Chapter IV

Reaction, Response and Resistance to the labour movement in Bombay.

Introduction:

The course of events after the First World War unfolded many aspects of the working class movement in Bombay. The voiceless and the supposedly weak section of the industry had been able to project itself on the trajectory of the trade union movement. The strikes in the first two decades of the 20th century had propelled the hopes and scope of the working class with a new leadership and strong ideology of socialism. The neglected class was now ready to associate itself with the inevitable class war and the mill owners were now subjected to the mercy of the external forces who were now slowly taking the vital position of leading this class struggle.

The strong comparison of the conditions of workers in Russia with the conditions of workers in Bombay created a wave of fear and uncertainty amongst the native Indian capitalist. The change in the ranking of England on the index of world power not only shook them in Europe but made them now equally vulnerable in their colonies. The ideological support for the working class of Bombay from the newly emerged power block Russia was equally alarming to the colonial rulers. The entire perception regarding the partnership in the industrial revolution and its profit-sharing process was now about to get redefined, a rationale war of ideas of materialism and the conflicts of haves and have-nots was on the verge of getting debated. The upcoming years were nothing, but the years of rise and fall for many trade unionists and their established unions. It was also the beginning of introduction of the various repressive measures of the colonial government to retain their monopoly of revenue and change in the Acts for better governance for both the imperialists and the native Indian capitalist class. The interesting phenomenon is that the native Indian capitalist was supported by the imperialist forces and the cleavage between the native working class and native capitalist class started widening further. The changing role of the mill owners and their rising insecurity was now paving the way for a new classless revolution in the country.

The international developments like the extensive monetary, ideological and methodological support from Russia, the formation of International Labour Organization (ILO) and the rise of
the fascist forces in Europe changed the political dynamics in Bombay, as the local government could feel its impact around the movement of the working class. The colonial and the native capitalist didn’t anticipate that the forces they had to reckon with would become more brutal, organized and guided over the period of time. The labour movement in true sense witnessed phenomenal change from 1925 to 1945. The discontent had reached to the scale of civil war and it was partially merged with the growing national consciousness in the country. The Royal Commission of Labour had rightly pointed out that “The nation in every country dwells in the cottage, and the well-being of the people must be the primary concern of any government”.

The perpetual decline of the cottage industry and the migration of the labour from the villages to the industrial set up with a hope of employment security also lead to the prosperity of that city. The finest example of this was the city of Bombay, which thrived and developed at the cost of pure exploitation of the labour class. The selective promotion of the industrial revolution in Bombay by the colonial rulers brought the city to the inevitable feature of ‘disputes between employers and labourers’. The evils of industrial development do not differentiate between the co-citizens and co-countrymen and so the workers of Bombay didn’t become an exception to this phase. In the times of huge profits, the ‘workers were not the first, but the last to get even a meagre increase, and that in times of even a small fall in profits they were not the last but the first to be hit’. The workers never enquired about the international margins of the profits nor they were displayed, but the mill owners were always prompt enough to deprive them of their bonuses or the retrenchment citing the loss in the industry. Likewise, post-1922 the mill owners declared economic recession and under the guise of the same, it expressed its helplessness in continuing some of the facilities given to the workers in pre-war time period.

The general crisis was supposed to be shared collectively and especially the ones who could hold the capacity of sustaining in this period were to have the maximum brunt, but instead of the employer facing this crisis, they passed it to the labour class of Bombay. It was consequently ‘not possible for the working class to achieve new concessions during this

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1 Royal Commission on Labour in India (RCL), Report of the Royal Commission on Labour in India, Government of India, Calcutta, 1931, p. 5.


period, rather they had to engage in a resolute struggle to defend what they had already achieved\(^4\). The other emerging Asian competitors to the Indian capitalist were the Japanese, who were now in the process of transforming their economy post-First World War. They captured the market with their competitive costs of production, the Indian capitalist started finding it difficult to respond to such competitive market which led to the further reduction in their prices. So they thought of a novel idea of directing their recovery of margins from their labourers by slashing their incentives and wages.

It is a particular ‘misfortune of the colonial working class that they have ultimately to fall victim to the intense rivalry between the imperialists and native capitalists\(^5\). This attitude was not new amongst the mill owners of Bombay, the mill owners had inadvertently done this periodically, without the workers knowing about it and under the garb of being the indisputable masters of the industry. The arrogant attitude of the mill owners is rightly expressed by Dr. T. M. Nair’s in his note of dissent to the Indian Factory Commission, where he remarked that “my countrymen as a class were more unsympathetic and hard employers of labour than the European manufacturers. Even some of the most enlightened and educated Indian gentlemen, with whom I discussed industrial questions, had not a single word of sympathy with the labourers to express. They were all anxious to make up for lost time and to push on a single their industrial ventures and to accumulate wealth. But as for the workers, they were part of the machinery of production and nothing more. To me, this discovery came as an unpleasant and disheartening surprise\(^6\). This was not a new revelation by the sympathizer of the workers, but a common observation of many, in fact, it was the ignoring of these observations and lack of sympathy towards the workers, the situation had reached the pinnacle of miseries at both the ends.

The importance of machinery and its value as a unit of production was more important than the human factor involved in it. The mechanical work in the mills and factories took away the social aspect in the economics of production. The labour class, who was the important lever in this process, witnessed more hardships than what they deserved. It ‘converted the labour

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\(^5\) Ibid.

into a mere appendage of an already existing material condition of production’\(^7\). The formation of AITUC in 1920 gave the workers the rightful voice and strong arguments to debate upon. The members of the AITUC in their opening session on 31st October, 1920 kept the role and importance of the workers on a high pedestal. As N. C. Kelkar in his resolution while describing the participation of the workers in the 1918 and 1919 strikes in Bombay commended that “this Congress condemns the attitude of the employers towards the strikes of the city of Bombay who has conducted courageously the struggle for over a month remarkably free from violence, and urges upon our countrymen to give what they can to help the strikes for bettering the condition of their lives”\(^8\). The purpose of the AITUC was to shape up the unorganized working class movement in the city and in the country. They had the vision for the empowerment of the workers through representation in the legislative councils and assemblies.

The task ahead was rather more difficult for the workers, as the struggle would not be with the colonial powers, but with the native capitalist. The members of the AITUC appealed to the British government to make provisions for the representation of the workers in the Legislative bodies unlike the Mill Owners Association etc. This kind of demand was regarded as a bigger threat to the colonial power. The direct confrontation of the native capitalist and the representatives of the workers was about to create industrial disharmony, which would have necessarily affected the perennial source of revenue of the government. Mr. B. P. Wadia, who was the Chairman of the reception committee of the first session of the AITUC, remarked that, “the Indian workers today when they demanded this right of representation were better educated and had better culture than the workmen of England when they got the right to vote. When capitalists had their special representation on the legislative councils there was no reason why the workmen should not have that privilege”\(^9\). The expectations of the trade unionists that the participation in the governance will give the labourers of Bombay a strong platform and they will be heard by the colonial bureaucracy and the native Indian

\(^7\) Sukomal, Sen, *op. cit.*, p. 3.


\(^9\) Desai,1918-1920., *op. cit.*, p. 336
capitalist. The attempts were genuine, but ‘the history of the labour movement in India shows a black record of the employer’s attitude towards it, just as it has been all over the world’\textsuperscript{10}.

The reasons of the insecurity of the employers always intrigued the workers, they failed to understand that how they are expected to be loyal and sincere in such adverse atmosphere at work. The mill owners had formed their association in 1875, perhaps for the same reason that they wanted to unify their control over the labour class of Bombay and eventually the workers would accept it as a norm of industrial pattern. The statement given by one of the mill owners to the Indian Factory Labour Commission, September, 1890 was that “the overwhelming majority of the Indian manufacturing were against any interface of the authorities and any limitation of working hours, rather, they insisted that the workers should work from sunrise to sunset”\textsuperscript{11}. The significant part of these commissions was that they had provisions in place, but there was lack of execution and implementation of many of these enactments. The new class which had emerged after the industrialization in Bombay alienated itself from the ground realities and could not associate with the sufferings of the labourers. As Dange rightly observed that “the capital cares nothing for the length of life of labour power. All that concerns it is simply and solely the maximum of labour power that can be rendered fluent in a working day. It attains this end by shortening the extent of the labourer’s life”\textsuperscript{12}.

