INTRODUCTION

- Objectives of the Research Work
- Research Methodology
- Work Plan
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Labour issues are of primary importance in almost all countries including India because so much of the population is either buying or selling labour, or is dependent upon such sales and purchases for a livelihood. A majority of the persons who work for a living, do so by selling their labour to some employer; hence the immensity of the problem.

When people sell their services and spend their working lives, a varying amount of dissatisfaction, discontent and industrial unrest are likely to occur. Employees are highly interested in higher wages, healthy working conditions, satisfying work, some voice in Industrial affairs, and protection against loss of wages, over work and arbitrary treatment. Labour troubles in any country generally grow out of the conflict of interests between the buyers and sellers of labour. The latter want to secure the highest possible price for their wages and healthy working conditions. And it leads to resistance on the part of the employers.

In the olden days the employers possessed almost all rights and the employees owed almost all duties. Infact the employers deprived the employees of their rights which they could do easily because of their power of possession of economic wealth and social status. The employees, on the other hand, belonged to a poorer class of people.
They were neither economically able nor socially secure. They, on their parts, therefore, did not and could not assert their rights owing to their illiteracy, ignorance and poverty.

In the early years of industrial revolution, when the modern factory system was taking its shape and the large-scale industries came to be established with increasing urbanization, the relationship between the employer and his employees was characterised by a limited relationship based upon wages alone. Under the contractual relationship that workers and the employer entered into, the worker undertook to work with the employer in return for the wages that he received. The employer's obligation to the worker was over with the payment of the contractual wages. Whether the wages were sufficient to provide the worker with a decent standard of living, whether the place where he worked was free from hazards was neat, clean and hygienic, whether he and his children received any education, recreation and enjoyed any security against the risk of life, or whether the worker was able to live culturally and socially a meaningful life was no concern of the employer. He was busy maximizing his profits irrespective of the human and social costs of his enterprise. Besides, under the then dominant philosophy of individualism which accompanied the industrial revolution, each individual was thought to be responsible for his own welfare. The extent of comforts, pleasure and the standards of life that the individual enjoyed was his own
creation and the result of his own efforts. If the wage of the industrial workers were not sufficient to provide him with a comfortable life, the worker himself was responsible for the same. The society then did not accept any responsibility for furthering the welfare of workers.

During the early years of industrialisation, wages were pitifully low, hours of work long and excessive, working and living conditions unhygienic and hazardous, educational and cultural activities for the workers and their families, practically, non-existent. Thus, the early factory system was characterised by a callous disregard of the human costs of industrialisation, though, economically a concern for human side was not beyond the realm of practical possibility. Infact, it was left to the good sense and sweet-will of the employer to provide the facilities for the welfare of the workers besides paying the contractual wages. The state also then absolved itself of all obligations in this regard.

It was in this context that philanthropies in general and some of the enlightened and considerate employers became conscious of the human costs of industrialisation and wanted to bring about some improvements in the lives of the industrial workers. Later on, some philanthropic societies came to be established and began some welfare work. Gradually, the trade unions came on the scene and the state itself took upon a responsibility of promoting labour welfare.
Labour welfare may be viewed as a total concept, as a social concept and as a relative concept. The total concept is a desirable state of existence involving the physical, mental, moral and emotional well-being. These four elements together constitute the structure of welfare, on which its totality is based. The social concept of welfare implies the welfare of man, his family and his community. All these three aspects are inter-related and work together in a three dimensional approach. The relative concept of welfare implies that welfare is relative in time and place. It is a dynamic and flexible concept and hence its meaning and content differ from time to time, region to region, industry to industry, and country to country, depending upon the value system, level of education, social customs, political system, degree of industrialisation and general standards of the socio-economic development of the people.

Labour welfare implies the setting up of minimum desirable standards and the provision of facilities like health, food, clothing, housing, medical assistance, education, insurance, job security, recreation etc. Such facilities enable the worker and his family to lead a good work life, family life and social life. Labour welfare also operates to neutralise the harmful effects of large-scale industrialisation and urbanisation.
Labour welfare activity in India was largely influenced by humanitarian principles and legislation. During the early period of industrial development, an effort towards worker's welfare was made largely by social workers, philanthropists and other religious leaders, mostly on humanitarian grounds.

