians of the working class, the trade unions protect the workers from possible exploitation and have elevated their status compared to before. The new initiative of the Government for industrial development has largely influenced the management policy. Thus the system has created and evolved a new set of values and norms from management to labour. Now the industrial relations is the relationship between the organisation of the management and labour force, their inter-organisational relationships and their relationship with the government.

In India, since the beginning of industrialization, the industrial relations has been influenced by the trade union movement. Till the end of First World war the trade union movement had not yet taken roots in Indian soil. At that time India was under British control and almost all industries of the country were controlled by the British share holders. The employer as well as the government were hostile towards the labour force. The scenario changed gradually with successful trade union movements. After independence the concept of industrial relations achieved democratic meaning with the introduction of (i) free trade unionism. (ii) encouragement of joint consultation through statutory and other bodies (iii) system based on voluntary negotiation, conciliation and adjudication and (iv) our tripartite machinery at the centre and in the states.

2.4 FIVE YEAR PLAN AND INDUSTRIAL RELATIONS

A country like India which is in a process of transforming its economy from a backward agricultural economy to a developed industrial one, peaceful relations between management and labour is the need of the hour. Emphasis on increased production for the smooth and steady
economic growth, India can't afford work-stoppages due to protracted friction between employers and employees which will jeopardise the main objectives of our Five Year Plans.

For economic progress, India in her First Five-Year Plan (1951-56) concentrated on five aspects of labour policy: (i) industrial relations; (ii) wages; (iii) working conditions; (iv) employment and training; and (v) productivity.

The Plan recommended that the states arm themselves with legal powers to refer disputes for settlement at the time of deadlock between the two parties in a dispute. Consultative works committees were to be set up for on the spot settlement of difference between the workers and management.

The Second Five-Year Plan (1956-61) went much further by recognising that "Socialistic Pattern of Society" is built up not solely on monetary incentives but basically on ideas of service to society and establishment of industrial democracy. Since then, there has been marked shift in emphasis from legislation to cooperation between employers and employees.

Under the Third Five-Year Plan (1961-66) besides strengthening the foundations of co-operation, it has been increasingly realised that mere legal frame work is hardly an adequate basis for regulation of industrial relations in a developing society. According to this approach, the real solution of the problems of industrial relations lies in evolving suitable norms, standards and criteria for regulating labour-management relations together. It emphasised the implementation of the
code of discipline and the principle of voluntary arbitration was to be followed for settlement of disputes in preference to adjudication. The plan strongly recommended that in order to improve work efficiency the functions of the works committees demarcated. It also made recommendations for progressive extension of the scheme of joint management councils, and an intensive programme of workers' education in the establishments. The plan also recommended the need to recognise trade unions as a step towards recognising their role in the industrial and economic administration of the country.

In the Fourth Five Years Plan (1969-74) continued emphasis was laid on recommendations of the earlier plans regarding industrial relations and as a result many acts were enacted. e.g, the Payment of Bonus Act, 1965, the Shops and Commercial Establishment Act and the Labour Welfare Fund Act in the state. It also emphasised on employment, and this idea was given wide coverage by conducting labour intensive programmes through the developments of agriculture and rural infrastructure. The Government of India set up the National Commission on Labour to study and make recommendations on various aspects of labour relations.

The Fifth Five Year Plan (1974-79) emphasised on the need to generate more employment opportunities and help to reduce underemployment, labour intensive projects were suggested. There was review of the demand and supply for the various types of specialist manpower. It was suggested that craftsmen should be given training to improve and diversify their skill to meet the need of the current environment. It was suggested that there was a need to improve labour welfare amenities into more comprehensive social security package and expand the coverage of the Employees State Insurance Scheme and Family Pension Scheme.
A National Labour Institute was to be set up, to function as a coordinating agency for research in labour matters.

The Sixth Five-Year Plan (1980-85) highlighted the wages and bonus issue and need for productivity linked bonus. A reorientation of the role of trade unions was suggested. Several factors like the proliferation of unions, inter-union rivalry and the role of outside leaders have combined to undermine the effectiveness of collective bargaining and led to industrial unrest. The trade union's role and orientation of attitude needs to be changed; given the nation's priorities of growth and development. At the same time the trade unions have a major role to play in improving the quality of life of the workers. It suggested the need for the proper organization of rural labour, in order to protect their interests either through existing trade unions or through their own efforts.

The Seventh Five Year Plan (1985-90) had given importance on improvement in capacity utilisation efficiency and productivity. The success of labour policy has to be adjusted on the basis of the productivity standard that help the economy to achieve. While technical factors and the state of technology are crucial in determining productivity level; there is no gainsaying the fact that discipline and motivation of worker, their skill, the state of industrial relations, the extent of effectiveness of participation of workers are also great importance.

One of the serious problems in the industrial sector is sickness. With greater competition, a large number of units may become unviable in a protected market. Therefore from time to time there arises the problem of rehabilitation of large numbers of workers in the organised sector.
There is considerable scope for improvement for strikes and the justification for lockouts. In proper management of industrial relations, the responsibility of unions and inter union rivalry and intra union division should be avoided.

The Eighth Five Year Plan (1992-97) lay emphasis on skill formation and development, strengthening and modernisation of employment service, promotion of industrial safety, worker's education, promotion of self-employment, enforcement of labour laws especially those relating to unorganised sector and women and child labour, promotion of healthy industrial relations situation and encouragement of workers' participation in management.

The need to bring forward a suitable legislation for effective implementation of the scheme of workers participation in management has been felt. Besides legislation, proper education and training of worker and cooperation from both employers and employees to overcome problems arising out of the existence of multiplicity of trade unions and inter-union rivalry will go a long way in promoting the system of participation management.