The mill owners rather engaged in all the possible mechanism to deter the workers from raising right questions and getting unified with other co-workers to fight for a collective cause. They used different tactics to keep the workers under pressure. The rampant victimization, personal vendetta, creating uncertainty of job security dismissal of persons who are active in unions, non-recognition of unions and their leaders, the dishonesty and corruption of jobbers and other intermediaries-these were the causes of disputes in ‘one of every five that occur’\textsuperscript{13}. The frequent areas of clashes with the employers were primarily on following issues:


\textsuperscript{12} Bani Deshpande, Roza Deshpande , Umakant Mokashi, (ed), \textit{Selected Writings :S.A.Dange} , Lok Vangmaya Griha publication Vol- I, Bombay, 1974, p . 66.

Wages:

Whenever, the mill owners were asked to raise the wages of the workers they diverted the topic by giving evasive answers and explaining the heavy cost of production and weak financial position, if that didn’t deter the workers they would discount the benefits of the reduced hours of the work, of absenteeism, etc. They undoubtedly wanted to remain oblivious of the demands of the workers and were always hostile to the organized labour. There was no forum for grievances and the extreme discourteous treatment by the owners or persons in authority were to the great extent responsible for ‘the strike of annual duration and bitterness’\(^{14}\). The post First World War period witnessed that the mill owners were now ready to issue the bonuses, but not give hike in the wages to the labourers. They also sometimes would use the policy to pay the dearness allowances to the workers, but it would not affect much on their consolidated pay structure. The calculation of the dearness allowance was that the employers would compensate for inflation by paying this allowance, but when this provision of dearness is withdrawn it would also affect the allowance, so the worker would not get the consistent and permanent benefit of it. The employer therefore ‘kept the way of retreat clear and free in case of a fall of prices after the war and hopes to reduce workers resistance to a minimum’\(^{15}\). Some of these technical calculations were beyond the reach of common illiterate workers and so the rise of the intellectuals as trade unionists increased the bargaining power of the working class. The ILO had adopted a draft convention on Minimum Wage Legislation which proposed that ‘each member of the International Labour Organization which ratifies this Convention undertakes to create or maintain machinery whereby minimum rates of wages can be fixed for workers employed in certain parts of trades in which no arrangements exist for the effective regulation of wages by collective agreements or otherwise and wages are exceptionally low’\(^{16}\). (See Annexure –II)

The government did try to safeguard the wages of the labour class by passing The Payment of Wages Act of 1936, which underwent modification up to 1937 and was finally implemented


on 28th March 1937. The Act laid down that all workers must be ‘paid earned wages not later than the 7th or the 10th of the month according to whether the number employed is less or more than 1,000’\(^{17}\). The Act was in a way a small relief to many labourers, who so far had no uniform date of getting their wages, as each mill followed their own norms and procedures to disburse the salaries of the workers. While speaking on the Bill in the Legislative Assembly on the 15th February, 1936, Sir Frank Noyce referred to it as an only important item in the lengthy list of labour legislation which has been placed before the Assembly as a result of the recommendations of the Whitley Commission which broke entirely new ground. He went on to stress the fact the legislation was of a purely experimental character and that we were sailing in uncharted and rather perilous seas\(^{18}\).

The Act also restricted the role of the jobbers and put restrictions on their control of the pool of the workers. The badli system also was safeguarded under the Act. The worker no more had to remain under the master ship of the jobber and he could get the work independently without the help of the jobber, by merely registering himself and getting the card, which became his identity and also a testimony to the work done every month. Every substitute was now enrolled under a muster and as per the requirement they were called for work. It brought discipline amongst the workforce. The Act was called as a ‘charter of liberty’\(^{19}\) for the workers has been put into operation in the letter and in the spirit, and without any equivocation whatsoever in Bombay City and Island mills.

The Act on the other side did try to restrict the workers by asking them to give notice almost fifteen days prior to their absence and in case of more than ten or more persons remain absent without notice, the employer was empowered to levy fines and have rightful deductions. This provision was a clear indication to dampen the trade union activities on industrial premises. So in case if the workers would go on the strike, they were to lose the wages of eight working

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days. This made the ‘position of strikes and employers awkward and hinders the smooth running of a strike’\textsuperscript{20}.

**Compensation:**

Another issue of contention between the labour class and the employers in Bombay was the provision of compensation to be paid to the workers in case of fatal or minor accidents. The Table VI in Chapter 1 would correspond to this issue. The following Table XVIII is an extension of the same table after 1929 and gives details of the number of accidents\textsuperscript{21} and the compensation paid to the workers from form 1929 to 1949

**Compensation accidents:**

Table XVIII: No. of Accidents and Compensation Paid:

<table>
<thead>
<tr>
<th>Year</th>
<th>Death</th>
<th>Permanent Disablement</th>
<th>Temporary Disablement</th>
<th>Total</th>
<th>Death</th>
<th>Permanent Disablement</th>
<th>Temporary Disablement</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1929</td>
<td>888</td>
<td>1,345</td>
<td>16,632</td>
<td>18,865</td>
<td>5,87390</td>
<td>3,97,177</td>
<td>2,75,597</td>
<td>12,60,164</td>
</tr>
<tr>
<td>1934</td>
<td>598</td>
<td>1,287</td>
<td>15,005</td>
<td>16,890</td>
<td>3,71,762</td>
<td>2,94,131</td>
<td>2,02,954</td>
<td>8,68,847</td>
</tr>
<tr>
<td>1939</td>
<td>832</td>
<td>1,929</td>
<td>35,920</td>
<td>38,681</td>
<td>5,81,080</td>
<td>5,16,444</td>
<td>4,11,803</td>
<td>15,09,327</td>
</tr>
</tbody>
</table>


Table XVIII indicates the rise in the number of accidents every year despite having advanced machinery in the mills. The working environment and the health index inside the factory or the mills premises can be attributed to being weak. It could be due to exhaustive work, ill-ventilated premises, dimly lit place of work or extensively strenuous working requirements. The year 1929 witnessed 888 deaths, 1,345 permanent disablements, while it led to 16,632 temporary disablements. The compensation paid to 888 workers who died in 1929 was around Rs.5,87,390, the average amount to each deceased comes to meagre Rs.661 only, in this amount the entire family was compensated for the loss of the breadwinner. The ratio of the permanent disablement in 1929 was 1,345 and the compensation paid was Rs.3,97,177, the average amount was only Rs.295 per case. The hardships the worker would face for the lifetime was compensated in this amount. There were cases where the workers faced further difficulties in getting another work or job due to their disability. Similarly, temporary disability in 1929 was 16,632 and the compensation paid was Rs.12,60,164, the average compensation was only Rs.75, some of these disabilities would also lead to permanent disabilities or even loss of life, which did not come under the purview of the compensation policy of the employer.

The compensation paid to 598 workers who died in 1934 was Rs.3,71762, the average amount to each deceased comes to meager Rs.621 only. The ratio of the permanent
disablement to the workers in 1934 was 1,287 and the compensation paid was Rs.2,94,131
the average amount was only Rs.228 per case and temporary disability to the worker in 1934
was 15,005 and the compensation paid was Rs. 8, 86,847, the average compensation was only
Rs.57. The compensation paid to 832 workers who died in 1939 was Rs. 5, 81,080 the average
amount to each deceased comes to meager Rs.698 only.

The ratio of the permanent disablement to the workers in 1939 was 1,929 and the
compensation paid was Rs.5,16,444 the average amount was only Rs.267 per case and
temporary disability to the worker in 1939 was 35,920 and the compensation paid was Rs.15,
09,327 the average compensation was only Rs.42. The compensation paid to 1,253 workers
who died in 1945 was Rs.13,30,644, the average amount to each deceased comes to meager
Rs 1,061 only. The ratio of the permanent disablement to the workers in 1945 was 3,943 and
the compensation paid was Rs.20, 30,576 the average amount was only Rs.514 per case and
temporary disability to the worker in 1945 was 62,194 and the compensation paid was
Rs.8,64,119, the average compensation was only Rs.13. The compensation paid to 1,162
workers who died in 1949 was Rs. 18, 77,929, the average amount to each deceased comes to
meager Rs.1,616 only. The ratio of the permanent disablement to the workers in 1949 was
3,904 and the compensation paid was Rs.18,79,822 the average amount was only Rs.481 per
case and temporary disability to the worker in 1949 was 88,746 and the compensation paid
was Rs. 49,95,259, the average compensation was only Rs.56.