Industrial workers in India had to go through many decades of privation since in the early days of the factory system of production, workers were considered as a commodity, which could be easily procured and readily replaced. Low wages, long hours of work, insecurity of employment, insanitary working and living conditions, persecution for trade union activity, and grave social and economic injustice brought untold miseries to the working class. Industrial unrest assumed serious proportions and industrial relations were badly strained.

A major portion of Indian society consists of the depressed and deprived masses. They have endeavoured the wrath and wrongs, physical and mental tortures of their employers for ages. Despite this fact that they are backbone of the Indian society, India, a developing country, can not survive and progress without them, it was evidently clear to the desiring freedom fighters and able constitution makers like Dr. B.R. Ambedkar. They framed several provisions like part IIIrd and Part IVth, that is Fundamental Rights and Directive Principles of State Policy, to raise the weaker segment to the general level.
Dr. Bhim Rao Ramji Ambedkar was one of the most illustrious son of India. His great contribution as the principal architect of the Indian constitution is widely acclaimed. His varied contributions as a scholar, educationist, journalist, authority on comparative religion and above all, as a great social reformer and a champion of human rights for the down-trodden masses in India are also widely recognised. Yet there remains one crucial aspect of his multifaceted genius that has not been fully appreciated that is his contributions as a ‘Labour Reformer’ and as an ‘Economist’.

As a matter of fact, Dr. Ambedkar was an Economist and devoted to labour welfare by his basic training. In 1917, he earned his Doctorate in Economics at the Columbia University, U.S.A. Again the degree of Doctor of Science which the London School of Economics conferred on him in 1921 was for his research in Economics. Besides his dissertations for these formal degrees, Ambedkar also analysed the economic dimensions of social maladies in India. His speeches were replete with stimulating economic thoughts. Various memoranda and statements that Dr. Ambedkar submitted to the Government from time to time are also indicative of his deep insights into India’s economic problems and labour welfare.

It is against this background that one finds the widespread ignorance regarding Dr. Ambedkar’s contribution as an economist and
a devotee to labour welfare. This lack of awareness to an extent could be explained by his phenomenal contributions in other spheres such as law, religion, sociology and politics which might have over shadowed his contribution to economics and particularly to labour welfare. Yet it is surprising that even the so-called expert studies on the evolution of Indian economic thought and labour welfare do not seem to take much cognisance of Dr. Ambedkar’s contributions.

Dr. Bhim Rao Ambedkar was one of the very few Indians who struggled to alter the course of Indian history through social and economic democracy. He was deeply concerned over economic and social exploitation.

On different occasions he dealt with the problems of landless labourers, small holdings, Khoti system, Mahar watan, collective farming, land revenue, currency system and abolition of land lordism. He also discussed taxation problem. He advocated the nationalisation of industries and agriculture as the way to social equality.

Dr. Ambedkar’s justification for rapid industrialisation was the promotion of intellectual and cultural life. For it is only when there is leisure that a person is free to devote himself to a life of culture. Dr. Ambedkar said, “the problem of problems, which human society has to face, is how to provide leisure to every individual, leisure is quite impossible unless some means are found whereby the toil required for
producing goods necessary to satisfy human needs is lessened. What can lessen such toil? Only when machine takes the place of man. There is no other means of providing leisure. Machinery and modern civilization are then indispensable for emancipating man from leading the life of a brute, and providing him with leisure and for making a life of culture possible.”

Dr. advocated ‘state socialism’ in the field of industry and also state ownership in agriculture with a collective method of cultivation. He was one of the few who demanded nationalization of insurance. He was of the firm opinion that the problem of landless labourers could not be ameliorated through consolidation of land or by tenancy legislation. Only collective farms could solve the problems.