As the economic progress depends on industrial peace, industrial relations is not only an issue between employers and employees but a vital concern for the community. In order to develop and promote a healthier labour-management relationship, the government has been taking measures in the form of legislations, and intervention in settling industrial disputes. At the same time employer-employees relationship can't be fabricated and imposed by the government as it requires a transformation of outlook on both sides in accordance with the spirit of true democracy.
2.5 CONSTITUTIONAL PROVISIONS ON INDUSTRIAL RELATIONS

Labour matters, such as trade unions, industrial and labour disputes, social security, employment, etc are in the concurrent list of the Seventh Schedule to the Constitution of India. Therefore, Parliament at the Centre and the State Assemblies are all competent, subject to other provisions of the constitution, to enact laws on labour matters. Provisions in chapter IV of the constitution relating to the Directive Principles of State Policy have a direct and immediate bearing on the labour policy, because the Directives "though not enforceable by any court, are, nevertheless, fundamental in the governance of the country and it shall be the duty of the state to apply these Principles in making laws".

Article 38, for instance, stresses the need to promote the welfare of the people by securing and protecting a just social economic and political order in all institution of national life.

According to Article 39, the state shall, inter alia, direct its policy towards securing the rights to an adequate means of livelihood and equal pay for equal work for the citizens, men and women equally.

While conditions of work and maternity relief are stressed in Article 42, living wages and a decent standard of life are the substance of Article 43. Later on a new Article 43 A was inserted through an amendment to bring in the concept of workers participation in management.

Fundamental rights have been expressly conferred on the working class by some Articles in Chapter III of the constitution but a few others have also been interpreted by the Supreme Court to confer such rights. Article 19 (c) provides that all the citizens shall have the right to
from associations or unions. Besides, the famous Asiad Case (Writ Petition No. 8143 of 1981) deals with Article 21 which provides that "no person shall be deprived of his life or personal liberty except according to the procedure established by law" The Supreme Court held that this "is not confined merely to physical existence or to the use of any faculty or limb through which life is enjoyed or the soul communicates with the outside world, but it also includes within its scope and ambit the right to live with basic human dignity.

2.6 RECENT TRENDS ON INDUSTRIAL RELATIONS

The Industrial Disputes Act 1947, provides the machinery and procedure for investigation and settlement of industrial disputes. The provisions of the Act have been amended from time to time in the light of experience gained in its actual working, case laws and the industrial relations policy of the Governments.

An effort was made during the late 70's to revamp the Industrial Disputes Act by introducing a comprehensive Industrial Relations Bill, but the all-round opposition to this measure stopped the bill from being enacted.

The definition of the term 'industry' was vastly expanded by the Supreme Court in its landmark judgment in Bangalore Water Supply and Sewerage Board Vrs Rajappa. The need to introduce a statutory mechanism for grievance redressal, and to recast the provisions relating to closure of industrial establishments (Excel Wear Case 1978-4-SECC 224), Amendments in 1982 and 1984 followed as emphasised by the judgement.
The three main central enactments, which at present regulate matters relating to industrial relations, are: The Trade Unions Act, 1926, The Industrial Employment (Standing Orders) Act 1946, and The Industrial Disputes Act (I.D.Act) 1947. The Trade Unions Act provides for the registration of the unions and in certain aspects defines the law relating to registered trade unions. The Industrial Employment (Standing Orders) Act requires the employers in industrial establishments formally to define conditions of employment under them. Besides, there are relevant laws on these matters to supplement the Central laws. A voluntary Code of Discipline has also been in existence since 1958. The National Commission on Labour (1969) also recommended reform of the present dispute settlement system which were examined by the Sanat Mehta Committee.

2.6.1 The Industrial Relation Bill, 1978

The Industrial Relation Bill, 1978 was introduced in August 1978, in the Lok Sabha to amend the existing law concerning various issues of industrial relations with a view to promote harmonious industrial relations.

All the provisions are contained in 14 chapters.

Chapter I gives the definitions of various terms given in the I.D Act, 1947 with modifications. Chapter II gives an account of the method of appointment of various authorities under the Act, like, conciliation officers, arbitrators, registrar of trade unions and industrial tribunals and the Bill makes provision for the constitution of a national industrial relations commission.

Chapter III concerns itself with trade unions, their registration, amalgamation, dissolution and so on. Chapter IV, which deals with the negotiating agent, is a new proposal.
Chapter V deals with standing order and the Bill empowers the central Govt to frame them on the matter like classification of employees, condition of service etc. Chapter VI describes a procedure for any change in terms of employment and conditions of labour.

Chapter VIII deals with strikes and lockout. Chapter IX lays down the procedure for dispute settlement. Chapter XI deals with powers of the various authorities in the proposed Bill.

Chapter XII gives an account of the penalties for trade unions and employee. Chapter XIII & XIV gives the power to exempt the application for the provisions of the Act and to amend the Act lies in the hands of appropriate Govt.

The last part of the Bill lists out the essential services (Schedule 1) matter within the jurisdiction of labour courts (Schedule 2) and industrial tribunal (Schedule 3) and unfair labour practices (Schedule 4)

2.6.2 Industrial Disputes (Amendment) Bill, 1982

The Government sought to amend the Industrial Dispute Act, 1947 in a significant way relaying on the Supreme Court judgement as well as the recommendations of the National Commission of Labour.

The amending Bill sought a solution to the controversial issue of unfair labour practices, the introduction of a new internal machinery at base level by incorporating a new chapter IIB dealing with grievance settlement, the restrictions placed on the employer before closing down an industrial establishment. It also had new provisions defining the terms "Closure" and 'Industrial Establishments', 'Trade Union', etc.
Chapter IIB purports to set up grievance settlement machinery and procedure for settlement of industrial disputes of individual nature.

2.6.3 The Industrial Disputes (Amendment) Act, 1984

It applies to all industrial establishments employing 100 or more workers instead of 300 or more employees as was the case earlier. Salient features of the Amendment Act are:

(a) Workman would be entitled to 100 per cent wages where a labour court or tribunal reinstates a worker and the employer prefers proceedings against the award in the High Court.

(b) An employer intending to close down an establishment will have to apply for permission which has to be done at least 90 days before the date on which the intended closure is became effective.

(c) If the government does not communicate within the period of 90 days from the date of application, permission will be deemed to have been granted.

(d) Workman will be entitled to compensation equivalent to 15 days average pay for every completed years of continuous services in case the establishment is closed.