The compensation paid to 888 workers who died in 1929 came to average Rs. 621 and in
1945 it was Rs.1, 061 paid to 1,253 workers who died, the number of causalities which lead
to deaths increased by almost 50%, but the amount paid as compensation in individual case
increased to just about 40%, similarly the compensation paid to 1,345 workers with the
permanent disability was average Rs.295, whereas in 1945 the number of cases of permanent
disability was 3,943 with the compensation of Rs.514 only, the increase in the ratio of
permanent disability cases is almost 300%, the increase in the amount of the compensation
paid in the individual case is around 60% only. If the comparison drawn for the number of
temporary disability in 1929 was 16,632 with the average compensation of Rs.75 and in 1945
the temporary disability cases increased to 62,194 with the decrease in the compensation
amount to average Rs.13 only, though then cases of temporary disabilities increased by 400%,
the average amount paid witnessed sharp decline of 400%. 
The easy and cheap availability of workers and labour led to the neglect of such serious issue and it was neither discussed by the colonial rulers or by the native Indian capitalists. Many a time these accidents were not even reported and the workers were not made aware of their rights to seek the compensation. The increasing numbers of the accidents equally highlights the lack of medical facilities on the premises and perhaps the loss of the golden hour of treatment to be given to the accident victims. The most important aspect about the working conditions due to these statistics reveals that, the life of the worker had lesser value than the high-speed machines. The absence of a worker-friendly compensation policy and the decisions on the amount of compensation was an arbitrary affair or based on the suggestions of the supervisor or the jobber.

The scale of corruption while receiving the compensation never surfaced. The number of accidents reported in the ‘Bombay cotton mills averages about one per day. Yet little has been done to set up machinery for dealing with them. Many a slight injury has become serious or fatal through neglect or want of proper treatment. There are no “safety-first” rules, no proper facilities for removing the injured person to the hospital, and only one mill holds a first-aid class.22

The colonial government passed the Workmen’s Compensation Act on 1st July, 1924. The proposals for a Workmen’s Compensation Act was first published by the Government of India in 1921.23 The Act in fact covered the workers from different categories like workers in mines, operating on the railways and tramways, construction sites, ‘on certain types of building work, and in certain less important branches of employment’24. The Act, however, came under the severe criticism for not distinguishing the nature of the work and the level of hazardousness involved while working. One of the serious defects the Act had was the injured worker had ‘no provision for the first seven days of absence and even the financial aid provided by way of fortnightly payments was inadequate, because the injured as a bread-winner was not only to support his family but also to attend to his injury’25. If we draw the comparison of the same Act passed in other countries during the same time, the connotations

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23 RCL, op.cit., p. 295.

24 Ibid., p. 297.

and features were different. The system of wage regulation in Australia, New Zealand, and the U.S.A was reduced to ‘the bare minimum wage and the minimum for skilled workers based on calculations of margins for the skill of various kinds’\textsuperscript{26}. In Australia, apart from the basic wage, ‘wages of all classes and categories of workers are regulated by decisions of various courts of arbitration. The wage also varies according to years of service, not necessarily with the same employer’\textsuperscript{27}. The Compensation Act, in fact, had genuine intentions and purposeful existence in these countries as in the Australian Act, states that the basic wage of an adult male employee must not be less than is ‘sufficient to maintain a well-conducted employee of average health, strength and competence’\textsuperscript{28}. The definition of minimum wage in China also contemplated ‘that one worker shall be entitled to have a sufficient wage to support himself or herself, with two members of a family’\textsuperscript{29}.

\textbf{The Fines / Unclaimed wages:}

The other category was levying of fines to the labourers, which was not only used to collect monetary compensation, but it was also used as the tool to generate fear and economic insecurity amongst the workers. The labour commission (RCL) classified fines into three classes\textsuperscript{30}, namely, fines which are imposed for disciplinary reasons, deductions on account of damage sustained by the employer and deductions for the use of material and tools and for other benefits provided by the employer. The collection fines had no stipulated rules and it varied from mills to mills. There was no accountability to the amount collected in the form of the fines. The amount could have been used back in the worker's welfare schemes or for the compensation, but the mill owners never revealed the details of fines collected annually. (See Chapter XII, Annexure –II)

The other issue was non-payment or forfeiting of the unclaimed wages. The workers many times would work for the short duration and due to some emergencies would leave the work without notice and their unclaimed wages would get accumulated, which was not allowed to be claimed by the mill owners. This way the workers were constantly put under pressure and

\textsuperscript{26} Radhakamal, Mukherjee, \textit{The Indian Working Class}, Hind Kitabs Ltd, Bombay, second edition, 1948, p. 220.

\textsuperscript{27} Ibid.

\textsuperscript{28} Radhakamal Mukherjee, \textit{op. cit.}, p. 205

\textsuperscript{29} Ibid.

\textsuperscript{30} RCL, \textit{op.cit.}, p. 217.
many times we find them losing out on their wages of working for the short duration. In 1917 Kamgar Hitwardhak Sabha had to petition to Hon. E. Montagu, Secretary of State for India, whereby they had raised this issue of the unclaimed wages and forfeiting the amount in the Bombay Textile mills. According to their estimate, the unclaimed amount was ‘to be Rs. 2,000 per mill per year, no less than Rs.174,000’\textsuperscript{31}. The mill owners replied in negative when the Sabha demanded that the amount to be used for the welfare of the workers.

The argument which the Mill owners association gave was that some unclaimed wages were due to the exit of the workers without giving any notice after ‘the damage or break of the machine and that the money should be placed against depreciation of machinery’\textsuperscript{32}.

**The Contention of the Bonus:**

The demand for the bonus was another issue of contention between the mill owners and working class in Bombay. The definition of bonus is that it is ‘an extra remuneration paid to workers if they produce more than the standard or prescribed quantity per standard time’\textsuperscript{33}. The Table XI in Chapter 2 from 1921-1926 gives details that for five years in Bombay there were 53 strikes giving the average of ten strikes per year. The working class, unfortunately, had to plead and record their protest to demand their rightful share of the profits of the mills. There were very few mills who granted ‘the demand, but others were not equally enlightened. But all employers contended that the bonus was an ex-gratia payment and that workers could not claim it as a matter of right’\textsuperscript{34}. The workers somehow never realized that the bonus is actually part of the sharing margin and it was not the monetary favor the mill owners were doing on them. The perpetual mercy at which the workers were held to exploitation the entire year was indeed miserable. Also to note that all the workers did not qualify to receive the bonus, it depended on their service tenure and also nature of employment status.

The badli workers never received any kind benefits of this provision. Such was the arrogance of the mill owners that they ‘refused to concede that a trade dispute could arise out of a

\textsuperscript{31} Burnett-Hurst, \textit{op.cit.}, pp . 58-59.

\textsuperscript{32} Burnett-Hurst, \textit{op.cit.}, pp . 58-59.

\textsuperscript{33} K N Srivastava “Labour and Our Economic Crisis”, \textit{op.cit.}, p . 271.

\textsuperscript{34} V.B, Karnik, \textit{Indian Trade Unions A Survey}, Manaktalas, Bombay, October 1988, p . 123.
demand for bonus. Then there was the opposition of the colonial government, many of whose officers were inclined to regard trade union as ‘seditious activity’. The mill owners did not allow any meetings, assembly or delegations of working class in their industrial premises if the meeting was convened it was ‘shadowed by policemen’. The mill owners would approach the colonial government to protect them against the strikes and assembly of workers and in some cases, the government would prohibit all the strikes under Section 81 A of the Defence of India Rules, so the strike and lockouts would be illegal during the application of this Section. However it would try to give scope to the labour class by the means of Adjudication of disputes, between the employers and the employee, but very often the results of the Adjudication would be not in favour of the workers and if the workers continued their struggle or would attempt to go on strike, they or their union leaders were arrested and would face judicial trial, which adversely affects the cause of the workers. The law favored the mill owners unconditionally as they were the main source of revenue to the colonial government.

The Role of the Mill Owners:

The mill owners in Bombay by the beginning of the 20th century were actually native Indian capitalist and they belonged to the native communities. They not only responded to the call of the industrialization in the city of Bombay, but took it to a new pedestal with their vision, investment and hard work. The overseas cotton market was captured by them and despite their losses in 1860’s and due to other global depression, they managed to sustain in the market and added more number of industries in the city, (Please refer to Table No s: I. III and IV in Chapter no 1, Chapter no 2, Table No s: VIII and IX) for the statistics.

