Ambedkar was very clear in his approach to democratic social change required in the Indian society. He, like Gandhi, was uncompromising on the quality of means employed for such a change. However, unlike Gandhi, he maintained that the social problems were not merely moral but such as could only be tackled better through legislation and other constitutional measures. Jatava said:

“He... never liked or advised the people to adopt extra-constitutional measures and immoral measures to change the socio-economic conditions of the people. He condemned the barbaric manifestations of fascist arrogance, caste chauvinism and communal frenzy. He did not like the Machiavellian statecraft in all its forms. He vehemently opposed the politics of expediency and opportunism.”

As a pragmatic thinker and leader having indomitable faith in constitutional means, it was his conviction that socio-political and economic changes can be brought about in a constitutional manner. This was in line with his firm faith in constitutionalism and liberal democratic political system. Ambedkar supported a democratic political system for he contemplated democracy as, “a form and a method of government whereby revolutionary changes in the economic and social life of the people are brought about without bloodshed.”

It is true that Ambedkar, in spite of his ardent faith in democracy, was of the opinion that parliamentary government in the Indian context would mean a government by communal majority. To avert such consequences, he very cogently pleaded for periodic elections based on the principle of universal adult franchise, the only way to bring about genuine political democracy. Political democracy no doubt

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precedes in his case too, but it becomes effective and has real content only when social democracy has taken roots. Political democracy, as it is known, assumes horizontal equality or a leveling down process but the Indian social structure is hierarchical; Ambedkar was quite conscious of this inherent contradiction between the political and social order. Ambedkar very strongly argued in favour of a socio-political democracy that would promise political as well as social equality; such thinking reflects the influence of liberal humanism in shaping his political ideas, values and beliefs.

He differed from the communists not on the question of the economic reconstruction of society but on the questionable methods used by the communists to achieve the goal of a classless society. He was essentially a constitutionalist and he wanted to bring about a revolution in social, economic and cultural fields of Indian life through democratic methods.

Overwhelmed by the teachings of Buddha, the way showed by Ambedkar is wholly democratic and humanistic and it had the energy for human awakening, the inherent power of social consciousness and the strength of respectful human relations in society. Ambedkar believed in Buddha’s teaching that the main evil which plagues humankind is Dukha (sorrow), and he endeavored to eradicate sorrow from the lives of men through reconstruction of that social and economic order which rendered the majority of men impotent sufferers of veritable servitude. A wise application of science and technology, he believed, would ensure economic prosperity, which could be made available to every human being progressively, releasing him from want and fear, the cause of Dukha.

As observed by Aristotle, man is by nature and necessity a social animal, hence he lives in society, which is instrumental in evolving such an atmosphere conducive not only for the satisfaction of his primary wants, but also for the development of his personality. In the words of political Scientist, Professor Gisberth:
“...society implies reciprocal awareness between two or more men, and the sense of their having something Common”.3

Ambedkar held that men do not become a society by mere living in physical proximity. Nor similarity in certain habits and customs is enough to constitute a society. For constituting society what is necessary is to share and participate in a common activity so that same emotions are aroused in one that animate the others, “Making the individual a sharer or partner in the associated activity so that he feels its success as his success, its failure as his failure is the real thing that binds men and makes a society of them”.4 Thus society is another name for more or less cordial interrelationships between the human beings living in a geographical area. However, Ambedkar considered the Indian society as a caste society, in which each caste is conscious of its coexistence, but having no ‘Common Consciousness’. The caste system, he maintained, hinders common activity, and “by preventing common activity it has prevented the Hindus from becoming a society with a unified life and consciousness of its own being.”5 Since the society had no common interests, there was no unity of purpose among its constituents and, therefore, no cooperation and harmony. “The result was unending feuds and conspiracies, corroding suspicions reinforced by vacant cynicism and immoral attempts on the part of caste Hindus to hold in servitude the vast majority of shudras and untouchables and the inevitable disharmony and conflict”.6 Somewhat on the same lines, we find in Mclver’s and Page’s analyses of such disharmony and conflict in the following three examples:

Firstly, all economic goods, wherever men are in a position to compete or to bargain or to fight for their possession, are subject of conflict, for economic goods have a scarcity value; and the desire for them, both for those who have much and for

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5. Ibid, p. 51.
6. G.S. Lokhande, op.cit., p. 50.
those who have little, is rarely satiated. Secondly, individualized and exclusive emotional attachments are apt, under various conditions, to breed rivalries and jealousies and envies and to result in latent or open conflict. Finally, there are interests of power and distinction, which, by their very nature, can be neither common nor harmonious. They cannot be harmonized because they are always relative to the possession of the power and distinction of others.... The quest for power and distinction is unending and a perpetual source of social conflict.7

In the Indian context, the situation is rather complex because of the predominance of the caste factor both socially and politically. Thus a democratic system, according to Ambedkar, has to be transformed from mere political rule into people’s economic well-being and social democracy based on the principles of equality and fraternity, by rising above the vested interest of castes, creeds, personalities and communities in the larger interest of national unity and solidarity. He regarded social advancement and economic well being as necessary prelude to people’s political emancipation. This was the main reason why Ambedkar wanted politics to directly address the socio-economic problems in the country.