2.7 NEW ECONOMIC POLICY AND ITS IMPACT ON INDUSTRIAL RELATIONS

The New Economic Policy (NEP) introduced by Government of India since 1991 has changed in trade, finance and industrial sectors of our country. In the industrial sector NEP helps in inviting many multinationals companies and encouraging privatisation of many public sector units. With the advent of NEP, Indian industries face many challenges to compete with the multinationals. They need to evolve appropriate strategies for their survival by implementing new technology, improving quality and productivity etc.
The liberalisation process in India has accelerated the rate of investment. The programme of economic liberalisation demanded certain structural reforms by Government to cope with the global change. The prime aim of structural adjustment programme in India is the reduction of barriers to both entry and exist for, industrial organisations into restricted sectors due to delicensing system. Moreover, structural adjustment programme aims at changing in Industrial policy, foreign policy and trade policy with the objective of facilitation of more efficient use of resources.

The structural adjustment programme of Government under new economic policy has serious implication on labour and trade unions in the country. Trade union leaders opposed to the NEP because they considered it as antilabour policy.

The Government has decided to close the sick public sector units and want to invest in new ventures. Again, rationalisation in industrial structure and technological upgradation necessitate retrenchment. Unions are against the entry of multinational and foreign investment as because they think it may cause unemployment due to their sophisticated technology. The emphasis on reduction of Government investment in industry is also interpreted by them as an important reason for declaring in the employment opportunities in the organised sector.

Multiplicity of trade unions, centrally controlled union leadership, union-political party nexus, inter-union rivalry, direct state intervention in the settlement of industrial disputes are some of the factors which created an "unproductive" industrial relations elements in India.
Harmonious industrial relations is important to increase productivity and efficiency of an industry. In the past it has not been available in Indian industrial relations picture. Every year large number of man-days had been lost due to strikes and lockouts in the country. But, their numbers have been showing a healthy decline after introducing new economic policy and restructuring in the country.

**Table 2.1: Number of Strikes and Lockouts**

<table>
<thead>
<tr>
<th>Year</th>
<th>Strike</th>
<th>Lockout</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987</td>
<td>1348</td>
<td>451</td>
<td>1799</td>
</tr>
<tr>
<td>1988</td>
<td>1304</td>
<td>441</td>
<td>1745</td>
</tr>
<tr>
<td>1989</td>
<td>1397</td>
<td>389</td>
<td>1786</td>
</tr>
<tr>
<td>1990</td>
<td>1459</td>
<td>366</td>
<td>1825</td>
</tr>
<tr>
<td>1991</td>
<td>1278</td>
<td>532</td>
<td>1810</td>
</tr>
<tr>
<td>1992</td>
<td>1011</td>
<td>703</td>
<td>1714</td>
</tr>
<tr>
<td>1993</td>
<td>914</td>
<td>479</td>
<td>1393</td>
</tr>
<tr>
<td>1994</td>
<td>808</td>
<td>393</td>
<td>1201</td>
</tr>
<tr>
<td>1995 (P)</td>
<td>732</td>
<td>334</td>
<td>1066</td>
</tr>
<tr>
<td>1996 (P)</td>
<td>516</td>
<td>321</td>
<td>840</td>
</tr>
</tbody>
</table>

Source: Annual Report 1994-95, Dept. of Labour, Govt. of India

**Table 2.2 Mandays Lost Due to Strikes & Lockouts**

<table>
<thead>
<tr>
<th>Year</th>
<th>Strike</th>
<th>Lockout</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987</td>
<td>14.03</td>
<td>21.33</td>
<td>35.36</td>
</tr>
<tr>
<td>1988</td>
<td>12.53</td>
<td>21.42</td>
<td>33.94</td>
</tr>
<tr>
<td>1989</td>
<td>10.70</td>
<td>21.97</td>
<td>32.66</td>
</tr>
<tr>
<td>1990</td>
<td>10.64</td>
<td>13.45</td>
<td>24.09</td>
</tr>
<tr>
<td>1991</td>
<td>12.43</td>
<td>14.00</td>
<td>26.43</td>
</tr>
<tr>
<td>1993</td>
<td>5.61</td>
<td>14.89</td>
<td>20.50</td>
</tr>
<tr>
<td>1994</td>
<td>6.65</td>
<td>14.33</td>
<td>20.98</td>
</tr>
<tr>
<td>1995 (P)</td>
<td>5.72</td>
<td>10.57</td>
<td>16.29</td>
</tr>
<tr>
<td>1996 (P)</td>
<td>5.06</td>
<td>9.91</td>
<td>14.97</td>
</tr>
</tbody>
</table>

Source: Annual Report 1994-95, Dept. of Labour, Govt. of India.
Tables 2.1 and 2.2 show the total number of strikes and lockouts have decreased from 1825 in 1990 to 840 in 1996. Similarly, mandays lost also decreased 24.09 million in 1990 to 14.97 million in 1996. The changes in the trend of industrial relations may be due to following reasons:

(i) The management and workers realize that creating a peaceful industrial relations is important to meet the new economic policy.

(ii) The employees and their union leaders apprehend that the danger of losing job would be far greater if they went on strike.

2.7.1 Role of Trade Union

Structural changes in the organisation have led to a change of trade union organisation from one type to another. Trade Union should perform the following task for establishing a new order within trade union movement.

Trade Union must realise the strength of unit and importance of solidarity in the union itself and also mutual respect and co-operation with other union on certain issue of national interest

Trade Union must try to organise the workers in the unorganised sector and women workers of different sectors. This can enhance the membership strength of the union and induce the activities.

Trade Union must identify various short comings in their functioning. They must try to change their style of functioning, attitude towards NEP. They should motivate workforce to accept such changes.

To cope with the changing technology, Trade Unions should give emphasis on training and retraining of workers. They must have
careful eyes on the introduction of new technology its impact on job security, employment potential, working condition in the organisation.

In short, the trade unions should stop practising militancy and tackle the challenges before them by democratic way by achieving wholehearted support of fellow workers.

2.7.2 Role of Management

While interest of the country demands such structural programme organisation should change their strategies with view to share the fruit of NEP with their copartner in the industry.

Management have to take the initiative to change the traditional way of management practices in the organisation. A continuous effort should be made to foster the spirit of mutual respect and team spirit in the organisation.