The most prominent contribution of the mill owners was they got the world market around the city of Bombay, which gave the city international recognition, perhaps since then Bombay was considered as the financial capital of the country ( the tag which the city still retains with only the change in the name as Mumbai). The mill owners also had their low phases and their losses were never accounted for by the workers. The worker's role would

36 Ibid.
37 V.B Karnik, Indian Trade Unions A Survey, op.cit., p . 33.
38 Burnett-Hurst, op.cit., p . 59.
end with their working hours, but for the mill owners, they had to function internally and externally as well. The labourers had one or more than one employer, but the mill owners had to cater to the number in 100’s or sometimes in 1000’s.

The mill owners also had their own difficulties and their side of problems also needs to be highlighted, so as to maintain the objectivity of this research. Their grievances were equally of great concern, unlike the workers. The main issue they had was the attendance of the operative, the large percentage of absentees, except near pay-day. ‘Mr. Engels, Chief Inspector of Factories, estimated that about 20 percent of the regular staff were on the average absent every day. The Bombay Labour Gazette states that normally 15 to 20 percent of those on the wages book are away from work’\(^{39}\). The issue of absenteeism would not only affect the production, but would indiscipline the other sincere workers.

The mill owners often observed that mill-hands who would absent themselves, ‘when they come to work, they would loiter and waste a great deal of time’\(^{40}\). When the Bombay Provincial Committee of the National Trades Union Federation and All-India Trade Union Congress submitted a joint statement to the Bombay Textile Labour Enquiry Committee 1937-38 containing their replies to the questionnaire relating to Interim Recommendations, it discussed the question No. 9 about the necessity of an immediate increase in wages.

In their statement Mr. R. R. Bakhale, General Secretary of the National Trades Union Federation and Messrs. R.S. Nimbkar and S. A. Dange exhaustively gave 30 pages and four appendixes reply and they highlighted following factors\(^{41}\) which were generally taken into consideration while calculating a wage increase:-

1. Production of the industry.
2. Quality of the production.
3. Efficiency of the workers.
4. Exports and Imports.
5. Protection granted to the industry and

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\(^{39}\) Burnett-Hurst, *op.cit.*, p. 60.

\(^{40}\) *Ibid*.

(6) Standard of living of the worker and cost or living.

Though the arguments they gave were appropriate, the mill owners were not covered under risks or insurance for the losses they suffered during the economic depression, moreover, they had a clear agenda of making profits out of their businesses and so they always justified their repressive measures to safeguard their factories.

a) Introduction of the Standardisation and the Rationalisation in the Mills of Bombay:

The year’s post-1920 was the phase of economic turbulence for the mill owners, the international depression started affecting them severely, and they were on verge of collapsing or shutting down their factories and mills. It was under this situation to sustain and remain in the global market they introduced two schemes 'rationalization’ and ‘standardisation of wages’. There is no doubt that these two issues were integrally linked in the mill owners mind precisely because they together provided for the reduction in labour costs through intensification of labour, without an acknowledged wage cut. The other country like Japan, which was a close competitor to the mill owners of Bombay, applied this policy more rigorously in 1922-23. Similarly, even in the USA, the scheme was launched and the productivity of the workers increased by 20% in the cotton textile industry. The intensification of work in the native textile industry also showed remarkable leap, with the production of yarn increased by about 42 percent and the output per worker almost doubled. In the weaving section, the production of cloth increased by about 67 percent, and the total output per worker more than doubled. And this happened when the working hours were reduced from eleven a day in 1923 to ten a day in 1927 and were further reduced to eight-and-a-half in 1931.

The machines were not replaced, nor new production was taken the only difference was the work was intensified on each belt and the production of each worker was now accounted for. This term was defined by the International Economic Conference of 1927 as “the methods of technique and of the organization designed to secure the minimum waste of either effort or material. It includes the scientific organization of labour, standardization of both materials

44 Ibid.
and products, simplification of processes and improvements in the system of transport and marketing"⁴⁵ The definition adopted by the International Labour Office⁴⁶ in 1937 was:

(a) Rationalisation, in general, is any reform tending to replace, habitual antiquated practices by means or methods based on systematic reasoning.

(b) Rationalisation in the narrowest sense is any reform of an undertaking, administrative or another service, public or private, tending to replace habitual, antiquated practices by means and methods based on systematic reasoning.

(c) Rationalisation in a wider sense is a reform which takes a group of business undertakings as a unit and tends to reduce the waste and loss due to unbridled competition action based on systematic reasoning.

(d) Rationalisation in the widest sense is a reform tending to supply means and methods based on systematic reasoning to the collective activities of large economic and social groups.

The issue of rationalization and standardization was highly condemned by many trade union and the labourers in Bombay. The general fear which prevailed was that there will be shut down or massive retrenchment of the workers in the city of Bombay, whereas the workers did not realize that it was happening globally and it would rather save the industries, if new methods are adopted during the economic recession. While giving their reply to the Bombay Textile Labour Enquiry Committee in 1937-38 R.S.Nimbkar and S. A. Dange on behalf of the Bombay Provincial Trade Union Congress raised concern over the issue that ‘the rationalization which extends over about one-third of the Bombay mills has led to a reduction in earnings, the extent of which it is difficult to ascertain’⁴⁷. The figures which were presented to the committee had some notion of facts though. The data⁴⁸ which they stated that between July 1926 and December 1933 there was a reduction in the earnings of mill workers to the extent of 16.94 percent and between December 1933 and April 1934 there was a further reduction of about 4 percent in earnings. (See Chapter XII, Annexure –II)

⁴⁶ Ibid.
⁴⁸ Ibid.
b) The issue of sharing the profits:

The mill owners would try to successfully come out of each depression, but many of them felt that the emergence of trade unionism or the labour movement in Bombay made it more difficult for them and because of that, it took them more time to gain back their economic stability. The growing competition in the cotton textile from Japan had made it difficult for the mill owners to survive, by 1932 many mills were going in losses and they were on the verge of shutting down. The mill owners still somehow manage to recover back and by 1934, ‘all wages cuts were put an end to, and the Association stepped in, and fixed minimum wages which members mills were compelled to pay, a minimum dear food allowance was also fixed, and provision was also made to prevent any interference in a downward direction with basic rates’\(^49\).

In a letter from to the Secretary of The Bombay Strike Enquiry Committee, Bombay, dated 25\(^{th}\) October 1928 T. Sasakura Managing Director of The Toyo Poddar Cotton Mills Ltd, wrote “the present dispute has originated mainly from the two different principles, viz: the less work more pay and the more work more pay. The former is the demand of the strikers and the letter is of Mill owners”\(^50\). Even during the Second World War, the impact was felt by the mill owners as well, the workers went on the general strike of 1940 demanding an adequate dearness allowances to compensate for the rise in prices.

Table XIX deals with the inflation of three cities\(^51\) and draws the comparison from 1939 to 1945.

<table>
<thead>
<tr>
<th>City</th>
<th>1939</th>
<th>1940</th>
<th>1941</th>
<th>1943</th>
<th>1944</th>
<th>1945</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bombay</td>
<td>100</td>
<td>107</td>
<td>118</td>
<td>219</td>
<td>226</td>
<td>227</td>
</tr>
<tr>
<td>Madras</td>
<td>100</td>
<td>109</td>
<td>114</td>
<td>180</td>
<td>207</td>
<td>228</td>
</tr>
<tr>
<td>Kanpur</td>
<td>100</td>
<td>111</td>
<td>181</td>
<td>308</td>
<td>314</td>
<td>308</td>
</tr>
</tbody>
</table>

\(^{49}\) The Indian Textile Journal (ITJ) Vol 47, August 1937, pp . 424-25 and Also see, July 1937, p . 369.


\(^{51}\) Karnik, op.cit.,p . 41.
The working class of Bombay was also badly hit, but comparing it with Kanpur the inflation ratio was still less The Mill-owners Association of Bombay was the premier employers organization which evolved a formula ‘for adjusting dearness allowances in accordance with the rise in prices’\(^{52}\). The mill owners of Bombay from 1920 onwards were more involved in combating with the agitation and strikes which led to the widening gap between them and the workers.

c) The Mill Owners and their response to the Trade Union Movement:

The emergence of communism in India made the mill owners look like exploiters and the cause of all the miseries and sufferings of the workers in Bombay. The new ideology was against the capitalist and so the mill owners always were under the attack constantly by the union leaders. In November 1920, when Mr. Joseph Baptista of AITUC wrote to the Committee of the Association for the formation of the workers union, unlike the existence of the Mill owners Association, the committee in reply informed Mr. Baptista that the Mill owners’ Association, as a trade organized body, “could obviously have no objection to a similar organization formed from millworkers and run by the millworkers on duly representative lines, but at the same time they not consider it desirable that such an organization should be fostered by any outside influence, as such action would only retard and normal growth of industrial relations between employers and employees”\(^{53}\). The mill owners had raised the issue that the trade unionist would sometimes call out the strike just to prove their numerical strength. (See Annexure –I).