Dr. Ambedkar felt that a land should be let out to villagers without distinction of caste or creed and in such a manner that there would be no landlord, no tenant and no landless labourer. It should be the obligation of the state to finance the cultivation of collective farms by the supply of water, draught animals, implements manure, seeds etc. The state should also be entitled to levy reasonable charges. The basic and key industries should be owned and run by the state.

Dr. Ambedkar organized the labour movement of the depressed classes and made a party namely Independent Labour Party. His aim in the labour movement was the establishment of social justice. Dr.
Ambedkar was deeply committed to the cause of the working class. He worked in the Executive Council of two Viceroy's, Lord Wavell and Lord Linlithgow. The 'labour charter' propounded by him in the Viceoy's Executive Council on September 2, 1945 later on become the basis of the labour welfare scheme in this country.

Dr. Ambedkar became labour member of the Viceroy's Executive Council on July 20, 1942, and resigned in June 1946. That period, though short, was remarkable in the history of labour welfare legislations in the country. It was during this period that the Factory Act was amended in 1945 to ensure holiday with pay and shorter hours of work; The Indian Mines Act and Maternity Benefit Act were amended to provide larger benefits and better facilities. It was during the same period that statutory welfare funds was constituted and it was a break through in the field of social insurance that Dr. Ambedkar will be long remembered.³

The Tripartite Labour Conference was held in New Delhi in 1942. As Chairman of the conference Dr. Ambedkar said, "it is for the first time in the history of the labour conferences that the representatives of the employees and employers have been brought face to face within the ambit of a joint conference."⁴

During the period (1942 to 1946) Dr. Ambedkar invited V.V. Giri to head the commission on forced labour. It was his feeling that Giri,
with his knowledge and experience of labour problems, would be of
great assistance in evolving suitable measures to deal this pernicious
practice. But the commission could not be established because of the
Indian Princes protested to the Viceroy against the idea of the
commission.5

In March 1943, Prof. B.R. Ambedkar was appointed Officer on
Special Duty for preparing a report on health insurance for industrial
workers. The Factories (Amendment) Bill was passed on April 2, 1945
which gave effect to I.L.O. convention No. 52 of 1936 and provided
some concessions in holidays for workers. The Industrial Employment
(standing order) Bill was introduced in the Central Assembly by Dr.
Ambedkar on April 8, 1946 and same Bill was passed which came into
force on April 23, 1946.

The Indian Trade Union (Amendment) Bill was introduced by
Dr. Ambedkar on November 8, 1943, in the Legislative Assembly and
this Bill compelled the employers to acknowledge the trade unions. A
Bill for the protection of Minimum Wages was also moved by him on
April 11, 1946. The Bill provided for constituting Advisory Committee
and Advisory Boards with equal representation from labourers and
employers to advice the government. The Bill was enacted into law on
February 9, 1948.
Dr. Ambedkar was the first legislator in India to introduce a Bill for the abolition of the serfdom of agricultural tenants. According to him, “Similar conditions of work, provident funds, employer’s liability, workmen’s compensation, health insurance including pension would be open to all sorts of labour whether industrial labour or agricultural labour.”

In the last speech he delivered on the Constitution before it was passed, he stated, “On January 26, 1950, we will have equality in politics and inequality in social and economic life. We must remove this contradiction at the earliest moment or else those who suffer from inequality will blow up the structure of political democracy which this Assembly has so labouriously built. Political democracy erected on the divisions of inequality and injustice of traditional Indian society would be like a place built on cow-dung, cow-dung may be sacred and useful, but very fragile.”

On the basis of above discussion, it is clear that Dr. Ambedkar, as an Economist and Labour Leader, highly contributed in the field of ‘labour welfare’. But this personality of Dr. Ambedkar, however, does not seem to have attracted enough attention. He extensively contributed to various economic themes and labour welfare programmes which included theoretical issues as well as concrete economic and labour problems. His ideas reflected not only unique
freshness but also his deep insights into the problems. He approached and examined the problems with such foresight that his analysis and treatment of some of them is very much relevant even today.