Closer association of employees with management by way of participation in various joint bodies is necessary. Management should be fair in dealing with recognised union and encouraging healthy trade union practices and ensure that adjustment programme takes place with minimum disruption in the organisation. Training retraining policy along with education policy should be given importance for optimum utilisation of human resources.

2.7.3 Role of Government

The role of Government in shaping the industrial peace is very much essential in the present day economic scenario. Major changes were being introduced in the important legislations such as the Indian Trade
Unions Act, 1926 and The Industrial Disputes Act, 1947. The proposed amendment to the Trade Union Act would restrict multiplicity. It was being proposed that a trade union would require the support of 10 percent of the employees to get itself registered. Secondly, a trade union would require the stated support of 51 percent workers of the concerned unit by secret ballot to strike or to serve a strike notice. Thirdly, the new amendment would also restrict the involvement of outsider in trade unions.

A proposal to change the provisions under chapter V(B) of the Industrial Disputes Act; which at present, makes it mandatory for employers to seek prior permission of the state (Labour) administration before retrenching or laying off workers, was also being considered. Negotiating Councils comprising of representatives of workers and management would be constituted at the enterprise level. The word "dispute" is proposed to be dropped from the amended act, which will be called "Industrial Relations Act".

A provisions is also proposed to create grievance redressal machinery at the shop floor, plant and establishment level. The proposed amendment to the Industrial Disputes Act would reduce the state intervention in employer-employees relation and should encourage bi-partite collective bargaining.

However, in the face of continuing opposition by the employees and unions, the government has not been able to introduce any major changes so far.

2.8 LEGAL AND INSTITUTIONAL FRAME WORK GOVERNING INDUSTRIAL RELATIONS

Industrial Relations is the collective relations between labour and management at the undertaking level and is regulated by various government statutes. Its nature in any industry cannot be explained
ignoring any of its aspects. Though the managerial attitudes, organisations and developments which reflect in part, the responses of management to labour problems of industrialization, is pointer to explain the industrial relations at the plant level; yet the attitude of labour force its nature and strength of organisation and the role played by the government in regulating the relations between them cannot be over emphasized.

Industrial relations in an undertaking is reflected through the industrial climate itself. The industry functions smoothly when there is willing hand of labour as well as management in achieving the industrial goal. When there are conflicting attitudes of labour and management in the industry a transitional phase arises. That leads to strikes and lockouts. Hence, the study of industrial relations in any organisation requires a critical analysis of the followings:

(1) The nature and extent of industrial disputes.
(2) Causes of industrial disputes
(3) Prevention and Settlement of disputes.
(4) Machinery set up for the Settlement of disputes.
(5) Government intervention in prevention and settlement of disputes
(6) Utilisation of various statutory and non-statutory methods such as negotiation, conciliation arbitration, adjudication etc.
(7) The functions of various committees such as works committee, joint consultative committees etc.

2.8.1 Industrial Disputes

According to Indian Labour Year Book 1965, "A temporary stoppage of work by a group or all employees in a unit or temporary withholding of work from a group of employees by an employer (or a group of employers in a unit in connection with matters relating to employment or terms or conditions of employment is termed as an industrial disputes".
According to Industrial Disputes Act of 1947, industrial disputes means "any dispute or difference between the employers and employers or between employers and workmen or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour of any person".

2.8.2 Causes of Industrial Disputes

The industrial disputes are inherent in industry as the two sets of people with divergent interest constitute the framework of industrial society. The partners in production workmen and management consider the industrial problems from two different angles. The management is production minded and its efficiency is proved by the profits or surplus over cost where as the worker is consumption minded.

Management is operating in an economic environment within which change is the rule. The pressure of economic competition forces it to be responsive to the changes that are occurring around it. Thus for management change is the law of life. Unions on the other hand very frequently are cast in the roles of forestallers of change. This conflicting attitude very often leads to industrial disputes.

Apart from this, industry is a field where economic, psychological, social, cultural and political factors play equally important roles and it would be dangerous to ignore any of them.

As the economic need is the basic human need it plays a vital role in every sphere of human life. Hence, in industrial society wage discontentment is the most important factor of industrial disputes. Unless the worker is satisfied with adequate wages to maintain himself and his
family; in no way he can be satisfied either mentally or physically. On the other hand wage not only determines the standard of living of the workers but also their status in society. Hence economic problems very often leads to sociological and psychological problems.

It is true that even if adequate wages are paid industrial unrest still remains. This, however, doesn't mean that wage problem is unimportant. As a matter of fact no amount of other improvements will help in establishing peaceful industrial relations. Insecurity of employment is another major cause of industrial unrest.

The nature of industrial work is such that the worker is virtually reduced to the position of a machine in modern industries and the work he does is devoid of human element. He becomes psychologically dissatisfied when he feels monotony and boredom in the place of work. Hence unsuitable working conditions inevitably cause irritation which ultimately results into industrial disputes.

The industrial worker seeks his social status in his working environment. The denial of freedom, opportunity of self organisation and self expression and the satisfaction of his other social needs as a normal and decent human being, give rise to hostile attitude in worker's mind which results in industrial conflicts.

Industrial discontent is also raising its head in all most all industrial establishments due to inter-union rivalries. The trade union consciousness of industrial workers is growing every where which is definitely a good sign of development, but the outside political leadership misguides industrial workers because they put more emphasis on political
aspects than the industrial progress. The refusal of the employers to recognise unions also gives rise to industrial disputes.

Industrial discipline is a serious problem because in maintaining discipline in industry there is no common aim between the disciplinarians and disciplined. Hence it becomes a mere frustration of human purpose, staunts the development of human personality and embitters human relations, it is for them a denial of freedom to the individual and curb industrial unrest.

Apart from the above factors there are several other factors that lead to industrial unrest. Persistent violation of labour laws on the part of employers as well as employees, unfair labour practices, non implementation of agreements, settlements, awards and tripartite decisions, code of discipline, code of conduct etc.

Similarly, profit sharing bonus and incentive or production bonus are other factors of labour discontentment. Wrong selection of personnel, bad working and living conditions pose a constant threat to industrial peace.