The case of the strike of March and April 1929 was called by the Girni Kamgar Union, with the attendance of 1,27,000 workers, after the strike, the Court of Enquiry was appointed under the Trade Disputes Act and it recorded under the Statement No.20, it issued its report. The Committee made the following remarks, finding on the first and second term of reference, “to sum up” says the report “we think that some of the lenders of the Girni Kamgar Union took advantage of the discontent prevailing among the workers due mainly to the fear that there would both a cut in their wages and also resulting from the proposed introduction of the standardisation and efficiency scheme. They encouraged antagonism between the workers and their mill owners and caused several lightning strikes without a just came prior to the

\(^{52}\) Karnik, *op.cit.*, p . 41.

declaration of a general strike for the purpose of formulating unrest preparatory to the General Strike which they had brought about at a stipulated time. We think the blame lies wholly at the door of the official of the Union for the state of the affairs which prevailed during the months of March and April 1929\textsuperscript{54}.

Similarly, the Departmental Enquiry made by the Labour Office into wages and unemployment in the Bombay cotton textile industry in 1934 showed that the real wages of Bombay mill workers after the cuts were higher than at the time of the previous wage Census in 1926\textsuperscript{55}. In 1938 Mr. S. H. Jhabvala had moved a Bill to provide for the recognition of the registered trade unions in the Presidency. The statement of objects and reasons of the Bill said that the recognition of trade union by the employers were bound to create a healthy atmosphere between employers and the employees. Mr. S. D. Saklatvala and Mr. Sankerlal Balabhai (Bombay and Ahmedabad Millowners' representatives respectively) and Mr. M. C. Chia of the Indian Merchants Chamber, opposed the Bill. They maintained that certain provisions such as ‘the right to collect unions subscription, the right to hold meeting's within the premises, of employment and the right of unions to hold joint meetings with employers to discuss their grievances, were all impossible conditions, as they would obstruct the normal procedure of work. Furthermore, according to the existing law, seven persons could form a union and consequently, an employer might be controlled with half a dozen unions\textsuperscript{56}.

The union constantly kept the tide of conflict alive with the mill owners and this resulted in the workers of those specific unions being the target or getting victimised from the supervisors or the Managers. The Managing Director of the The Toyo Podar Cotton Mills Ltd, Mr. T. Sasukura elaborated in his letter\textsuperscript{57} to the Bombay Strike Enquiry Committee that in Japan a good weaver handles 10 looms and average 6 looms, wage (Rs. 2/4/- per day); and in China, she attends 4 looms and earns Re. 1/- per day against Bombay weaver working two looms only at the wage of Rs. 2/- per day, while the efficiency in Japan is 95%. China and other Bombay Mills about equal viz: 80%.

\textsuperscript{54} N, M, Joshi, \textit{All India Trade Union Congress}, Private Papers, (NMML), File No.57, p. 15.


\textsuperscript{56} Indian Annual Register, Vol. I, 1938, p. 131.

\textsuperscript{57} N, M, Joshi, \textit{The Toyo Podar Cotton Mills Ltd}, Private Papers, (NMML), File No.43, pp. 1-2.
Therefore, if we convert them into the weaving charge per loom on basis of 80% efficiency, we can illustrate as follows:

Table XX:

<table>
<thead>
<tr>
<th></th>
<th>6 Looms x 95% = 570% for wage Rs 2/4/-</th>
</tr>
</thead>
<tbody>
<tr>
<td>JAPAN</td>
<td></td>
</tr>
<tr>
<td>CHINA</td>
<td>4 Looms x 80% = 320% for wage Rs 1/-</td>
</tr>
<tr>
<td>BOMBAY</td>
<td>2 Looms x 80% = 160% for wage Rs 2/-</td>
</tr>
</tbody>
</table>

On the basis of China and Japan, our weavers deserve the wage of 10.1 Annas and 8 Annas only, which is overpaid by 216% and 300%, if we continue the two looms system. Similarly, in a written statement submitted by Mr. J. Addyman of The Bombay Mill owners Association Statement to The Bombay Joint Strike Committee 1928, he expressed his concern that “the future of the Bombay Textile Industry depends very considerably on the co-operation and the efficiency of labour without which the position will rapidly become as impossible one”\(^{58}\). The concerns of the mill owners about the welfare of the workers can be in the statements recorded to the Bombay Strike Enquiry Committee of 1928 on 25\(^{th}\) October, 1928 “it is so very regrettable for us that the general strike of 1928 has upset everything in our scheme and it will take a long time to attain to the improvement achieved in pre-strike time”\(^{59}\). In the same statement, the issue about workers welfare was also highlighted, whereby few suggestions were made to keep them physically and mentally kept fit.

The suggestions\(^{60}\) given in this connection were many, but they highlighted on following points:-

(1) The closing of liquor shops in mill area.

(2) Good housing.

(3) Supply of pure milk.


\(^{60}\) Ibid., pp. 5-7.
(4) Compulsory educational system.

(5) Social reforms, such as- Prohibition of extravagant expenses for marriage etc.

(6) Establishment of a Co-operative Bank for the benefit of work-people.

These suggestions were given so that the efficiency of the workers will help in better production and they would get better wages and would be able to engage in savings as well. The Millowners Association, in May, 1935 tried to curb the menace and monopoly of the jobbers and they introduced a system of record cards for all head jobbers and women supervisors employed in Bombay member mills. In all 600 record cards were filled in by the Association's Labour Officer, whereby each one was personally interviewed. The record cards were formatted in a way that it contained all the personal and professional details of each cardholder, it in a way became his/her identity in the industry. The details were entered pertaining to years of service, reasons for leaving the previous jobs, essential particulars regarding the head jobber's past experience; his reasons for leaving his previous employer; his technical and other qualifications and personalized details, place of origin, caste, age etc.

When a jobber was dismissed for bribery, the offence was noted on his record card by the Association and if 'he seeks to obtain a post in another mill, a copy of his previous record is available to the mill concerned'\(^61\). Even NM Joshi seconded the termination of jobbers in one such inquiry committee he said “Twenty years ago the Jobber was a power and with all his defects he was a real connection between master and man and if he agreed to any course of action the men would accept his ruling. The Jobber carries little weight today, therefore to prevent the labour being exploiting by undesirables the Millowners should make some effort to build a bridge by helping to create strong workmens’ unions”\(^62\).

The rise of jobbers was due to the requirements and necessity of the emerging industrial city of Bombay and so in the 20\(^{th}\) century with the new ideologies penetrating in, the active mode of trade unions contributed to their decline, along the line the ‘elimination of child labour and the cessation of the industry’s growth meant that the workforce became older, more urbanised

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and less pliable. Jobbers found it more difficult to maintain their old ascendancy over the men.  

**d) The Acts of suppression against the labour movement:**

The non-cooperation movement and the emergence of Gandhi on the national front was causing enough harm to the imperialist rulers. They expected harmony from the labour class, but the rise of the unions and the bourgeoisie class, cornered both the native Indian capitalist and the colonial rulers. In order to curb the growing menace of the working class movement in Bombay, the government tried various suppressive methods to combat and suppress them. The international help from Russia, British Trade Union Congress and the intervention from the ILO, was making it difficult for the colonial government to display their illusionary liberal role in India.

The common tactics they adopted to suppress the movement was spying on the local and national union leaders, confiscation of their property under the various pretext, censorship of their pamphlets and newspapers, policing during their union meetings under disguise, frequently adopted by the imperialist's ruler. They attacked the labour movement in three folds, firstly by coming down heavily with their force on the strikers and agitators, secondly by harassing the leaders and charging them under the Section of sedition and conspiracy cases, finally by passing various unreasonable laws and Acts which would declare the strikes illegal.

