CHAPTER V

BUREAUCRACY AND TRADE UNION

Max Weber has little to say about the development of the trade unionism in the modern sense (i.e. bargaining procedure, taking legal action against management, etc.). He pointed out that the power of hiring and firing was in the hands of management and it has been often used 'arbitrarily'. He suggested that labour organization was alone not in a position to control this arbitrary power of the management. He did not say in what way it could be controlled. According to his view the voluntary 'associations' like trade unions provided advantages such as establishment of communal, economical and political relationship among the members. These are some of the reasons that laid workers to become the members of the union.\(^1\) In modern bureaucratic organisation in addition to the traditional bargaining function, the union is supposed to safeguard the interest of its members by preventing the unfair activities of the management.

According to Weber "a trade union is a continuous association of wage-earners for the purpose of maintaining


or improving the conditions of their working lives."^{2}

Mr. N. M. Joshi, the father of Indian Trade Union Movement, defines the trade union as essentially "an organisation of employees not of employers nor of co-partners, nor independent workers."^{3} The trade union is a formal organization established to protect the interest of workmen. Like other formal organization union is controlled by certain rules and regulations. Every union has its constitution, bye-laws, method of negotiation with management, system of punishment and reward. However, trade union is different from other formal organizations in respect of its aims and objects, nature of work, pattern of leadership, internal control and so on.

With the development of management science the traditional role of the trade union changed. This was the important reasons that led social scientists to describe the role of the union in different manners. Blau and Scott described union as a mutual benefit association.^4^ Miller and Form pointed out that "the union is supposed to be concerned with the welfare of its members, irrespective of sex, colour and creed. Each group has the right to expect

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fair treatment within the union and the union's dealings with the employers."\(^5\) Michels pointed out that in modern trade union organization the individual worker has no effective control over it (i.e. over the iron law of oligarchy). He pointed out that the union leaders coming from a working class do not represent their members interests, they are bribed by the employers. Michels also comments that union organizations tend to become ends in themselves rather than means to achieve the ends. In other words the gap between the leaders and the followers is increasing day by day.\(^6\) According to Schneider the success of trade union depends upon the ideology of union leaders, its members and upon the extent of management opposition.\(^7\)

Theoretically bureaucracies are managed by professionals while bureaucrats are supposed to follow rigidly the laid down rules and regulations.\(^8\) In reality as we pointed out earlier it is not so. Many a time criticism is levelled against the bureaucratic management for allowing the elements like favouritism, nepotism and other personal prejudices to come in the way of carrying out its duties. It is

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generally believed that such things take place in countries like India, where industrial traditions do not exist to a great extent. Trade unions could play an important role to provide internal checks on bureaucratic procedures such as decision making process, execution of policies and get things done by the management or to put in other words to regulate the activities of the industrial bureaucracy.

According to Punekar, Indian Trade Unions have gone out of the scope laid down by Webbs. He states that the aim of union is not only to look after the narrow economic interest of their members but also to attain all round development of the industrial community. It is necessary to extend the scope and objectives of the unions by extending the coverage to more categories of gainfully occupied persons and various non-economic benefits for them. Further he points out that trade unions are representative organizations of workers and hence they must look to their workers' interests, both on and off the job. He suggests that unions may undertake community services like educational, religious and other welfare activities which would bring unions and their members together.  

In India, various investigations made in this field of trade union activities were related to settlement of wages, 

9 S. D. Punekar, Trade Union and the Community. Proceedings of Seminars "Social Responsibilities of Trade Unions" convened by The India International Centre and the Gandhian Institute of Studies, New Delhi, 1960.
bonus, strikes and such other aspects. However, the other roles of the trade unions in bureaucratic organizations like control over major managerial decisions, have been rarely studied.

In this chapter an attempt has been made to understand the interaction between the union and the management either to correct the bureaucratic decision making or help the bureaucracy to run the organization, or in other words, functioning of trade union as an organized pressure group within the industry. The other important factors like the attitude of workers towards trade union, their expectations from union and actual fulfilment, management's attitude towards union, pattern of union leadership, are also studied briefly.

Trade Union in the Government Undertaking: Introduction

The factory started its business in 1954. Initially, there were limited number of employees. Naturally, their relations with the management were cordial. Gradually, along with other developments, the work load and the labour force also increased and the workers relations with the management changed. The conflict began between the workers and the supervisors in relation to decisions taken regarding the allotment of work, overtime, shift change. Under such circumstances, who was to offer proper guidance and correct solutions for their problems was the main issue before them.
The rank and file of workers acquainted with trade union activities helped such workers. When these conflicts between the workers and the management started, an informal group of workers of the factory was formed specially to solve some of these problems between the labour and the management. Later on, when they found that they could not fight it out informally with the management, they organized themselves into a larger body and registered it in the formal way as a trade union (under the Trade Union Act) in September 1954. In the meantime, some representatives of political parties like the Socialist Party entered the scene and promised the workers that they would fight to get high wages, better working conditions, bonus and so on. They also registered as a rival union in the same year. This competition between the unions created awareness among the workmen the use of the trade union and they enrolled themselves in either of the unions. Then there was a tussel between these two unions. At last, the Labour Minister of the Maharashtra State intervened in the dispute and Socialist Party's union got merged with the workers union (26th January 1958) which was then known as Mazdoor Sangh as a trade union under the title, registered under the Trade Union Act, 1947, from the 1st of February 1958. The objectives of this union were:

10 Trade Union Act, 1947, Government of India.
(1) To foster the spirit of brotherhood and co-operation among the workers.
(2) To develop in the workers, a sense of discipline, efficiency, and civic duty.
(3) To secure for workers a living wage, better working conditions, and reasonable hours of work.
(4) To bring peaceful settlement of trade disputes between workers and employers.
(5) To improve the moral, intellectual, physical and social conditions of workmen.
(6) To do all things to attain the above objectives.

It was recognised by the management. It was not affiliated to any political party but the President of the union belonging to the ruling Congress Party was a Member of Parliament. In the discussions it was revealed that the President never interfered in the day to day work of the union; he used to sign papers, preside over functions and important meetings only. Being a Member of the Parliament he could present the workmen’s problems at the Government level also. The workers used to elect other members of the Executive Committee by the ballot system. The term of office was three years. The membership covered the workmen and the clerical staff and the members were required to pay Rs. 3/- as yearly subscription. The company provided premises for the union office. Out of the total number of employees only 175 did not join the union as there was a
UTTERLY POOR RECEPTION

Visitors who come to our factory on official business are directed either by the Watchman on duty at the Administration Block, or many times they have to find the way for themselves to meet the persons they call upon. Such a deplorable manner of reception which puts many visitors in an awkward and embarrassing position, smacks of utter disregard of the management for a very important aspect of Public Relations in our organisation.

About three years back the post of Receptionist was reported to have been abolished by the Company and no alternative arrangements appear to have been made so far.

Will the Managing Director look personally into the matter?