2.8.3 Prevention and Settlement of Industrial Disputes

The methods for the prevention and settlement of industrial disputes include broadly all the methods which directly or indirectly contribute towards improvement of industrial relations. The preventive methods therefore "cover the entire field of relations between industry and labour and include enactment and enforcement of progressive legislations, works committee and councils, wage boards, tripartite labour machinery
and all such measures which can bridge the gap between the employers and employed"

The machinery set up by the government for ensuring industrial harmony consists of (i) consultative machinery (ii) conciliation or arbitration machinery. The consultative machinery now exists at the level of undertaking, industry, state and the nation. It aims at bringing the parties together for mutual settlement of differences in a spirit of co-operation and good will.

At the undertaking level, there are Works Committees and Joint Committee, at the industrial level there are the Wage Boards and Industrial Committees, at the state level there are Labour Advisory Boards and at the national level the Indian Labour conference, Standing Labour Committee, Evaluation and Implementation Committees etc. The Industrial Disputes Act 1947 provides for the setting up of a conciliation machinery for settling unresolved differences. In case, of failure of conciliation appropriate provision have been made in the Act for arbitration and adjudication of disputes.

2.8.4 Machinery for the Settlement of Industrial Disputes

The Industrial Disputes Act of 1947, is concerned primarily with dispute settlement and does little about other aspects. The Act creates seven different authorities for prevention and settlement of disputes. They are works committee, conciliation officer, board of conciliation, court of enquiry, labour courts, tribunals. The works committee is a bipartite body to be set up at the plant level. Along with conciliation officer the board of conciliation constitutes conciliation machinery.

The court of enquiry is a fact finding agency. Labour Courts and Tribunals are adjudication authorities.
(i) **Works Committee**

Section 3 of the Industrial Disputes Act, 1947 requires all industrial establishments employing one hundred or more workmen to have a works committee. Their function is to promote measures for securing and preserving amity and good relations between the employer and workmen and to that end to comment upon matters of their common interest or concern and endeavour to compose any material difference of opinion in respect of such matters.

The works committee is a bipartite body set up at the plant level. The representatives of works committee are not less than those of the employer provided that its total strength does not exceed twenty.

(ii) **Conciliation Officer**

Section 4 of the Industrial Disputes Act, 1947 empowers the appropriate government to appoint one or more conciliation officers for mediating in and promoting the settlement of disputes. A conciliation officer can be appointed either for a specified area or for a specified industry or industries. In order to bring about a right settlement of disputes a conciliation officer is given wide discretion.

It is the duty of a conciliation officer to have an investigation into disputes and induce the parties to come to an amicable settlement where as it is obligatory on the parties to the dispute to appear before him, if summoned, they are not bound to accept his point of view. Hence, it is only the power of persuasion he can exercise.

(iii) **Board of Conciliation**

This is the third authority created by the Act and simply an extension of conciliation officer's work. It is not a permanent body, set up
as the occasion arises. It comprises two or four members representing parties to the disputes in equal number and a chairman who is to be an 'independent person'. The Board has the status of a civil court and can issue summons and administer oaths. But the Board of conciliation cannot enter any dispute on its own discretion unlike a conciliation officer but it can take action only when a dispute has been referred to it by the government.

(iv) Court of Enquiry

According to the provision of section 6 of the I.D.Act, the appropriate government appoints a court of enquiry for enquiring into any matter appearing to be connected with or relevant to an industrial dispute. A court may consist of one or more independent persons. If there are more than one person one of them is appointed as chairman. The court enquiries into the matters referred to it and report there on to the appropriate government.

(v) Labour Court

Labour Court is one of the adjudication authorities setup under the Act. It was introduced by an amending Act of 1956, setting up of a labour court is at the discretion of the government. It is an one man court presided over by a person who had held either a judicial position in India not less than seven years or who has been a presiding officer of a labour court constituted under any state Act for not less than five years. The function of the Labour Court is to adjudicate on matter referred to it by the appropriate government.

(vi) Industrial Tribunal

Under section 10 of the I.D.Act an industrial tribunal may be set up by the appropriate government on a temporary or permanent basis
for a specified disputes or for industry as a whole. The tribunal comprises one person only, whose qualification for appointment in an industrial tribunal is that the candidate should have been a judge of a High Court or has held the post of Chairman of labour Appellate Tribunal for not less than two years.

The function of the Tribunal is to adjudicate on matters referred to it by the government.

(vii) National Tribunal

Where the industrial dispute, according to the Act involve questions of national importance or are of such a nature that industrial establishment situated in or affected by such disputes the central government may set up a national tribunal. It is also a one man tribunal, the post is to be held by a person with qualifications similar to those specified in the case of tribunal. The presiding officer of Labour Court, Tribunals or National Tribunal are independent persons below the age of 65 years.

2.9 STRIKE

Strike involves a refusal by a body of workers to obey orders and to perform duties assigned to their jobs. It is a concerted protest action. There is no unanimity among social scientists over the meaning of strike. While the Encyclopedia of Britannica defines strike as a concerted refusal to work under conditions required by employers. Knowles views strike as a collective stoppage of work undertaken to bring pressure to bear on those who depend on the sale or use of the products of that work.

Under sec 2(g) of the Industrial Disputes Act, 1947, strike means a cessation of work by a body of persons employed in any industry acting in combination or a concerted refusal, or a refusal under common
understanding, of any number of persons who are or have been so employed to continue to work or to accept employment.

Lockout is the antithesis of strike. Lockout means the closing of a place of employment, or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him.

In India the Industrial disputes Act, 1947, is the main instrument of state intervention, which aims at prevention and settlement of disputes through conciliation or compulsory adjudication proceedings or by institution of courts of enquiry. The act sets forth the circumstances under which strikes and lockouts are illegal and also provides for advance notice before industrial action can take place.

Under the Industrial Disputes Act, a distinction is made between strike and lockout in public utility services and in other employments. Public utility services include the railway service, any section of any establishment on the working of which the safety of the establishment or its workmen depends, the postal, telegraph and telephone services, any industry supplying power, light or water to the public, any system of public conservancy or sanitation or any of the scheduled industries in respect of which a notification has been issued by the government because of public emergency or public interest.