**e) The strikes:**

The workers in Bombay after 1918 and 1919 strikes had understood the importance of unity and collective bargaining, so they would protest whenever injustice was done on them. The mill owners would solicit the legal and police help not only to crush the leaders, but also the strikers. The formation of various unions rather had given more scope for unified arbitration, but it was not used appropriately. The mill owners would appeal to the colonial government to declare the protests and strikes illegal and seek police help to brutally lathi charge the picketers. The Mill owners Association had put strong pressure on the colonial Government of Bombay in 1928 to enact a Criminal Intimidation law to make picketing by striker’s cognizable offense. ‘The Viceroy refused to exercise his special powers to make an ordinance,

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but the Bombay Legislative Council passed it promptly in a session specially convened earlier than it was due. The mill-owners used their regulations and manipulated their rule books to nail the workers like the ‘clause 13 of the code of conduct prescribed by the mill-owners stipulated that persons, who strike work or are guilty of intimidating or conspiring with other employed in the factory to strike-work, may be summarily dismissed and should be liable to forfeit all wages due to them and also to be prosecuted. This would always keep the majority of the workers under the threat of losing their job.

In 1923 the Bombay Mill-Owners’ Association abruptly decided to disband the payment of annual bonus to the workers which was started during the period of First World War, this eventually culminated into a massive strike and on 17th January 1924, 1,60,000 textile workers of Bombay went on strike. This strike continued for more than two months causing a loss of 7,75,000 working days. The strike caused a major loss to the mill owners who were equally adamant not to withdraw from their stand. The mill owners appealed to the government to intervene and a Committee of Enquiry presided over by the Chief Justice of Bombay was appointed. The committee published its report on 12th March 1924, which was totally in favour of the mill owners, it stated that “the workers had no enforceable claim to a bonus and that the profits were such as would not admit of a bonus being paid.”

The report came as shock to many workers, they were asked to resume back to work failing which the mill owners may dismiss them and there would be no appeal on it. After the publication of the Report of the Enquiry Committee, the strike came to an end on 25th March 1924 and ‘police pickets were withdrawn from the factory premises’. The presence of the police on the industrial premises was to deter the workers to cause any harm to the property and to assist those workers who did not wish to be part of this strike. The use of police force widened the gap between the employers and the employee.

64 S. Bhattacharya, op.cit, p. 139.
66 The Bombay Labour Gazette, February 1924, pp. 14-16 and Also see, March 1924, pp. 15-16.
67 Report from the Commissioner of Police, Bombay, dated the 12th April, 1924 to the Secretary to the Government of Bombay, Home Dept. File No. 55, p. 5.
f) The leaders of the labour movement:

The other target of suppression were the leaders of the labour movement, as in the first two decades of the 20th century the city of Bombay was shaping up some brilliant leaders and it offered them the best arena to experiment with their leadership skills. Some of the prominent leaders like Joseph Baptista, N M Joshi, Dange, Mirajakar, Bakhale etc were indeed raised many uncomfortable questions to the mill owners and the colonial government of Bombay. Their methodology was constitutional and approach was legal, so the government could never trap them for long, during the period of agitation. Their mass followership was also alarming an issue to the mill owners. The workers in Bombay were now prepared to be lead by these leaders and they were ready to follow them unconditionally. The leaders who were emerging as powerful during this time were Sripad Amrut Dange, who became popular after he wrote the pamphlet Lenin/s Gandhi. Dange was always under the scanner of the local police. A Conspiracy Case was then framed up and Dange was arrested on 3rd March, 1924 along with Muzaffar Ahmed, Nalini Gupta, and Shaukat Usmani.

They were arrested for a trial in what came to be known as the ‘Cawnpore Bolshevik Conspiracy Case’68, on the charges of trying to overthrow His Majesty’s Government. This was an utter violation of the civil liberties for these leaders and so Dange and his associates decided to plead their case. Dange used the trail room of the court to reach out to the masses and spread his ideas of the working class struggle. Later on 2nd July 1924, in his newspaper editorial Socialist, he wrote, “industrialization of the country was being carried on with the British capital and the native capital was struggling to get hold of a monopoly to exploit Indian wealth. This struggle was expressed in the movement called the Nationalist movement. Native capital wanted to use the working class towards its own end. I wanted the working class to fight for its economic betterment and as I thought that capitalism is a western product, the working class also must fight on western lines. Socialism is the expression of that movement”69.

Dange became more famous after this staged trial; his release strengthened his belief to continue to strive for the labour class of Bombay. He emerged as a more powerful leader than


69 Ibid., pp . 395-396.
before and in next few years, he got actively involved in various trade unions of Bombay. However, his activities were still closely monitored and he once again became the victim of the suppressive politics of the imperialist government. By 1929 the British government had failed miserably to enact the Trade Dispute Bill, in retaliation to the growing influence of the communists in the labour movement of Bombay. So on 22\textsuperscript{nd} March, 1929, the Government arrested almost thirty-three communists across the country, some of the prominent ones were S. A. Dange, R. S. Nimbalkar, K. N. Jogalekar, and S. S. Mirajkar from Bombay; Muzaffar Ahmed, Gopal Basak, Shamsul Huda from Calcutta, P. C. Joshi from U. P. and the two British communists, Philip Spratt and B. F. Bradley. Later, Lester Hutchinson, the third British communist was also arrested. The criminal prosecution which was instituted against them came to be known as the Meerut Communist Conspiracy Case\textsuperscript{70} from the name of the town Meerut where the trial took place.

The trial went on for two years with the purposeful intention to break the communist influence in India and to suppress the communist ideology in the labour movement. The void was strongly felt in Bombay and the immediate result of the imprisonment of communist leaders was the removal from the field of activity of a number of experienced trade union workers. Their places were taken by young and inexperienced new recruits to the Communist Party, ‘B. T. Randive and S. V. Deshpande’\textsuperscript{71} who were the leaders and representative of this new band of communist workers. They continued in that position until 1934 when the old leaders returned from the jails in the city of Bombay.

The textile workers union had a membership of over 50,000 in January 1929, but after the strike, it came down to 800\textsuperscript{72} in June, 1930. The attempts of the government to break the strike and demoralize the workers of Bombay during the 1929 strike, was some kind of achievement attributed to the Meerut trail. Mr. Joseph Baptista Chairman of the reception committee was right when he pointed out in his speech on the occasion of the first session of AITUC on 31\textsuperscript{st} October, 1920 that ‘the action of the government of India in preventing access to the people of India to the socialistic and labour thought of the world is the least justifiable

\textsuperscript{70} Karnik., \textit{op.cit.}, p. 61.

\textsuperscript{71} \textit{Ibid.}

\textsuperscript{72} \textit{Ibid.}, p. 63.
of all its repressive actions and should be unreservedly condemned. The more the leaders were victimised the more popular they became and with more vigour, they shaped up the labour movement in Bombay.

g) The Colonial Acts to suppress the Labour Movement:

The British government in collusion with the mill owners introduced various measures to strangulate the labour movement of its momentum, apart from brutally enforcing on the strikes, it also victimised the union leaders and finally in order to have a long-term impact on them, it took the support of many uneven policies and Acts. Some of these rules directly challenged the rights and civil liberties of the native Indians, like the Section 81A, under the Defence of India Rules, which completely banned strikes and agitations, another one was the National Service (Technical Personnel) Ordinance of 1940, it kept the pressure on all the technical and professional employee and in case of their participation in the agitation against the imperial government they were directly dismissed, transferred or suspended from their service, apart from it the Essential Services (Maintenance) Ordinance of 1941 made all the given work essential to their obedience, failure would lead to loss of their job.

h) The Trade Disputes Act:

One of the highly criticised and debated the Act, presented by the imperial power for the first time in 1928 and with an amendment in 1938. The Act made the registration of trade unions mandatory and also added certain guidelines for its membership.

In each local mill, only one union may be registered, in case of the multiple unions, the one with the largest number of enrolled members in last six months will be eligible.

All the unions were to be registered with the Registrar.

The membership fee of one anna was allowed to the union.

The Act made it obligatory on every employer to submit for the approval of the Commissioner for Labour, standing orders regulating the relationship between the employers and employed with regard to all matters like hours of work, holidays, wage, leave, temporary stoppage of work, termination of employment, and dismissal for misconduct.

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The Act laid down that ‘strike or lock-out in breach of its provisions will be illegal.

Strike and lock-out are illegal if they are commenced or continued before the standing orders are settled by the Commissioner of Labour or by the Industrial Court.\(^74\)

The Act raised many questions on the worker's participation in the desired union and also their participation in ‘the sympathetic strikes were termed as illegal under the Act, which from the point of the workers, works against their solidarity and feelings of comradeship’\(^75\).