STEP-MOTHERLY

While the Company has been paying overtime to the main plant units i.e. Production, Engineering and other departments (in some cases extra hours in violation of the Factories Act), it refuses to pay any overtime whatsoever to the employees in Research Laboratory and Quality Control. All that the laboratory workers get, with much difficulty, is Compensatory Off.

Workers holding overtime slips duly signed by the head of their respective department or Laboratory have been refused payment on the grounds that no decision has as yet been reached by the management whether overtime should be paid to the Laboratory staff.

Why this stepmotherly treatment to Research and Q. C. Laboratory as far as overtime is concerned?

OUR SLEEPING SECURITY

With the number of thefts, both in the Residential Colony and factory, on the increase, and with late-hour gambling and bootlegging continuing fearlessly unchecked, one finds it difficult to believe that we have any Security Department at all in our Company. One wonders what the Security Officer and his khaki-guards are appointed for!

Every alternate day we find police vans in the Colony making enquiries and investigations about thefts either in the Shopping Centre or the residential area. Seeing a police van recently near the Shopping Centre, an outsider observed “Does the Company not have its own security force?” It is left to the management to find an answer to this question. It is really interested in the welfare and safety living in the colony-residential employees.

A few days back one of the ‘C’ type bungalows was burgled and items worth a Thousand rupees were reported to have been stolen. The theft is said to have taken place in broad daylight.

The utter negligence on the part of the Security department is becoming a nuisance and creating a feeling of insecurity and vulnerability among the residents.

There appears to be no system of keeping a check on outsiders entering the gates of the Colony. In spite of the board displayed at the entrance, it seems to be open to anyone to come in and out without being questioned at any time he likes.

When house-construction and road-repair works are being carried out in the Colony by private contractors and their men, it becomes all the more important for the Security staff to be more cautious and vigilant in their duty.

Moreover, it is regretfully observed that during entertainment functions in our Welfare Centre and particularly during screening of films at our Open Air Theatre, people from all over Pimpri come crowding to the theatre as if our theatre is open for all; needless to mention the nuisance and disturbance such outsiders cause to the peace-loving residents of the Colony. Why do our khaki-guards disappear when their services are badly needed?

It is recorded with grave concern and deep regret that our Security Department has miserably failed in the proper performance of its duties. The management has from time to time been apprised about the gravity of the situation and it is hoped necessary steps will soon be taken to eliminate the fears of the residents of Colony.

DOUBLE STANDARDS

-By virtue of their seniority of twelve to fifteen years about two hundred workers of the Company have reached the maximum of their respective grades and are now working without any hopes of getting any further increments.

This stagnation is all the more important in the case of graduate operators whose grades have touched the ceiling at a rather young age.

This state of affairs has brought about a feeling of despair and frustration among many of the senior, well-qualified workers. The management has not evolved any schemes to safeguard the interests of such workers whose scales have touched the saturation point.

Knowingly and deliberately the management has been cold-shoudering this important issue. Does the Company want all its senior workers to look for better jobs outside in other private or public sector undertakings?

On the other hand, after manoeuvring the Company Secretary’s upgradation the Company has taken up at Board level (next meeting to be held soon) the case of revision of grades of certain officers who have not yet reached the maximum in their grades! Why the double standards? Why must the Company be indifferent to the interest of the workers and pay more attention towards the needs of officers? Let there be a common policy for the workers and officers alike.

Resorting to double standards by the misguided and ill-advised executives is certainly not in the interests of the organisation and as such will not be tolerated any longer.
split in the union and one group was against another. The general meeting was held once in a year. In the general body meeting the annual report and the balance sheet were subjects on the agenda. The Executive Committee used to meet every month to discuss various problems related to day to day work. There were five joint consultation committees. To communicate management’s decisions to members it used to publish one bulletin every quarterly. As regards the collective bargaining function, the vice-president, the general secretary, the joint secretary and one or two members of the Executive Committee were the representatives of the union and the Managing Director was from the management side. There was no laid down procedure for negotiations with the management.

Our ideas about the actual working of the union from 1958 to 1970 were gathered from the record and other materials available in its office. The decisions taken by the management on important issues like salaries, bonus, promotion and other administrative matters which were challenged and corrected by the union were selected for this study.

Workers Attitude Towards Trade Union

We have so far seen how the trade union was established in this organization. One more important aspect which attracted our attention was the attitude of the members of the union towards it. The respondents (workers) were asked
why they joined the trade union? Out of 100, 40 replied that all permanent employees joined the trade union and hence they also joined. Five out of 100 accepted membership because their friends persuaded them to do so; 18, out of fear of victimisation; 13 with the hope to extract more benefits like bonus, increments and increase in dearness allowance. Fourteen believed that democratic set-up of the union would oppose the management tactics. Ten did not join the union on the grounds of regionalism in union activities. There were some workers who held the graduate degrees and some others who had attended under-graduate classes, but surprisingly enough they were not at all interested in the trade union activities.

Regarding the grievances procedure, 70 replied that there was no laid down formula to redress as such and redressing of their grievances was done orally. Fifteen never approached the union because they thought that the union was not helpful to them. Five redressed their grievances through union leaders.

About representation of cases before the management, 72 workers complained that there was partiality in representation of individual cases. The cases of those who were in good books with the union leaders were considered favourably. Eight were satisfied with the procedure adopted by the union, seven partially satisfied the way in which the union represented their cases, whereas three refused to
answer the question.

Actually, nothing relating to the union should be concealed from the members if the union is to function as a democratic organization. The data revealed that 52 respondents complained that there was no formal procedure of communication. They received the necessary information through informal sources (i.e. canteen, change room, recreation hall); 20 reported that they got official information from notice boards and 13 received the necessary information from the union bulletin.

All respondents stated that the union authorities called meetings regularly. Eighty-five complained that the decisions taken in the general body meetings were not implemented immediately. All respondents regretfully stated that the union failed to create interest in their work. In this connection one of the workers said "I am working in this factory for the last 15 years. Since my entry, upto this date, I have not seen union leaders on the work spot. Under one pretext or the other they always ramble here and there in the factory. Even their attendance cards are punched by others. Under such circumstances, how they can ask us to work sincerely?"

About the participation in strike, it was observed that only skilled and white collar workers were aware of the causes of strike and terms and conditions of its settlement. Semi-skilled workers were partially involved in such activities.
Unskilled workers blindly followed leaders' orders and participated in the strike. The study revealed that there was peace during the strike period.

In such type of study, the attitude of the management towards the trade union plays an important part. As our observation revealed that workmen's clashes with the management started from the shop-level supervisors and were settled at the top level (i.e. Managing Director) and to solve the problems at the shop-level, the union leaders were more associated with the (shop-level) supervisors and for the final settlement of disputes at the top level (Managing Director) the shop-level supervisors and the managing director from managerial hierarchy were selected for our study here.