The Act declares strikes and lockouts in public utility services to be illegal if they are commenced or declared, (a) without giving a notice in the prescribed manner, or (b) during the pendency of conciliation proceedings before a conciliation officer and 7 days after the conclusion of such proceedings. All strikes and lockouts whether in public utility service or not, are deemed to be illegal if they commence or are declared during the pendency of (i) conciliation proceeding before a Board and 7 days after
the conclusion of such proceedings (ii) proceedings before a tribunal or two months after the conclusions of such proceedings, and (iii) during any period in which a settlement or award is in operation. A strike or lockout in contravention to these provisions is illegal and punishable by law.

2.10 CONFLICT RESOLUTION

In India, the various measures of conflict resolution can be categorised into statutory measures, non-statutory measures and government sponsored guidelines. Statutory measures relate to the various types of machinery set up by government under the Industrial Disputes Act 1947; such as works committee, labour court, industrial and national tribunals etc. which are discussed in the chapter "Industrial Relations-An Overview". Non-statutory measures are the code of discipline, workers' participation in management and collective bargaining. The non-statutory measures encourage a resolution through negotiation between the two parties. The government Labour Department both at centre and the states have a considerable role to play in maintaining industrial harmony.

2.10.1 Conciliation

The conciliation plays a vital role in resolution of the industrial disputes in our country. The intervention of the government machinery in the field of industrial relations is more positive after independence. Both Central and State government have assigned with the duty of prevention and settlement of the disputes pertaining to the establishments coming under their respective jurisdiction. As per the statute any disputes or difference between employers and employers, employers and workmen and workmen and workmen which is connected with the employment or non employment or with the conditions of labour of any person could be referred by either of the parties to the conciliation officer. In case of
industry coming under the jurisdiction of central government the disputes is required to be raised before central labour machinery but the industries coming under the state sphere the state labour machinery is the appropriate authority to deal with the industrial disputes.

The conciliation officer may enquire the attendance of any person for the purpose of examination of such person and inspect any document in which he has ground for considering to be relevant to the disputes. If a settlement of the dispute or of any of the matters in dispute is arrived at during the course of conciliation proceeding, the conciliation officer shall send a report to the appropriate government together with a copy of the settlement signed between the parties to the disputes. In case of failure of the conciliation proceeding, the report is required to be sent to the appropriate government along with the facts and circumstance and steps taken for resolving the disputes etc. The appropriate government after receiving the conciliation report shall take a decision whether to refer the dispute to adjudication machinery or not. In case of non-reference of disputes, the appropriate government will communicate the parties with reasons.

The disputes pertaining to the state sphere are handled by the officers working under the Directorate of Labour, Govt. of Orissa such as the Labour Commissioner, Joint Labour Commissioner, Deputy Labour Commissioner, Asst Labour Commissioner, District Labour Officer & Asst Labour Officers. These officers of Labour Directorate have been declared as a conciliation officer and their local limits has been fixed by the Government from time to time.
2.10.2 Adjudication

It is a process of dispute settlement wherein the government refers the case to the competent authority. It enforces award on the parties. The procedure of adjudication involves compulsory attendance of witnesses, powers of investigation and compulsory enforcement of awards with penalties for breaches of these awards.

If a dispute is not settled by any other methods the government may refer it for adjudication. The Act provides the machinery of adjudication, namely, the Labour Courts, Industrial Tribunals and National Tribunals. The procedure and powers of these three are more or less similar. Under the provisions of the Industrial Disputes, Act; 1947, either the State Government or the Central Government which can constitute Labour Courts and Tribunals. But as far as the National Tribunals are concerned, it is only the Central Government can constitute them for adjudicating disputes. The disputes involving national importance or any of such a nature, of industrial establishments situated in more than one state are likely to be affected by such dispute.

Section 2(b) of the Industrial Disputes Act, 1947 defined the term 'award' as "an interim or final determination of any industrial dispute or of any question relating there to by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under section 10A. The definition of award falls in two parts. The first part covers a determination final or interim of any industrial disputes. The second part takes in a determination of any question relating to an industrial disputes."
INDUSTRIAL PEACE

Cordial and constructive industrial relations is sine qua non for promoting progress and prosperity both at macro and micro levels. Modern economic systems have been constantly disturbed because of conflicts in industrial relations. This is equally true, both in respect of more advanced countries and developing countries like India, but there is one difference. While the advanced countries are in a position to face such setbacks, developing countries have to pay very heavily on account of poor industrial relations. It affects adversely all parties concerned with industry including the community.

Constructive and harmonious relations between employer and employees are assumed conditions for maintenance and improvements in the standard of living of the people. In India, these are essential even to maintain the status of our economy.

2.11.1 Approach to Industrial Peace

Any constructive and positive approach for industrial peace and harmony requires on the part of both employer and management on the one hand and employees and trade unions on the other sides. The foundations of good industrial relations could be laid on the following lines.

For employers and management towards employees:

Managerial attitude must change to apply human relations techniques in industry instead of authoritarian practices by:

(i) Recognition of the innate dignity of man and his work.
(ii) Recognition of the right of all men to equal opportunities.
(iii) Justice for all men in all matters
(iv) Responsibility for the welfare and development of all members of a group.
(v) A genuine acceptance of the principle of cooperation and participation.

In turn the labour or trade union should accept—

(i) A serious sense of personal responsibility for the quality of work produced and the maintenance of the scheduled rate of production of that work.
(ii) To establish friendly relationship with fellow workers and supervisors and the faithful carrying out of instructions given by the supervisory staff.
(iii) Constructive suggestions and recommendations to improve production and quality of work.
(iv) A constant endeavour to reduce lost time and avert any stoppage of work.
(v) A sense of commitment to goals of the organisation.