In fact, the Act was to a great extent was similar to the British Trade Disputes and Trade Union Act, 1927, which was passed after the major general strike in England, it was equally repressive in nature and it prohibited the British labour to go on strikes. The British Act was finally repealed in 1946 when the Labour Party came to power. The Trade Disputes Act in India had the provision of appointing Courts of Enquiry and Boards of Conciliation to resolve the disputes, but during the period 1929 to 1936 only on five occasions the government took any action under the Act.

i) The Anti-labour Trade Disputes Act, 1928:

It consisted of three\(^76\) parts.

a) The first provided formation of conciliation Board and Courts of Enquiry for settlement of disputes.

b) The second part provided fine or imprisonment or both for strike or lock-out in public utility services without 14 days’ notice and

c) The third was modelled on the pattern of the British Act banning general strike or sympathetic strike of the workers; it also made provision for imprisonment of 3 months and a fine of Rs. 200 for joining or abetting an illegal strike.


Moreover, provisions were also made in the Act rendering ‘protection to those who refuse to take part in the strike and also legally enabling them to claim compensation from the union’\(^77\). The Act deputed a Labour Officer who was to represent the grievances of the labourer and try to resolve the issues amicably with any agitation or protest. The Act in a way failed miserably to win the confidence of both the workers and the mill owners. (See Annexure –I).

The following Table XXI will give details of how the disputes\(^78\) continued to grow from 1930 to 1942 and the Trade Disputes Act could not help much in resolving the issues.

<table>
<thead>
<tr>
<th>Year</th>
<th>No of Disputes</th>
<th>Workmen Involved</th>
<th>Work-days Lost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1930</td>
<td>148</td>
<td>196,301</td>
<td>2,261,731</td>
</tr>
<tr>
<td>1931</td>
<td>166</td>
<td>203,003</td>
<td>2,408,123</td>
</tr>
<tr>
<td>1932</td>
<td>118</td>
<td>128,099</td>
<td>1,922,437</td>
</tr>
<tr>
<td>1933</td>
<td>146</td>
<td>164,938</td>
<td>2,168,961</td>
</tr>
<tr>
<td>1934</td>
<td>159</td>
<td>220,808</td>
<td>4,775,559</td>
</tr>
<tr>
<td>1935</td>
<td>145</td>
<td>114,217</td>
<td>973,475</td>
</tr>
<tr>
<td>1936</td>
<td>157</td>
<td>169,029</td>
<td>2,358,062</td>
</tr>
<tr>
<td>1937</td>
<td>379</td>
<td>674,801</td>
<td>8,982,795</td>
</tr>
<tr>
<td>1938</td>
<td>399</td>
<td>401,075</td>
<td>9,128,708</td>
</tr>
<tr>
<td>1939</td>
<td>406</td>
<td>409,189</td>
<td>4,992,795</td>
</tr>
<tr>
<td>1940</td>
<td>322</td>
<td>452,539</td>
<td>7,577,288</td>
</tr>
<tr>
<td>1941</td>
<td>359</td>
<td>291,054</td>
<td>3,330,503</td>
</tr>
<tr>
<td>1942</td>
<td>654</td>
<td>820,495</td>
<td>5,293,027</td>
</tr>
</tbody>
</table>

The Table XXI shows very clearly that from 1930 to 1942 the number of disputes increased from 148 to 654 which were more than 400% in just one decade. It explains the growth of unrest, discontent, and activeness of labour movement during this period. Similarly, the


\(^{78}\) Thomas Edward, *op.cit.*, p. 11.
number of workmen involved in 1930 was 196,301 and in 1942 it touched the figure of 8,20,495, this data reflects the growing number of memberships in the union and ineffectiveness of the Trade Disputes Act, the increase is again to almost 400% in twelve years. The number of working days lost in 1930 was 2,261,731 and in 1942 it was about 5,293,027, the ratio almost doubles in one decade.

j) The Public Safety Bill (1929):

It seems the public Safety Bill was designed to give the colonial government the power ‘to deport ‘agitators’ or ‘undesirable people’, who were British subjects and were supposed to be helping the Indian communists, especially in trade union activities, and to confiscate funds sent from abroad to the Indian working class’79. The Bill was primarily to target the work of British communists Mr. Bradley and Mr. Spratt who were influencing the labour movement in India. The Bill was proposed in the Central Assembly and after lengthy discussions and debates, it lost on the floor of the house with just one vote. Under the guise of the Bill, the imperial government wanted to attack the Meerut trial accused, but the strong opposition to the Bill was witnessed countrywide and eventually led to its failure.

k) The Industrial Disputes Bill (1938):

It was called the Bombay Industrial Disputes Act of 1938 and was drafted and proposed by Gulzarilal Nanda, who was then the Parliamentary Secretary and had a long-standing experience with the Textile Labour Association of Ahmedabad. The main anti-labour features80 which this Bill contained were:

(1) To impart compulsory character to the arbitration machinery in a labour dispute.

(2) To illegalize strikes occurring without exhausting the arbitration machinery.

(3) To make recognition of the union conditional on the acceptance of the arbitration machinery.


(4) To provide more stringent punitive measures for participation in the illegal strike than that was provided in Trade Dispute Bill 1929 and the punishment of three months imprisonment as provided in the 1929 Bill was extended to 6 months imprisonment in this Act of 1939.

The Bill came as shock to many Congress workers and trade unionist as it was their own representative who was proposing this Act, which would further eliminate the labour movement in Bombay. The outright condemnation came from AITUC, who felt betrayed by this Bill, there were protests and more than 90,000 workers marched in the streets against this Bill.

Dr. B. R. Ambedkar who was leading his Labour Party also criticised the Congress government for replacing the imperial rulers in crushing the rights of the workers in the country. As observed by Lokanathan on this Bill that ‘on the whole, it must be said that the Bombay Act complicated the machinery for industrial conciliation by introducing into it ‘features which are wholly unnecessary and perhaps likely to be injurious to trade union development’.

I) The Royal Commission on Labour in India (1930):

Since the inception of the Factories there were six Factory Acts passed to better the conditions of the working class, these Acts were passed in 1881, 1891, 1911, 1922, 1923 and 1926. These legislations as such were enforced not because it was in the best interest of the labourers, but because it suited the policy of the government to confine, to a certain extent, to international decisions and in order to reduce conflicts between the capital and labour. It was to allow its collection of revenue and profits from the Indian markets. These Factory Acts had specific areas to cover and they amended it in each series. Some of the common areas of interests were:

a. Working hours of the labourers per day and weekly break along with short interval during the day.

b. To set the age limits for employment of men, women and most important for children.

c. To regulate the working conditions in the factories and mills.

81 Loknathan, op. cit., p. 743.
d. To decide on the definition of the concept of ‘Factory’ and
e. To regulate the medical provisions and appointments of various staff.

The labour legislations in India lacked the execution power and perhaps it made a defunct set of norms for the industrial force. The Royal Commission on Labour\(^82\) was appointed under the chairmanship of J. H. Whitley in July, 1929 to inquire into and report on the existing conditions of labour in industrial undertakings and plantations in British India on the health, efficiency, and standard of living of the workers, and on the relations between employers and employed and to make recommendations. (See Annexure –II).

The Commission made its report on 14\(^{th}\) March, 1931. The Report was divided into six main divisions. Conditions of employment and work in the factory industries are discussed first (Chapters II to VII), Four chapters follow on similar questions in relation to mines, railways and other forms of industrial activity. (Chapters VII to XI). It completes the review of working conditions in the industry passes on to the standard of life of the industrial worker. (Chapters XII to XV). The next group of chapters is devoted to general questions related mainly to the industrial worker, namely, workmen’s compensation, trade unions and trade disputes. (Chapters XVI to XVIII). It then turns to the plantations and deals with it in four chapters with the work and life of plantation workers. (Chapters XIX to XXII). After discussing certain special questions relating to Burma, it deals with statistics, general administration and the constitution in relation to labour (Chapters XXIII to XXV).

When the Royal Commission was announced the AITUC was presided by Pandit Jawaharlal Nehru who ‘decided to boycott the Commission’\(^83\), all those who were in favour of cooperating with the Royal Commission left the A.I.T.U.C. and formed the Indian Federation of Trade Unions. The colonial government suggested the names of two prominent labour leaders on this commission. It was a very calculative move on the part of the imperialist to suggest the nomination of Mr. Chaman Lall and Mr. N. M. Joshi on the commission, as they were well aware that it would certainly create rift between the right and the left wing of supporters in the AITUC, which also happened to be one of the main reason for the split of 1929 of the AITUC. The nomination of the names on the Labour Commission, led to the split

\(^82\) RCL, \textit{op.cit.}, p. 3.

in the union and it exposed to all that, the workers leaders cannot be unanimous even for the cause of the working class, their ideology plays more important part than the welfare of the working class. The commission went through ‘490 memorandum and testified 837 persons^84. Though the Labour commission covered vast areas pertaining to the workers and labours, we study few segments of it.