**Management Attitude Towards Trade Union**

The shop-level supervisors were asked to explain the causes of conflicts between workmen and them. Many stated that indifferent attitude of workers in general and lack of proper guidance from the trade union in particular came in the way of cordial relations. With a view to understanding their idea about the trade union they were requested to explain their concept of trade union. Out of 16 supervisors, 5 stated that it was a bargaining organization in the hands of workmen who do not know how to handle it. Eight supervisors stated that the trade union failed to
achieve expected results (i.e. to create sense of belongingness among the members and to increase productivity). Three stated that to counter-check the managerial whims and fancies the existence of union is essential. Regarding the help rendered by union to its members, five supervisors mentioned that, like politicians, union leaders give false promises to their members and misguide them instead of helping. Eleven stated that to some extent the union officials help to solve very general problems like working conditions, bonus and so on by putting the cases before the concerned officers. But due to the impact of casteism, regionalism and pressure groups, a common worker is still away from union activities.

In the discussion, all supervisors pointed out that the union failed to solve individual problems of members. In this connection one of the supervisors stated: "This trade union rendered very valuable service to the members in general. After a Supreme Court's decision, the status of the union increased in the eyes of the community. The workmen received substantial amount of money by way of compensation. But, most of the unskilled workers spent that amount extravagantly (on gambling, drinking, etc.). As compared to other factories, workers in our factory are

well paid but they do not know how to spend their wages. Every month most of them borrow money from their colleagues or moneylenders with high rate of interest. Many times they dispose off their canteen coupons at low rate. In my opinion there is much scope for trade union to work on such issues."

Supervisors' opinion of workers interest in union activities and their attitude towards it (union) was also studied. All of them stated that at least prima facie workers pretended that they were really interested in union activities. But in true sense, very few desired to work for the union. Regarding the attitude of workers towards the trade union, nine supervisors stated that workers expected maximum benefits from the union; six stated that workers never took active part in the union activities, they payed subscriptions only and, therefore, the question of their attitude did not arise. One supervisor refused to answer these questions.

About labour participation in management, four supervisors stated that perhaps workers would understand managerial problems, difficulties and this experiment would help to improve their lot. Six opined that the idea of participation meant something Utopian because the workers in our country have not yet come up to the participative level. Four supervisors stated that it was a sentimental issue and hence practically useless. Two stated that the present
Joint consultation experiment failed to achieve desired results and hence this idea was not useful.

While discussing the role of the union, the Managing Director pointed out that the existence of trade union in any complex organization was essential. But the principles of trade unionism should not be violated under any circumstances. Due to the influence of various pressures, union was always deviated from the accepted principles, he pointed out that political leaders and government officials always interfered between the union and the management and more specially in the Government undertaking. In our opinion, the union should take strong objection for such interferences but unfortunately they remained silent, because they were not conversant with the union activities.

Attitude of Trade Union Leaders Towards the Management

The attitude of trade union leaders towards the management plays an important part in union-management relations. The author had an opportunity to discuss with the President of the trade union. In the discussion he said: "this being a government undertaking there was no definite managerial policy about the union. The managerial policies and their attitude towards union more or less depend upon the influence of the Ministry on the Managing Director. Further, the Managing Director, also is likely to be changed (transfer, retirement). Therefore, with the change in the person
working as the Managing Director, policy also change. Therefore, the union has no definite policy of dealing with the management. It is flexible. As a President of the union, I am concerned with the major policy decisions like bonus, promotions and other important matters. The day-to-day work is administered by the office-bearers but they always inform me about it." The study revealed that all the previous Presidents were well educated and came from the Brahmin caste group.

The General Secretary of the Union stated, "in this organization there is no Personnel Department. The Managing Director, with the help of the Company Secretary, is supposed to handle personnel matters. All Managing Directors are not necessarily equipped with the personnel management. Therefore, many times the company secretary disposed off disputes. Generally, he encourages workers not to approach the union in case of difficulty. If anybody submits his case to him directly quick decision is taken. If the union intervenes he adopts usual bureaucratic procedures (i.e. delay in decision and action). Many a time, there is direct communication between the labour and the management. Thus the management deliberately bypass union and tried to convince workers against union."

Another office-bearer pointed out: "Too much time is spent on 'rotten' discussion. If the union suggest any new scheme it is rarely accepted. If genuine suggestions are
made they rarely accept it. When cases of managerial lapses are represented investigation is either delayed or no proper investigation is made. If investigation is properly made, decision is rarely taken. This is the way how they treat us."

Pattern of Leadership

Our study disclosed that major complaint of the union leader was the lack of members' interest in union activities. One of the veteran ex-trade union officials pointed out that most of the young workers of the industrial labour force join unions, they pay subscriptions but they have no emotional involvement in union activities. Even for special meetings the union do not get proper response from them. Many a time meetings are organized, and adjourned for want of quorum. In my opinion, fear of victimization, inferiority complex and inter-union rivalries - are the major reasons why they hesitate to participate in union activities."

It is not easier for the union leaders to get maximum support from members unless the leader possess special qualities like gift for expressing the sentiments of the members and dramatise a conflict situation.12 Our study

12 Max Weber stated that "the charismatic leader gains and maintains authority solely by proving his strength in life. If he wants to be a prophet, he must perform miracles; if he wants to be a war-lord he must perform heroic deeds." Max Weber, op.cit., p. 249.
revealed that members supported the charismatic and competent leaders. In this regard the ex-union leaders were also interviewed. It was found that they were more competent, matured and experienced in union activities. The ex-union leader expressed his experience in the following words: "In the Government undertaking, the success of negotiation across the table depends upon how they (the management) respect union leaders as a representative of workmen, rather than an individual. It is my experience that the management always respect leaders individually; under such circumstances it is very difficult for union leaders to discuss and settle their disputes impartially, across the tables. And disputes remain unsolved and many a time strikes, go-slow work occur and the government comes to intervene in the affairs. All this is based on politics. When I was in the office, I fought a case up to the Supreme Court and got many things done from the management instead of compromising across the table."

It was observed that leadership emerged from the rank and file cadre of the organization. Most of them stepped into union activities during crises period only because they wanted to serve their fellowmen. Hence, they occupied a high status position in the organization. Very few joined the union due to influence of political parties. Another feature of leadership was that there were no full-time workers. All the leaders were taking interest in the
union activities by doing their regular duties.