It is regarded as rights of management are obligations of labour and the rights of labour are, infact, the obligations of management. Based on above approach, maintenance of industrial peace will depend on following steps:

Positive and constructive steps:

(i) Collective bargaining
(ii) Joint consultation.
(iii) Proper communication system.
(iv) Recognition of code of discipline and code of conduct.
(v) Proper grievance handling system
(vi) Participative management.
Legal or statutory system:

(i) Conciliation machinery

(ii) Arbitration (voluntary or compulsory)

(iii) Adjudication:
   (i) Labour Court
   (ii) Industrial Tribunal
   (iii) National Tribunal
2.12 REVIEW OF LITERATURE

Industrial Relations have attracted the attention of sociologists, psychologists, economists, legislators and all other persons who deal with various aspects of such relations. Each one of them have discussed different problems from their point of view. Some of the authors have analysed industrial relations with an international perspective and have tried to explain the causes for variation in the pattern and nature of trade unions, industrial conflict, collective bargaining and workers participation in management etc. Others have explained industrial relations keeping only the national perspective in view. Again, most of these studies are based on conditions existing in developed countries where the situation is very different from that prevailing in developing or under developed countries. Hence, difficulty arises in applying these concepts in developing and under developed countries.

Industrial relations describe employment relationship in the setting of work organisations. The employment relationship has undergone transformation alongwith the changes in the work setting. Industrial work in contrast with the work in the pre-industrialization era has certain peculiarities.\(^6\) Firstly, industrial work is group work. The emergence of industrial proletariat has been described by Dale Yoder as the impressive creation of the industrial revolution.\(^9\) The work process brings a large number of individuals together resulting in the formation of work groups. These work groups have considerable influence in the sphere of employment relationship.\(^10\)

Secondly, it involves the division of labour. Seldom does a worker make the whole of anything. The fragmentation of work and the
alienation which it causes has been denounced by many social scientists. This subject has created a debate over the meaning of 'work' itself and whether it should be worker's central life interest. Thirdly, industrial work is carried on under control. The relationship between the owner, employer and the workers was, in the past, more direct and personal. Today work organisations have become larger and more complicated with the expansion in size of productive units, a new managerial group was interposed between owner-employers and rank and file workers. The managers have grown in number and they have become more specialised. This was regulated in additional levels of supervision and control. It is this distinct control which often produces the worker feeling of separation, and creates the issue of discipline. Lastly industrial work is wage work. In the words of D. Mc. Gregor,\textsuperscript{11} for many wage earners work is perceived as a form of punishment which is the price to be paid for various kinds of satisfaction away from the job. As both intrinsic and extrinsic rewards are important, it is necessary to integrate the two and make work both more satisfying and more productive.\textsuperscript{12} The industrial work is often performed under conditions of considerable insecurity due to the 'carrot and stick' policy of motivation what is needed is not the guaranteeing of absolute employment security but rather regulation of employment relationship by the employers/managements and the workers themselves or by government.

In an era when the doctrine of laissez-faire dominated, the workers were at a disadvantage. The worker had to join together to safeguard their common interests. When workers join together and form trade unions their idea is to construct organisations to mobilise power i.e., their bargaining power against the employers.\textsuperscript{13} The trade unions exercise their power at different levels, right from the work place to the industry level or even national level.
The employers also form associations to promote the interests of members through collective action. The extent to which these associations exercise regulative authority over their members is closely linked with the importance attached to collective action by individual employers. As regards their role and functions performed, considerable heterogeneity exists in different countries, in different regions and among different industries ranging from meeting the requirements of individual employers for advice on labour matters to play a vigorous and creative part in revolving specific pattern of relations with labour.

In the conduct of industrial relations the government plays an important role with a view to further the welfare interests of all sections of society including employers and workers. The role played by government agencies varies in degree. It ranges from only formulation of rules for the observance of the two parties-employers and worker-to direct intervention when the government agencies regulate the terms of bargain and intervene in industrial disputes to hasten their settlement.

Hence, the workers and their trade unions, the employers/management and employer's associations, and the government agencies are the prominent influences involved in the field of industrial relations. 'Industrial relation is an arts the art of living together for the purpose of production' said J.Henry Richardson. The parties involved play their roles, act and interact, and evolve a process whereby the rules to regulate the employment relationship are formulated and administered. As Allan Flanders puts it, the subject of industrial relations deals with certain regulated and institutionalized relationships on industry. According to H.A Glegg the field of industrial relations includes the study of workers, of their trade unions, management, employers associations and the state.
institutions concerned with the regulation of employment. In the book "Industrial relations systems" John T. Dunlop has defined industrial relations as a complex of inter-relations among managers, workers and agencies of government. The relation between the parties to the field are interdependent as well as interactive. The trade unions, the managements, the employers and their associations and the government agencies constitute centres of authority and exercise their power in regulating the employment relationship. The field of industrial relations with interacting multiple centres of authority leaves ample scope for conflict. There are two main types of industrial conflict (i) organisational and (ii) economic. In the earlier stages of industrial relations, the managements being sensitive about their prerogatives resist any encroachment on their traditional authority. The workers organisations gather strength and struggle for being accepted as a power to reckon with. The relations between the parties to the field become stabilized when their interactions are institutionalized. Still the conflict persists in their relationship over the economic issues like wages and other components of emoluments. Though it may be possible to identify certain influences conducive to industrial peace or conflict, any specific conditions of industrial relations cannot be produced in any country. It is the configuration of multiple factors which operates in the field of industrial relations and a given pattern emerges.

In the work organisations when groups-workers, employers/managements having their own interests perform their work roles in a setting of regulated employment relationship, certain procedures develop, certain institution evolve and various patterns of industrial relations emerge. To comprehend the diversity of patterns of industrial relations and the contributory roles of the participating components, it is necessary to examine the theoretical framework built up in the field of industrial relations.
Many studies have concentrated on the study of industrial relations in its narrower sense at an all India level.