The present research work is an attempt to integrate Dr. Ambedkar's thoughts on Economic issues and Labour Welfare problems in India and his vision in this (21st) century. The relevance of Dr. Ambedkar's views are discussed in the present and future scenario.

Dr. Ambedkar had discussed both type of labourers that is organised and unorganised labourers. So that present work is not confined to only organised or industrial labourers, an attempt is also made to cover unorganised or agricultural or rural labourers as well.

**OBJECTIVES OF THE RESEARCH WORK**

Babasaheb Dr. Ambedkar was the most illustrious sons of this country. His great contribution as the principal architect of the Indian constitution is widely acclaimed. His varied contributions as a Scholar, Educationist, Journalist, Thinker and, above all, as a great social reformer are also widely recognized. Yet their remains one crucial aspect of his multifaceted personality that has not been fully appreciated and propogated, that is Dr. Ambedkar's contributions as a 'Labour Reformer' and an 'Economist'. 
In the light of above reference the main objectives of the research work are:

- A systematic and conceptual study of labour welfare and different approaches regarding the same.
- To search out Dr. Ambedkar's relentless struggle towards labour welfare which has been neglected and forgetted by the contemporary scholars.
- To highlight Dr. Ambedkar's thoughts on Economics which were badly neglected by the Economist.
- To examine the relevance of Dr. Ambedkar's views in the present scenario.
- To evaluate the approach adopted by the judiciary regarding the provisions of labour welfare and economic justice enunciated in the Constitution of India.
- To make a comparative analysis of Dr. Ambedkar's Production Function and Gandhian Production Function.

RESEARCH METHODOLOGY

Research Methodology is the means through which desired objectives are sought to achieve. It involves systematic planning and comprehensive methods. The type of steps to be taken in research depends upon the purpose for which the research is undertaken. The study relating to the "Jurisprudential Study of Labour Welfare and Dr. Ambedkar's Vision in 21st Century" is doctrinal research, so the materials relevant to the study has been analysed. The case law laid
down by the courts on the subject has also been examined. The Reports, Journals, Newspaper and Surveys have been consulted. The proceedings of the Seminars, Conferences and Symposia have been utilized. The reports submitted by various Commissions and Committees relevant to the Research Work have been consulted and referred wherever necessary.

WORK PLAN

For the sake of convenience this Research Work has been organized into the following chapters:

CHAPTER – FIRST

JURISPRUDENTIAL STUDY OF LABOUR WELFARE AND DR. AMBEDKAR’S PHILOSOPHY:

This Chapter covers jurisprudential study of labour welfare and Dr. Ambedkar's philosophy related to it. The chapter deals with the meaning definition, scope of labour welfare and labour welfare provisions in our constitution and further the same Chapter covers why labour welfare is necessary?

Baba Saheb Ambedkar was deeply concerned for economic and social exploitation. According to him, peace, happiness and prosperity would be a dream for India unless there was a structural change in society and labour economics. The Chapter also deals with the philosophy of Dr. Ambedkar in respect of labour welfare.
CHAPTER – SECOND

Dr. AMBEDKAR’S CONTRIBUTIONS AND LABOUR WELFARE LAWS:

Chapter Second of the Research Work covers Dr. Ambedkar's contributions to labour welfare laws.

Dr. Ambedkar was a Labour Member of the Viceroy's Executive Council (from July 20, 1942 to June 1946). That period, though short, was magnificent in the history of labour welfare legislations in the country. The present work discusses all such labour welfare legislations which were passed in the light of Dr. Ambedkar's views, some important piece of legislations have been discussed here, they are:

- The Factories (Amendment) Act, 1945.
- The Industrial Employment (Standing orders) Act, 1946.
- The Indian Trade Union (Amendment) Act 1942.
- The Payment of Wages Act, 1936.
- Industrial Disputes Act, 1947.
- Workmen's Compensation Act, 1923.
- Constitution of India (Provisions relating to labour welfare – Articles 14, 23(1), 39, 41, 42, 43, 43-A etc).
CHAPTER – THIRD

Dr. Ambedkar’s thoughts on ‘Economics’, ‘State Socialism’ and ‘Economics of Caste System’ and its Impact on Labourers

Chapter Third of the Present Work covers Dr. Ambedkar’s thoughts on Economics which includes Labour Economics also. This part has been divided into two sections namely:

A) Economics of caste system, and
B) Strategy for economic development and labour welfare.