Regarding the present union leadership, the Managing Director opined: "The leaders associated with the trade union activities are amateurs in the sense that they are not well versed in trade union administration. Some of them spend few years in this union. If they themselves are not aware of the principles of unionism, how will they manage the union?" About the affiliation of the union to a political party he mentioned: "Officially this union is not affiliated to any political party. But office-bearers of the union always consult political leaders. As a result of it they fail to achieve the desired objective. While discussing across the table we have noticed that they themselves were not aware of the nature of dispute and its formal aspects. For example, the company constructed a new canteen building--in the old canteen there was a special room for officers. They raised objection that in the new canteen there should not be any special provisions for officers--in the discussion across the table the union was divided into two fractions; one of them pointed out that officers always harassed workers during factory hours, so, at least during the recess period they did not want to see their faces. Another fraction stated that their President asked them to oppose the special canteen issue. According to him (President) there should be no distinction between officers and the workers during recess.
"As a matter of fact when union leaders come for discussion, they should prepare for it. But the leaders of this union never come prepared—they have had their ideas either borrowed or forced upon them. This is something contrary to the basic principles of bargaining. Once upon a time the union fought and won its battle against the management in the Supreme Court; on the basis of that victory they are doing anything. Their attitude towards the management is one of concealed hostility and opposition. This is the result of lack of an ideology and also because of a number of misconceptions. As a matter of fact the union has to play a vital role in creating work consciousness. But that is not the case with this union. About workers participation in the management, the time has not yet come to implement this scheme in India."

Conflict with the Management

While trying to control the affairs of the bureaucracy, in various areas the union came into conflict with the management. Many a time major disputes between the labour and the management were settled amicably across the table. On the other hand, sometimes minor matters became more complicated and they were referred to the tribunals or courts either by the union or by the management.

Here, an attempt has been made to study some of the important cases settled across the table and that were
referred to tribunals or courts.

(A) The management has been complacent and indifferent in the matter of promotion. The management violated the agreed policies for departmental promotions. It postponed to call Departmental Promotion Committee meeting under one pretext or the other. The union took this issue very seriously because, by virtue of seniority about 300 workers in the company reached the maximum level of the respective grades. They worked with the hope of getting promotions or increments in the near future. One of the senior trade union leaders described this situation in the following words: "This stagnation created more frustration in the case of Graduates, who touched the ceiling at an early age. It also brought a feeling of frustration among many of them. Most of them were in search of jobs outside the factory." The management ignored this important issue. On the other hand, it promoted three Deputy Superintendents as Superintendents (in the Production Department). The union argued that these officers were responsible for the deterioration of production, wastage and for not implementing expansion schemes. They complained that such inefficient officers were promoted by the management. The union condemned the unjustifiable upgradation of these officers because the management deliberately created promotional avenues for their favourite officers. The union warned the management that the promotions to employees should not depend upon the whims and fancies of
the management. If it was not corrected, the union would fight it out.

(B) Another important issue raised by the union was that the management has been sponsoring certain selected members of the officers to attend seminars, conferences and meetings within the country and abroad. It also pointed out that every year, lakhs of rupees have been spent by the company for sending delegates. No fixed policy has been laid down for the selection and deputation of personnel to conferences, seminars and so on. The union argued that in many cases even reports were not submitted by the delegates. The question arose was, what did the company gained by their trips? Thus every year lakhs of rupees have been spent by the company for sending delegates to seminars, and conferences. The union pointed out that such delegations were not fruitful for the improvement of this undertaking; on the other hand, it involved financial loss. The management accepted in principle this suggestion.

(C) The third case dealt with the data processing unit (IBM) installed by the management for the collection of data for production statistics, inventory control and other productivity controls/measure. Its annual expenditure was about Rs. 40,000; but unfortunately it was not utilized at all. To save the draining of money the trade union demanded that the I.B.M. unit should be scrapped.

(D) Some other problems were absorption of casual workers
with long years of service (6 to 10 years) in regular service cadre, working conditions of women employees in Production Department and so on. The management was silent on these issues and the union became helpless; the union leaders were completely disappointed. To protest against the unfair practices of the management stated earlier, the trade union organized demonstration and a gherao on 13th July 1970 at 12 p.m.

**Gherao**

The gherao is one of the modern forms of labour protest against the management to correct the mistakes made by the bureaucrats. It is very difficult to define the concept of gherao, because the pattern of gheraos and the behaviour of workers involved in it may vary from place to place and also from situation to situation. Further, the form of a gherao is conditioned by the various factors like the nature of the activities of union and its relation with the management, the behaviour of the officers in the factory, the workers and the supervisors relations, socio-economic background of the employers and the employees, ownership of the factory, and so on. In India the first gherao was organized in Bengal in 1967. The High Court of Calcutta has defined gherao as under: "The physical blockade of a target, either by encirclement or forcible occupation. The target may be a place or a person or persons, usually, the managerial or
UNION AND BUREAUCRATES

Negotiations across the table

Trade union leader addressing members
supervisory staff of an industrial establishment. The blockade may be complete or partial.\textsuperscript{13}

On 13th July 1970 at 12 p.m. the workers and the union leaders assembled before the Managing Director's office. They started shouting "Workers Union Zindabad" (workers union long live), "Management Murdabad", "we want justice", "scrap out I.B.M." About half an hour they shouted in front of the office. Later on, the union leaders addressed them. They prepared a written statement about their pending demands and gheraoed (physically surrounded) the Managing Director. He was not able to move physically out of his office. Later on the Managing Director called the union leaders for discussion. After the negotiations with the Managing Director, they obtained assurances from him that he would look into the matter personally and their pending demands would be considered immediately. Afterwards, at about 4.30 p.m., the gherao was lifted.

Apart from these, the following were the peculiar cases in which the union played an important role in regulating the wrong decisions taken by the bureaucrats.

\textbf{Case I}

In the year 1962, Mr. I, a Bachelor of Pharmacy degree

\textsuperscript{13} Jay Engineering Works, Ltd. and others Vs. The State of the west Bengal and others, decided on 29th September 1967. The Statesman (New Delhi), September 30, 1967.
holder was recruited as Technical Assistant in the Quality Control Laboratory. In 1968, there were some vacancies of Senior Scientific Assistants in the Pharmacology Section. The management advertised the posts. Mr. X applied for it through 'the proper channel'. The management could not get a qualified person. The management asked Mr. X to work for a short period as a Senior Scientific Assistant, even though he was not basically qualified for the post. As he had worked for two years, the Head of the Department recommended his case for promotion. It was referred to the Departmental Promotion Committee for consideration. On the basis of the recommendation of the Head of the Department, the management promoted Mr. X as a Senior Scientific Assistant, though he was not basically qualified for the post as mentioned earlier. The union protested against this promotion because the management violated the agreed promotion policy i.e. Mr. X was not basically qualified in the subject concerned and therefore was not entitled for the promotion. On the ground of violation of rules, the union obliged the management to revert Mr. X's promotion. The management agreed and Mr. X was reverted.

Case II

There was one post of Senior Fitter in the Boiler Department. According to the laid-down promotion policy, only the senior candidate working in the same department was
eligible for promotion. The Head of the Department recommended Mr. A for promotion as he was the senior most candidate. The Departmental Promotion Committee considered his case favourably and forwarded it to the administrative department for necessary action. In course of time, the General Secretary of the Union who was working in the same department and expecting promotion understood from an informal source that Mr. A's case has been considered favourably by the committee. Immediately, he approached the Managing Director and argued that, taking into consideration the seniority in general he (the Union Secretary) was entitled for promotion. The Managing Director in his authority relaxed the condition and promoted the Union Secretary, taking into account the seniority in general and Mr. A's case was dismissed.