Myers describes the origin, growth and development of Indian trade-unions, strikes etc.\textsuperscript{19} Punekar has explained the concept of labour problems and describes their impact.\textsuperscript{20} Dufty narrates the history of trade unions in India and development of industrial relations.\textsuperscript{21} Pillai briefly describes important aspects of works committees, code of discipline, grievance procedure, voluntary arbitration, joint management council scheme and wage board etc.\textsuperscript{22} Das asserts that conflicts arise due to a lack of transactional skills in professional management of industrials\textsuperscript{23}. Bonde emphasizes that the industrial relations policy is the result of tripartite consultations.\textsuperscript{24} Kumar gives a brief reviewed of industrial disputes between 1961 and 1968\textsuperscript{25}. In another paper Das stresses the need to identify and understand the direct and indirect interest groups involved in the interaction of an industrial relations situation so as to bring about a desirable solutions\textsuperscript{26} Nath briefly reviews the Indian conditions and discusses the role of government in the field of industrial relations\textsuperscript{27} Kishnamurty briefly narrates the causes behind the unsatisfactory state of industrial relations reviews the current state of industrial relations and pleads for a more human treatment towards the workers\textsuperscript{28}

Goyal describes the history of the trade union movement in India since the World War II and makes a comparison with the situation in the U.S.A.\textsuperscript{29} Ananda Rao has studied the industrial disputes in four phases, starting from 1875 and covering a period upto the end of First Five Year Plan.\textsuperscript{30} Kumar deals with the machinery, problems and factors of the industrial relations and also gives some suggestions.\textsuperscript{31} Mathour was narrated the historical background and analysis of industrial unrest.\textsuperscript{32} He has also described the aggravating factors. Tulpuls brings out the
ambivalence of the policy in which collective bargaining is deemed effective but which ignores the importance of work-stoppages that in fact give strength to the workers in collective bargaining.  

Giri offers a historical as well as analytical study of trade union movement labour legislations, industrial disputes, wages etc. Kennedy sketches the policy of the Government towards unionism and labour relations since 1947. Dayal has suggested that in the case of Public sector undertakings cases of individual and collective grievances ought to be dealt with expeditiously. He has also suggested a modified machinery for negotiations. Mehrotra briefly narrate the state of industrial relations in the Public sector and also indicates further legislative measures required. Jain gives a lucid analysis of issues of industrial relations in the public sector and recommends prompt negotiations and conciliation to bring about better relations. Meher also discusses some aspects of industrial relations in the public sector.

Bilimoria brings out the problems arising in the sphere of industrial relations on account of changing environment. Chawada shown the impact of state intervention on industrial relations in India. Goyal, Singh and Joshi have accounted for the factors and determinants of industrial relations. Verma has made a study for the machinery available in India for resolving the industrial disputes comparing the same with what happens in other countries. Datar has made a comparative study of the industrial relations system in Indian and Australia and gives reasons for the success of the Australian system.

A few studies have been made on the regional basis, their scope has been confined to the industrial disputes and the machinery
available for their settlement. Zachariah has surveyed the factors affecting industrial relations in Bombay. He has also evaluated the efforts of the Government and the employers to establish harmony and has given suggestions for maintaining the industrial harmony. Rastogi besides presenting an analysis of absenteeism, labour turnover, indisciplines, wages etc. also discusses the influences of Trade Unions on the state of industrial relations in Uttar Pradesh. Sen and Piplai have made a case study of industrial relations in West Bengal. Kothari has analyzed the disputes in the public sector enterprises in Rajasthan. Agarwal has made a study for Industrial Relations in Madhya Pradesh and given suggestions to improve the deteriorate state of affair. Nair has briefly reviewed the state of industrial relations in Goa. Ghoshal has reviewed the state of industrial relations in West Bengal.

Pattanaik has given an analysis of various aspects of industrial conflicts in Orissa. Giri has narrated the Industrial Relation in Indian Ports with reference to Paradip Port of Orissa. Saxena gives socio-economic background of workers in the five selected units in Meerut district and discusses promotion policies, training, transfer, welfare measures, bonus, remuneration and the functioning of Trade Union. Morris describes industrial history of Bombay and gives the growth of labour force, work regulation, wage, discipline, trade union, and arbitration between 1854-1917 in the Cotton Mills of Bombay. Singh explains the main economic features of the Cotton textile industry in Kanpur and discusses the nature and scope of industrial relations. He narrates and analyses the history and perspective of trade unionism in the industry. Agarwal has made an analytical study of industrial disputes in the cotton textile industry of Madhya Pradesh. Das has given an analytical study of conditions of labour in the sugar industry of Western Uttar Pradesh. Rao has studied
some aspects of personnel administration and union management relations in the Indian Railways in the post independence period. Thakar besides discussing some personnel aspects, analysis the Trade Union movement and collective bargaining in the cotton mill industry of Bombay.

G.K. Agarwal (1973) has studied industrial relations in the glass industry in U.P. Industrial Relations in the Indian ship building industry has been studied through a case study of the personnel and union management relations in the Hindustan Shipyard at Visakhapatam by Manju Gupta (1976). Similarly, Industrial Relations in Neyveli Lignite Corporation Ltd, in a public sector fertilizer industry in Bihar, coal-mining in India (1947-78), Jute and textile industry in West Bengal, the coal industry in India, the textile industry of Indore, large scale industries in Kanpur, have been studied by J.Jayaraman (1980), M.P. Sah (1982), A.K. Ghosh (1979), B.K. Mukherjee (1976) Pais Hillary (1983), D.K.Lal Das (1980) and Naresh Avinash (1973).


A brief survey of the literature available also indicates that some important and valuable studies have been conducted relating to the
industrial disputes or industrial relations in a particular State, city or a particular country as the 'Universe' chosen for the study. Some of them are listed below:


There are several studies on strikes and causative factors of strikes one may refer to Prakash Deshmukh (1975) relating to, viz, Matchwell Electrical India Ltd, etc Sinha and Deepak Desai relating to causative factors of strikes in selected industries. H. Paris (1984) studied the public sector strike in Bangalore from Dec 1980 to March, 81.

Industrial Adjudication attracted the attention of some scholars and a few useful studies can be seen in this field. B.K. Goswami (1976) studied the frame work of Labour. Labour judiciary in M.P. A detailed study was undertaken by N.D. Sharms (1978) on the role of Industrial Relations as research project.

Giri (1960) has emphasised the need for minimal state intervention in industrial relations. Munson and Nanda (1966) have suggested that the legal frame work had a direct influence on the union
leaders and through them on Trade Unions. The influence came from the procedural component of the legal framework i.e., the conciliation machinery.

Anjaneyulu (1969) has dealt with the Gandhian concept of industrial relations. The perennial validity of peaceful and conciliating approach of Gandhi to industrial relations has been highlighted.

The review above signifies the importance of healthy industrial relations which paves the way for the success of an organisation. There should be totality of action which may be required to improve industrial relations in a disciplined and orderly manner.
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