Dr. Ambedkar believed that the caste system in India was a major obstacle to economic growth and development. In a caste-minded society, there is no willingness on the part of individual to self employment where there may be best suited and this caste system reduces mobility of labour and capital, leading to inefficiencies in production thus impending economic growth. Hence, Section (A) of the same chapter searches out, why Dr. Ambedkar denounced such Economics which was based on caste system?

While Section (B) of the same chapter discusses what strategy was adopted by Dr. Ambedkar for economic development and labour welfare. It includes Ambedkar’s “State Socialism” and his ‘Agrarian Reforms’ also. The ‘Agrarian reforms’ head covers Dr. Ambedkar’s views on Small Holdings, collective Farming etc.
CHAPTER - FOURTH

Dr. Ambedkar’s Vision On Organised and Unorganised Labourers:

Chapter Fourth of the present Research Work discusses Dr. Ambedkar’s vision on all type of labourers whether organised or unorganised. In fact, most of the Legislative and intellectual efforts have been made to improve the conditions of organized or industrial labourers. But the said Chapter discusses the efforts that were made by Dr. Ambedkar to improve the economic and working conditions not only of organized or industrial labourers but unorganized or agricultural or rural labourers also.

CHAPTER - FIFTH

Dr. Ambedkar’s Philosophy Of Labour Welfare and Economic Justice And Role Of Judiciary:

Chapter Fifth of the Present Work covers judicial response towards Dr. Ambedkar’s labour welfare and economic justice. An attempt is made to discuss such pronouncements in which judiciary adopted directly or indirectly Dr. Ambedkar’s approach relating to labour welfare and economic justice.

CHAPTER - SIXTH

Dr. Ambedkar On Indian Constitution And Gandhian Production Function And Relevancy Of His Thoughts In The Present Scenario:

Chapter Sixth deals with Dr. Ambedkar’s views on Indian constitution in regards of ‘Socialism’ and ‘Welfarism’, It also covers
Gandhiji’s theory of production and future relevance of Dr. Ambedkar’s thoughts. It consists three parts namely:

A) Socialist Ambedkar and Indian Constitution;
B) A Comparative Study of Ambedkar’s Production Function and Gandhian Production Function, and
C) Present Economic Globalisation and Dr. Ambedkar.

For the realization of the goal of economic democracy, Dr. Ambedkar advocated state intervention particularly in the organization of industry and agriculture. For Dr. Ambedkar, agriculture was to be a state industry and he preferred fast industrialisation in India. He maintained that, industrialisation facilitates consolidation. It lessons the premium on land. It must precede consolidation. It is barrier against future sub-division and consolidation. Hence, Dr. Ambedkar advocated ‘State Socialism’ with the flavour of private sectors.

In Part (A) of the said Chapter, an attempt is made to highlight the Welfare and Economic Justice approach of Dr. Ambedkar and its reflection on the Indian Constitution.

While in Part (B), an attempt is made to make a comparative study of Ambedkar’s Production Function and Gandhian Production Function.
Last Part (C) of the same chapter covers Dr. Ambedkar’s thoughts and their relevance in the present economic globalisation.

CHAPTER – SEVENTH

CONCLUSION AND SUGGESTIONS:

In Chapter Seventh, an attempt is made to recapitulate the ideas expressed earlier along with suggestions to complete the dreams of Bharat Ratna Baba Sahab Dr. Ambedkar in the light of modern trend of liberalisation and globalisation. The dreams, that are yet to be fulfilled even after fifty nine years of our independence.
REFERENCES


6. Supra Note 3, p. 5.