In the first case, the union regularized the bureaucratic decision of the management. On the other hand, in the other case, both the union and the management deviated from the ideal type.

Case III

We have seen in the beginning that there were two trade unions. After the amalgamation, the union submitted a charter of demand to the management. At that time, the new Managing Director was appointed. He was a scientist and he had no knowledge about the operations of the factory bureaucracy
He discussed with the union leaders about their demands and proposed to the management that demands were not acceptable. Later on with the consultation of a legal adviser the case was referred to the Board of Conciliation.

According to the Industrial Disputes Act of 1947, if there is any dispute between the labour and the management it should be referred to the government. The government ruled to refer it to proper authority for adjudication. Since this factory was located in the Maharashtra State and controlled by the Central Government (Government of India), the problem was which Government, whether the State or the Central, was the competent authority to handle this case. On this issue, there was a lot of discussion between the union, the management and both the (Central and State) Governments. At last it was decided that the State Government was the proper authority to deal with this issue. Later on the Government recommended a Board of Conciliation. The union refused to accept it because in the conciliation procedure matters always delayed. At last, the said dispute was referred to the Industrial Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947. After considering the conflicting contentions of the disputants, the Tribunal gave an award on October 8, 1963. In making the said Award the Tribunal made the following findings:
Rejecting the contention of the company that in fixing the wage scales different considerations and standards should apply to the public sector undertaking as distinct from the private sector undertakings, the Tribunal fixed the wages on region-cum-industry basis. On a scrutiny of the comparative study of the wage structure of companies in the region, it found that the company was a very large and prosperous concern and its wage scales were on the low side, taking into consideration the duties and qualifications prescribed for them. The Tribunal fixed the wage scales, taking into account the company’s financial position, its production capacity, a comparative study of its wage structure within the neighbouring industries and similar other factors. It retained the existing dearness allowance scheme and made small alteration in the slab of dearness allowance by giving increases in the basic pay of lower categories of workmen. It linked the dearness allowance with the cost of living of the city. It evolved a gratuity scheme for the workmen and gave retrospective effect to the Award.

In the result, pursuant to the said directions, the Tribunal had given its Award against the company. As an effect of it, the position of the Central Government became obscure because it affected the work of other Government Undertakings in different parts of the country. There was a heated discussion in the Parliament. At last, the
management filed an appeal in the Supreme Court (under Article 136 of the Indian Constitution) against the decision of the Tribunal.

The union leaders were amazed when they learned that the management had filed an appeal in the Supreme Court against the Tribunal's decision. They approached the management and requested to withdraw the appeal because the Government of India appealed to other trade unions to accept the decision of Award. In this case the Government violated its own policy. The financial position of the union was not strong to fight out the case at the Supreme Court. The management refused to withdraw the appeal and on this issue the union gave a strike notice. The strike lasted for 7 days and the management agreed to pay interim relief and the strike ended.

In the result, the appeal preferred by the company was dismissed with costs. The award was modified only in regard to the age of retirement (i.e. retirement age of the employees of the company raised from 58 to 60 years) and the remaining terms and conditions were accepted by the Supreme Court.14

Case II

Mr. D joined the organization as a workman on 6 June 1954. On 10th April 1969 he received a letter from the

14 K. K. Bhattacharya, L.L. Joshi and others (ed.), *op.cit.*, pp. 972-95.
management requesting him to submit his photograph together with his wife. Every employee, prior to the retirement, is supposed to hand over a copy of his photograph with his wife. According to the management he had to retire from service on the 10th June 1969, the day he attained the age of 58 years. Immediately he approached the union. On the 15th April 1969, the union sent a letter to the management stating that he had two more years of service. According to the union, Mr. D. would be attaining 58 years on 10th June 1972. As evidence, they produced a birth certificate from the Gram Panchayat. According to it the birth date of Mr. D. was 10th June 1914. The union sent a copy of the said letter to the Labour Department of the State Government and requested to intervene in the matter. The Labour Department issued notices to the union and to the management and fixed the day of 10th August 1969 for a conciliation meeting.

In between, the date of retirement was over and the management thought that the retirement conciliation might be illegal. But according to the Industrial Disputes Act, the retirement of Mr. D. would not come in the way of conciliation. The conciliation took place on the 10th of August 1969 and the following issues were raised.

When the factory started at that time many workers were employed without considering rigidly the formalities of recruitment procedure, i.e., proof of age, education (certificate), and experience. When Mr. D. joined the
company in 1954 (sometime in May) he declared his age as 43 years. Afterwards on 10th September 1954, the management issued notice to employees requesting them to produce proof of age within the period of a month. In that notice they mentioned that the following documents would be accepted as a proof:

1. School/College/University Certificate.
2. Certificate from Civil Surgeon.
   Certificate from Divisional Magistrate/Local Authorities, i.e., Gram Panchayat/Municipality/Corporation.
3. In the absence of above, a horoscope from Hindus, Baptism Certificate from the Church for Christians.

On 10th of October 1954, Mr. D. produced a horoscope, under protest that he could not get a certificate from the Gram Panchayat within the time limit prescribed by the management. In the horoscope his birth date was recorded as 10th June 1912, the management accepted it and recorded it in his service-book. The complication started when Mr. D. received the birth certificate from the Gram Panchayat in which his birth date was recorded 10th June 1914 as mentioned earlier. On 10th January 1955, he sent a letter to the management in which he stated the facts and also pointed out that he had submitted the horoscope as an evidence of age under protest. But the management turned down his request. At that time there was no trade union. Hence,
Mr. D. was helpless. This dispute was kept pending for a long time (upto his retirement). The union, on behalf of Mr. D. pointed out that he had submitted the horoscope under protest and also to avoid delay. Later, on the 10th of January 1955 he again sent a letter and an original certificate from the Panchayat which was more reliable than the horoscope. But the management intentionally turned down his request taking undue advantage of his ignorance. The management refused to accept the certificate from the Gram Panchayat without assigning reasons.

The Conciliation Officer failed to arrive at a final solution and recommended the dispute for adjudication. After examining the merits of the case, the Labour Commissioner rejected the defence of the management. Thus Mr. D. continued in service.

**Case III**

Mr. K. joined the organization on the 5th of July 1956 as a worker. He was charged with certain alleged acts of misdemeanour under the standing orders for incidents which had taken place on November 15, 1967. The charge-sheet was issued to him on 17th November 1967 and he was dismissed on February 10, 1968. The charges against him were as follows:

On November 15, 1967 between the hours of 2 and 2.30 p.m. he was working in the Stores Department. He was asked by the Stores Officer to carry a bag of cement to the
Engineering Department. On that day, there were no workers whose duty would include any type of coolie work. He refused to do the work as he was fully tired. On the same day at 3.30 p.m. he was asked by the Stores Officer to call the Canteen Manager, but he refused to go to the canteen in the afternoon because his relations with the Canteen Manager were not good. So he refused to do any work. The Stores Officer recorded a complaint against him.