The Recommendations of the Labour Commission:

The Labour commission tried to recommend an educated labour officer, responsible to the labour office, the role of Naikin, (female supervisor) also should undergo change unlike the jobber. The Labour commission cited the example of the facilities for women at the work place and stated ‘cotton mills of Bombay Presidency crèches have been more extensively introduced than elsewhere’^85, it further recommended based on the example of Bombay that ‘crèches should be provided in all the places where women are employed in considerable number, and we would make the obligation a statutory one in all factories employing not less than 250 women. The provision of some shelter where rest and refreshment can be taken is in many cases necessary and, moreover, would be generally appreciated by the workers’^86. The growing number of women operatives found this recommendation very important especially the young working women.

The issue of child labour was handled with the same sensitivity, when the members of the labour commission tried to identify the factors that forced the child to come to factories at such young age, the mills and factories in Bombay (Refer to Table III in Chapter. 1) had big number of children in the factories. It recommended ‘the upper age-limit for compulsory education at least up to 12 years, the minimum age for factory employment, contrary to the pattern in Bombay, where compulsory education stops at 11’^87. It also recommended that the ‘persons between the ages of 15 and 16 years should not be employed as adults in factories

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^87 RCL, *op.cit.* p . 51.
unless they are in possession of medical certificate certifying them as physically fit for adult employment”88.

It further recommended the ‘statutory intervals should ordinarily amount to not less than an hour in the aggregate89.

While dealing with the issue of imposition of the arbitrary fines by the employers and the managers it recommended certain guidelines for the collection of the fines and to what extent the amount should be levied. It proposed legislation for fines to be collected on four broad principles90.

In the first place, the payment of a fine should not be spread over too long a period, and we recommend that the maximum period should be one month.

Secondly, we consider that fines should not constitute more than a fixed amount out of the worker’s wage.

The third principle the fine should in no case benefit the individual responsible for imposing it.

In the fourth place, in order to give workers some security against arbitrary fines, employers should be required to specify the acts or omissions in respect of which a fine may be imposed. (See Annexure –II)

Meanwhile, the labour commissions report was condemned as it disappointed the workers. The Report contained neither any recommendation for solving the problems of retrenchment and unemployment nor any other provision for mitigating the basic problems of colonial and capitalist exploitation of the labourers. It was argued that though the Factory Act lays down the maximum as 54 hours a week, yet there has been no move towards the reduction of the working hours to 48 a week, unlike Great Britain, New Zealand, Canada, the U. S. A. and Australia who at that point of time had adopted the 48 hours week. The International labour Convention in 1919 had also proposed Eight-hours-a-day. The Royal Commission was called

88 Ibid., p. 53.
89 Ibid., p. 50.
90 Ibid., p.219.
eyewash by many communist trade unionist and militant leaders of the labour movement of Bombay.

It was also called ‘an excellent case has been made out for healthy development of trade union movement under reformist leadership’\textsuperscript{91}. The labour commission apart from the split in the AITUC also generated some hope to the moderate leaders amidst the aggressive and militant communist leaders.

The phase of 1920 to 1945 witnessed multiple developments in the labour movement of Bombay, the employers did not understand that the Industrial peace develops from within an establishment. If the ‘harmonious relationship can be established between the employers and the employees within a factory, the chances for dispute become remote’\textsuperscript{92}. The European capitalist class was replaced by the native capitalist class in India and as commented by Shapurji Saklatwala, so ‘in the capitalist countries we are still purely on the agitation side’\textsuperscript{93} and the struggle would continue till no equal collaboration is achieved by the employer and the employee. The periodic strikes disturbed the earning capacity of the labourers, they migrated from rural settlement to the urban to earn their livelihood, but with the emergence of unions got caught in the crossfire, which sometimes prolonged beyond their capacity to sustain.

The ‘success of a strike may be in the interest of the union itself, but it may go against the law and industrial peace, it may even harm production which in turn is likely to affect the employment security of the workers’\textsuperscript{94}. To conclude the chapter it would be better to introspect what Mahatma Gandhi wrote in Nav jivan newspaper titled \textit{The labour problem: A satisfactory Solution}, “time has come now when attempts will be made to use labour as a pawn in more ways than one. The occasion demands consideration at the hands of those that would take part in politics. What will they choose? Their own interest, or the service, of

\textsuperscript{91} Sukomal, Sen., \textit{op.cit.}, p. 343.

\textsuperscript{92} K, N, Srivastav, \textit{op.cit.}, p. 269.

\textsuperscript{93} Shapurji, Saklatwala, \textit{A Few Thoughts on Party Work}, Private Papers, Nehru Memorial Library (NMML), File No.190, (XVIII) Writings by Him, p . 2.

\textsuperscript{94} S, D, Punekar, \textit{Trade Union Leadership in India}, Lalvani publishing house, Bombay, 1967, p . 3.
labour and the nation? Labour stands in score need of a friend. It cannot proceed without a lead. What sort of men gives this lead will decide the condition of labour?

The struggle for the labour class became an unending phenomenon; however the experiences in these struggles made them fight more maturely with their employers in the due course of time. The more the resistance and opposition from the employers and the management the more they agitated, the more the agitation, the more stringent repressive laws, the more stringent laws, the bitter the struggle and widening of the gap between the two most powerful force of the industrial revolution. It became a vicious circle in which both the mill owners and the workers got entangled and faced each other with the same value of discontent.

The emergence of the labour movement in Bombay was more situational then circumstantial, what could have been easily averted became inevitable struggle for both, in which the intensity of their sufferings got divided and naturally the labour class always paid a heavy price for raising their discontent against the unjust conditions. The multiple attempts to suppress them proved more fatal to the colonial government as it combined with the emerging national consciousness at that point of time. The labour movement had to begin in the pre independent India, for the very reason it exposed the tendencies and motives of the native capitalist class. The repressive Acts were more of an assurance to the workers that they were going in the right direction. The political independence of the country did not guarantee the economic liberation and social equality to the workers. The labour movement in fact received more insight to what kind of struggle it would face in the independent India. The factors that affected the failure of the unions in resolving the issues of the labour class were now studied more pragmatically as to prepare themselves for a bigger struggle.

The attempts of collective bargaining in Bombay didn’t receive much encouragement, for the only reason that the colonial Acts and the machinery favoured the capitalist. This was a clear indication that the same pattern of collective bargaining may not work even in post independent India. The role of leaders equally went for introspection, as far as their methods and tactics were concerned. The comparisons of the stipulated working hours across the world, equally gave them the scope to sharpen their leaderships skills.

95 Bombay Chronicle, 26-2-1920, col.3, p. 11.
The issue of standardised wages, periodic bonus, compensation and security of the labourers were the primary contention now. The world was watching over the way the British governance treating the labour in India. The arbitrary and unconstitutional norms were regularised so as to ensure that the economy do not suffer and so the labour movement was indirectly brought under various regulations. (See Annexure –I). The dual complexity of the colonial governance can be very well understood by the episodes of framing and levelling conspiracy charges against some prominent labour leaders, so as to slow down their movement. This eventually exposed their insecurity and incompetency in addressing the long standing demands of better working conditions for the working class.

The series of colonial Acts agitated even those workers who were to some extent loyal or neutral to their industrial masters. The indirect impact of all this was it allowed the workers and the labourers to at themselves as an independent entity, who had carve out their own existence in the upcoming deigns of nation building. The change of guards was very near, but the attitude of the native industrial masters was nowhere changing. In fact the scale of insecurity was growing more amongst the native Indian capitalist class, with the very thought that they would have no support from the colonial government in the situation of political freedom of the country. The Mill owners were not too keen on allowing equal participation of the workers in the process of post production or sharing their profits. They had so far survived the consequential damages due to the interference and support of the British government, but with the advocacy of new democracy and socialist India, they were not sure of their role and sustenance of their capital holdings. The labour movement to some extent created the possibility of a different kind of just society with equal sharing scenario.

The next chapter is the conclusion of the topic and it will provide reflections and interpretations on the labour movement from 1920 to 1945. The attempt is also made to critically evaluate the mode of strikes and lock outs as form of modus operandi used by the labourers in the industrial premises. It’s believed that no all the mangers are bad and no all the strikes can be good, so similarly the labour movement is not just limited to the pre-independent era in India , but it more interesting overtones in the independent era as well.