The Inquiry Officer was appointed to investigate the case. Mr. K. in his defence (through the trade union) pointed out that on November 15, 1967, there were no workers and one worker could not be asked to do the work of several workers. About the other incident he argued that the Stores Officer intentionally asked him to call the Canteen Manager because he was aware that his relations with him were not healthy. He could have called him by the internal phone. He further pointed out that on certain occasions he refused to perform personal work of the Stores Officer. Hence, he harassed him. The witnesses of the management were examined. Mr. K. could not produce any witness to prove his defence. According to clause 14(b) of the Standing Orders of the Company the Inquiry Officer declared him guilty of the charges levelled against him and dismissed from the service.

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15 Clause 14(b) of the Standing Order: "Wilful disobedience or insubordination regarded as major misdemeanours. In awarding punishment under this order management shall take into consideration the gravity of the misconduct of the workman and other aggravating circumstances that may exist."
Against the decision of the Inquiry Officer, the Union filed a case in the labour court for reinstatement. The court went into the question as to whether the previous record of the workmen and the extenuating circumstances had been considered at the time of inquiry or not. According to the view of the court, the workman was in the employment of this company for a period of eleven years and his previous record was also good. The two incidents of November 15, 1967 were neither serious nor was there an extenuating circumstances. The court held that the charges levelled against the workman were not really serious as to dismiss him from service. Mere warning or any other minor punishment like suspension of increment would have served the purpose.

In the result, the order of terminating the services of workman was held invalid and he was declared to be in the service of the company.

Trade Union in the Private Undertaking: Introduction

In 1958 when the factory was located in Bombay City there were about 400 workers. The expansion of the factory was held up for want of adequate space. At that time the relations between the labour and the management were good. Later on, the management obtained land and constructed a new spacious building. With the expansion of the factory the labour force also increased in number and there was a change in the managerial cadre too (i.e. Technicians,
Technocrats, Administrative Personnel recruited). Gradually with the change in the labour force and the managerial cadre, the pattern of relationship also changed. The conflict between the workers and the supervisors started from the shop-level. In the beginning, petty complaints were settled at the shop level by the senior workers, the managers and so on. But day by day occasions of dispute increased and the workers felt the need to unionize. In March 1961, the workmen joined a trade union affiliated to All India Trade Union Congress. In the beginning, the management refused to recognise it. They thought that divide and rule policy would enable them to stop unionism. But their anticipation went wrong and they had to recognize the union. In August 1961, the union prepared demands regarding wages, working conditions, promotion policy and so on. In the General Body Meeting the union leaders put forth the list of demands. The members refused to accept it because the demands were prepared by other persons and were not related to the actual problems of workmen employed in the factory. There were heated arguments between the workers and the union leaders. At the end the All India Trade Union Congress leaders resigned and the workers formed their own union and elected their own representatives.

The main objectives of the union were as follows:

1. To organize and unite the members of the union.
2. To secure for them good working conditions, fair wages and better amenities.
(3) To regulate members' relations with the management.

(4) To provide the necessary assistance (legal, financial etc.) to the members during a dispute with the management.

(5) To take such other steps as may be necessary to ameliorate socio-economic conditions of the members.

The total strength of the union in 1970 was 1,540. The annual subscription was Rs. 5. The members elected the Managing Committee at the annual general meeting not by ballot paper but by raising hands. The General Body meeting was held once in a year but in special case they called it by 15 days notice. It dealt with accounts, annual report and other important matters. The term of office was for three years. The workers and the clerical staff constituted the members. The Managing Committee met once in a month to discuss important matters. There were five joint consultation committees. The union did not publish any bulletin. There was no laid down procedure for collective bargaining. The Chairman, the General Secretary and two or three members of the Managing Committee discussed the shop-level problems, like working conditions, shift change, allotment of overtime, with the Plant Personnel Officer and the Factory Manager. For major problems like increments, promotion policy, bonus, leave rules, they approached the Managing
Director and the Personnel Director at the head office.

The actual functioning of the union during the period of 1959 to 1970 is studied here with the help of available records. The demands submitted by the union, the managerial decisions which were challenged by the union, the enquiry procedures, other changes made by the union, were selected for the purpose of study.

Workers Attitude Towards the Trade Union

The interviewees were asked to explain why they accepted the union membership. Out of 100 members, 34 joined the union with the hope that it would improve their economic status (i.e. more wages, increments, bonus), 28 expected that the union would help to solve their day to day problems like allotment of work, overtime and sanction of leave. Sixteen interviewees failed to assign specific reasons. Nine mentioned that they were interested in trade union movement, 13 stated boldly that it was only for the sake of protection they accepted the union membership. Otherwise the management could victimize them.

It is worthwhile to note that 62 per cent workers accepted the union membership with the hope that it would improve their economic status and also solve the problems related to day to day work, especially to correct some unjustified decisions taken by the management.

About the method of dealing with grievances, 37 inter-
vieweese complained that no formal procedure was adopted by the union. They communicated their personal grievances orally to their representatives. Only common grievances like working conditions, shortage of tools, raw material, were submitted in writing. Thirteen mentioned that they always submitted their grievances directly to the management without consulting the union authorities. They thought that the union leaders were not sincere enough to settle their grievances. Eighteen refused to answer the query. Thirty-two never approached the union with any grievances.

Regarding representation of cases before the management, only 18 interviewees stated that the union represented their cases properly. Forty complained that individual cases were not handled properly because personal relations of union leaders with members and officers came in the way. Union leaders did not want to displease some of the top level officers. Under such circumstances union members became helpless. Thirty-two replied that they did not know anything about it. Ten refused to answer the question.

The communication between the union and its members is one of the important factors in union administration. Forty-seven interviewees stated that they obtained most of the information about union activities from unofficial sources (i.e. canteen gossip, ex-union leaders, supervisors, etc.). Thirty-two stated that they were not interested in communication affairs. Eleven interviewees mentioned that they got
necessary information about the union-activities after reading a notice fixed on the notice board. Only 10 stated that the union representatives communicated them the necessary information.

The study disclosed that very few workers were really interested in the union activities. Even the general body meetings were rarely attended. Most of them were satisfied by only hearing reports of the meetings.

Generally it is presumed that the union should encourage its members to devote themselves to work. But all the interviewees unanimously stated that the union failed to create interest in factory work.

There was only one strike observed by workers and it was only for a day. The study revealed that all interviewees were fully aware of the causes of the strike and with full understanding they participated in it very peacefully.

The study revealed that in this undertaking the union leaders were associated with the supervisors, sectional managers, Plant Personnel Manager, Factory Manager, Personnel Director, Managing Director. Therefore, all these officers were interviewed with a view to assessing their opinions about the trade union activities.

Management's Attitude Towards the Trade Union

Out of 16 shop-level supervisors, 10 were selected for the study. Supervisors were requested to clarify their
concept of trade union. Out of 10 supervisors, 5 stated "Union is an essential organization started for workers by other people like politicians to fulfill their selfish motives." Three stated that the union is an organization which protects workers' interests. Two failed to explain their idea about the union. About the help rendered by this union to its members, six supervisors stated that the union really helped its members to solve their problems. Two mentioned that the union partially helped the workers to solve their problems (i.e., many problems are genuine and were automatically solved without much effort but credit is unduly given to the union). Two stated that the union did not help to solve individual problems which were more important. All supervisors stated "workers apparently seem to be interested in the union activities but it is very difficult to judge whether they are really interested or merely superficially pretending to be so." No one pointed out that there were lapses on the part of the management and that the union was a machinery that came to correct it.

About the workers' participation in the management, six supervisors stated that when the workers themselves did not know about their problems, how could they understand the managerial problems? Two of them stated that this was a new experiment in modern industrial set-up; it was very difficult to judge about its result. Two supervisors mentioned that only educated workers should be allowed to represent their
fellowmen in the management.

So far we have discussed the attitude of supervisors towards the trade union. Now, we will consider the views of the sectional managers on the union activities. It is worthwhile to note that all sectional managers agreed that in modern socialist pattern of society the trade union occupied an important place in it. They further pointed out that the stability of industrial organization depended upon the union-management relationship, if relations were cordial, production could increase. Otherwise, due to the constant conflicts between the union and the management the organization could breakdown at any moment. About the functioning of the union they pointed out that there was no administrative procedure in the union activities, i.e., no delegation of authority for decision-making, execution of work and so on. The reason was that it was dominated by political parties and as result they failed to adopt definite policy. There was less scope for union in this factory because the management was so lenient that there were no cases of victimization, pay scales, other fringe benefits were also better as compared to other factories. Under such circumstances more constructive work was expected from the union, i.e., creating workers production conscious and so on. But unfortunately, it was always in the defensive position and spent time in unnecessary quarrels.

According to the Factory Manager's views, the union
existed only to create funds. There were no major disputes between the labour and the management, and as a result of it there was no scope for union activities. But just to exhibit the existence the union put forth some petty complaints like shortage of manpower, minor breakdowns, and so on. Such complaints could be orally communicated and settled but they intentionally put it in black and white. The union did not take up the individual cases of grievances and therefore its members were not satisfied with it. The Personnel Director, the Plant Personnel Manager, the Managing Director stated that the union existed in this factory for the namesake only. They were always busy with internal rivalry and other trifling politics.

The Attitude of Union Leaders Towards the Management

The attitude of the union leaders towards the management played an important part in this study. The union leaders complained that the management paid a huge amount to the government by way of taxes, but it was not ready to spend that amount for the workers. The management adopted a divide and rule policy. The top managers never cared for the union activities; they followed the orders given by the management. If they failed to carry out orders of the management at any time they were likely to be sacked.

16 Sometimes good union workers were picked up by the management as a Foreman (i.e. in the managerial cadre).
Thus the management many times executed decisions which were against the union policies through their officers who were not members of the union. At the time of negotiation they never respected the union leaders as workmen's representatives. According to the union tradition, for the recognition of workers' rights, the union had to fight with the management with its own weapons like strikes, gheraos, demonstrations and so on. In reality, the picture was different. One of the union leaders pointed out: "We have to struggle with the management across the table with our sharp tongues and organized strength. Hence, in our factory strikes, work stoppages have been relatively few."

Pattern of Leadership

The success of trade union activities depends upon the pattern of leadership. The study revealed that the leadership of the union came from the rank and file cadre and therefore they have desired to devote selflessly for the cause of their fellowmen. On the other hand, members considered their union organization as a source of power. Hence, there was competition among the members to become the leaders. The study disclosed that this bad element was the outcome of lack of consciousness among the workers. About the union leadership one of the senior officers pointed out, "The union leaders are amateurs. They do not know the jurisdiction of union operations. Once upon a time the management served
special food to its guests and the union demanded that type of food should be given to all the workers. The management refused union's request and the union declared a strike. As a matter of fact, this is managerial policy (i.e. what type of food they serve to their guests) and the union is not concerned with it. There is constant struggle between the union leaders for its presidency. They do not know what their demands are and how to work for them. They filed a charter of demands and the management called them for negotiations. Only last year during our negotiations with them across the table, they demanded increase in wages and more than 20 per cent bonus. But they failed to substantiate their stand and later on, made a number of counter-proposals. In my opinion the union leaders do not know the principles of bargaining. As a result of it, they failed to impress the management and also to maintain their institutional identity."

About the labour participation in the management, most of the officers opined that the workers were not interested in increasing the production of their factory, they only want more wages and less work. Hence, this ideal concept was not useful in our country.

**Union's Conflict with the Management**

Here an attempt has been made to study some important cases of conflicts between the Union and the Management.

[A] In January 1961 the new Factory Manager was appointed.
He changed the old system of working, transferred the senior workers in the other departments without any reason, recruited new workers of his own choice and also promoted junior workers as supervisors. As a result of it, the senior workers in the factory felt hurt. They approached the Factory Manager through the union. The union requested him to stop these activities. But he refused to listen to their request. Then the union adopted a go-slow policy. As a result, the production fell down by more than 50 per cent. The go-slow continued for six days. During this period the manager suspended 25 workers and charge-sheeted all the office-bearers of the union. Later on, the union leaders approached the Managing Director and he promised them to look into the matter personally. Thus the dispute was settled.

[3] Again, in the same year, there was a dispute between the union and the management over bonus issue. The management declared 20 per cent bonus and the demand of the union was 25 per cent bonus. According to the Union's view, the profits of the company were increasing day by day for which the workers were mainly responsible. Therefore, they were entitled to get their share by way of bonus. The management pointed out that they declared the maximum bonus. To protest against this decision, the union organized a gate meeting and later on they gave strike notice to the management. The management called the union representatives for discussion.
Later on, the union withdrew the strike notice.

[C] The union observed a one-day strike against the management's decision to serve special food to their guests and the officers. On the 15th of July 1969, some distinguished foreign guests visited the factory. On that day, the management served special food to the guests and also to the officers of the factory. The workers were given the usual ordinary type of food. The union protested against this discrimination made by the management. After the departure of the guests, i.e. at about 2.30 p.m., the union members started slogans and they gheraoed the Factory Manager up to 10.30 p.m. At about 10 p.m. the Managing Director and the Production Director rushed to the factory and called the union leaders for a discussion and assured them that such type of discrimination would not be made in future and the strike-cum-gherao ended.

[D] On 14th April 1965, the Security Officer caught Mr. K., a worker suspecting his behaviour. He asked what he was carrying in his pocket. He replied negatively. When he was asked to take out the articles from the pocket, he became nervous and confessed that he had a few medical tablets and prayed for forgiveness. At that moment, the Chairman and the General Secretary of the trade union were talking outside

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17 In this factory, common food was given to guests, officers and workers. However, there was no agreement between the union and the management about it.
the department. The Security Officer called them and told them about this incident. They asked him personally and confirmed that he was pilfering some medicines. The Security Officer requested them to be witnesses of this case and they agreed. The tablets were sealed by the Security Officer in front of the witnesses on 17-4-1965. The show cause notice was given to Mr. X and he failed to reply to it.

On 28-4-1965 the management suspended him from the services and the company appointed an inquiry officer to examine the case. A formal inquiry was scheduled on 2-5-1965. He failed to appear personally before the inquiry officer but sent one letter in which he mentioned: "I regret, I do not propose to attend an inquiry, as it will not serve any useful purpose. The entire story is nothing but a well planned fabrication. I have been intentionally trapped with the help of the union leaders with whom my relations are not good. I hereby beg to resign from the company." His resignation was held in abeyance until the enquiry proceedings concluded.

Taking into consideration the behaviour of the accused, the inquiry officer found him guilty of the charge and he was dismissed from service.

This case raised an important question concerning the utilization of union leaders as witness (by the management) against their own union members.

Theoretically, the ultimate aim of both the union and
the management is to achieve organizational objectives. The union leaders are not always expected to oppose managerial policies. On the other hand, whenever possible they are supposed to co-operate with the bureaucrat in taking appropriate decisions. The study revealed that while performing such a difficult task sometimes they were morally compelled to work against their own members.

Case I

Mr. A. employed as a helper (i.e. serviceman) in the Production Department. On 13-9-1968, at about 10.30 a.m. when he was busy with his work, the Supervisor asked him to go into the Sterile Packing Department for work. He reported in that section and started his work. At about 2.30 p.m. a lot of cartons of vials (worth of Rs. 2000 approximately) fell down from his hand and broke to pieces. The Supervisor on duty reported the matter to the Plant Personnel Officer and on 14-9-1968 a show cause notice was served with the following charge: "On 13-9-1968 you were asked by the Supervisor to work in the Sterile Packing Department. And at 2.30 p.m. in an angry mood, you threw away a lot of cartons of vials across the North Corridor and intentionally damaged the property of the company worth Rs. 2000."

Mr. A. with the help of the trade union leaders prepared his explanation in which he explained: "On 23-9-1968 there was enough work and sufficient workers in the Packing Section.
However, the Supervisor deliberately asked me to work in the Packing Department because my relations with the Supervisor in that Department were not good. Secondly, I was not acquainted with the packing work and this was the main reason why packets fell down and the vials were broken. There was no intention to damage the company's property."
The management rejected his contention and ordered an inquiry.

The formal inquiry was held in which it was found that Mr. A. was not guilty of the charge. The Inquiry Officer made the following remarks:

"I agree with the Supervisor's argument that the management has a right to utilise the services of workmen to any department without affecting their rank in services. But it is the responsibility of the management to see that the workmen transferred had sufficient knowledge to work in the concerned department. It is proved from the evidence that on 13-8-1968 there was sufficient work in the production department. There was neither shortage of hands nor urgency of work in the packing department. The supervisor on duty deliberately transferred to Mr. A. to the packing department. As he is not acquainted with that work a packet might have been unknowingly slipped from his hand. He had been in the service of company for the last 12 years and this was the first incident of his negligence."
In view of my finding of the above issue it is hereby declared that Mr. A ... is not guilty of the charge."

Our study further pointed out that this affair had not hindered Mr. A's prospects in the company. After two months he was promoted as an Assistant in Production (Sterile) Department. The letter sent by the management was as follows:

"There is a vacancy of Assistant in Production (Sterile) Department of the Company. Keeping in view your previous record and the recommendation of your Departmental Manager we are pleased to inform you that you are hereby promoted as a Production Assistant from ....."

"Please accept our congratulations on your promotion."

This particular case shows that though the union pointed out the fault of the management, it accepted this without any prejudice against the union in general and its member in particular.

**Case II**

Mr. B. working as a Skilled Worker in the Production Department (Sterile area), on 10th September 1969 punched his card and reported for work. He went to the production superintendent to get some oral instructions. At that time he (the Superintendent) was busy with some other work. Mr. B. requested him to give necessary instructions quickly...
because he had to start his work in the sterile area. The Superintendent told him: "Just a minute - I will finish this work and I will attend to you." Later on after 20 minutes, Mr. B. again reminded him. The Superintendent irritatingly told him, "Can't you see I am busy." Mr. B. left his chamber and started some other work. After an hour the Superintendent called on him and at that time he was busy with some other work. He stepped into the Superintendent's chamber after 10 minutes. By this time the Superintendent was upset and deliberately ignored him, and refused to have anything with Mr. B. Later on, he sent a written complaint against Mr. B. to the Plant Personnel Manager about this incident. On this, the management charge-sheeted with Mr. B. with "wilful disobedience of superior's orders. When he asked him to wait and not be impatient he declined to do so and left the chamber without his permission." Mr. B. was suspended. He went to the union office with his complaint.

A procedural inquiry was scheduled and he was asked to bring his witnesses if any. The management led five witnesses. The accused brought no witnesses; he was represented by the union leader. The inquiry was not conducted regularly and hence lasted for about two months.

In this procedural work the following man-days were lost:

(1) Inquiry Officer 3 weeks Personnel Manager from other factory
(2) Production superintendant  - week
(3) Witnesses:
Two Production Supervisors  - 3 days each
Two Foremen (Engineering)  - 2 days each
One Worker  - 3 days
One Union Leader  - 3 days
One Stenographer and
One clerk  - 3 weeks
(For inquiry proceedings)

The Inquiry Officer did not find any proof (extenuation) of his bad conduct. Mr. B. had been in the factory service for more than 10 years and this was his first case of mis-conduct. However, due to pressure from the management, he was finally declared guilty and dismissed from service.

The union took up this case under the Industrial Disputes Act to the labour court to refer it to adjudication. Before the case came for hearing, the management compromised with Mr. B. by paying some compensation secretely and no final decision was arrived at.

In this case the trade union failed to play its role as a regulator to (managerial) bureaucracy. It should have pursued their members upto the last resource and took the management to task. The study revealed that due to the pressure from the management the union deviated from its norms.

The common characteristics of the unions in both the undertakings can be summarised as follows:
It is worthwhile to note that the majority of workers joined trade unions without knowing its function in a bureaucratic organization. This is one of the important reasons why very few of them participated in union activities.

In conclusion we can point out that the trade unions in both the undertakings were not well organized. There was no proper communication between the unions and their members and also with the bureaucrats and the union officials. Hence, neither they could understand the difficulties of their members nor they could check in the appropriate manner the decision-making process of the factory bureaucracy. As a consequence of it, many a time they found it very difficult to fight with the factory bureaucracy and to check the anti-labour activities of the bureaucrats. This was one of the reasons why they sometimes supported the bureaucracy and sometimes not.