There are different schools of thought about economic democracy: the Individualists, the Socialists and the Communists. Ambedkar, giving due consideration to the varied points of view, seems to prefer a rather flexible approach and framework as stated by him -

“...that is the reason why the language of the articles in Part IV (Directive Principles of State Policy) is left in the manner in which this Drafting Committee thought it best to leave it. It is no use giving a fixed, rigid form to something which is not rigid, which is fundamentally changing and must, having regard to the

circumstances and the times, keep on changing. It is, therefore, no use saying that the Directive Principles have no value. In my judgment, the Directive Principles have a great value; for they lay down that our ideal is economic democracy. Because we did not want merely a parliamentary form of government to be instituted through the various mechanisms provided in the Constitution, without any direction as to our economic ideal, as to what our social order ought to be, we deliberately included the Directive Principles in our Constitution. I think, if the friends who are agitated over this question bear in mind that I have said just now that our object in framing this Constitution is really two-fold: (1) to lay down that our ideal is political democracy, and (2) to lay down that our ideal is economic democracy and also to prescribe that every Government whatever is in power, shall strive to bring about economic democracy, much of the misunderstanding under which most members are labouring will disappear.”

Unlike Nehru, Ambedkar desired nationalization of land to ensure social, economic and political justice. While Nehru in pre-independence writings had clearly expressed his opinion in favour of co-operative farming, Ambedkar desired to incorporate a scheme of socialist economy in the list of Fundamental Rights. J.B. Kripalani, the Chairman of the Sub-Committee on Fundamental Rights and Vallabhbhai Patel, the Chairman of the Advisory Committee did not see any merit in his proposal. His appeal to the Chairman of the Constituent Assembly to appoint a Planning Committee also did not yield any results.

Ambedkar strove hard to have it incorporated in the constitution, but it was ignored and could not find a place in the constitution on technical grounds.

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Thus as a result, the so-called democratic socialism adopted in the constitution had hardly any regard to the economic realities. An Economist, Kasare, has, in hindsight, written:

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The economic conditions of the landless, mostly consisting of the depressed classes, has not changed while absentee landlordism flourishes under this or that garb. Our democracy offered freedom of thought, expression, etc. to the poor masses of this country, but no one cares about the right to live with dignity. In the industrial field, we zealously expanded the public sector, only to end up with free economy, disinvestment in public sector undertakings, privatization euphoria, and so on. The ultimate result is that disparities in rural and urban areas have become glaring. The common man, for which Ambedkar cared too much, is standing exactly where he was six decades ago. Had we adopted his plan as a part of the Fundamental Rights, the situation could have been different.”

Ambedkar feared that a political democracy, which is blind towards stark economic realities is not likely to survive for long. It is the economic structure, which largely dominates the political structure of a society. Unless we pay serious attention to economic reforms and stability, no political structure will stand on its own, for a long time. It is all right for a man sitting in an ivory tower to talk of ‘democratic socialism’, without pondering over economic domination, exploitation and slavery, rampant in the society. But Ambedkar, with his roots in this soil, rightly insisted that it should be obligatory for the state to carry out a plan of economic reforms for the ultimate success of political democracy. He insisted on the incorporation of his plan in the main body of the Constitution, which suggested substantial structural changes in the Indian economy. It was tantamount to a mixed-economy model with constitutional safeguards for its implementation. He was not against private entrepreneur, nor did he

\[9\] M.L Kasare. op.cit., p. 205.
wish to suppress the individual liberty. He was a democrat at heart, who always wished that the benefits of development should reach the last person.

He wished to establish the principle of ‘one-man one vote’ and ‘one vote one value’ not only in the political life but also in social and economic life and sphere. He was confident that under a democratic system of government, social, economic, political and religious freedom could be ensured equally to every man and woman. The outline of his vision of such a change indicates the following:

**Democratic Collectivism**

His plan for agrarian reforms may not suggest the total abolition of private property but insists public ownership of agricultural production on that land; cooperative and collective control of the agricultural industry. The original landowner will be entitled for immediate compensation or long-term interests as the case may be. It would help in removing the evils of landlordism. He further suggested:

(I) The state shall divide the land acquired into farms of standard size and let out the farm for cultivation to residents of the village as tenants (made up of group of families) to cultivate land on the following conditions:

(a) The farm shall be cultivated as a collective farm.

(b) The farm shall be cultivated in accordance with rules and directions issued by government.

(c) The tenants shall share among themselves, in the manner prescribed, the produce of the farm left after the payment of charges properly leviable on the farm.

(II) The land shall be let out to villagers without distinction of caste or creed and in such a manner that there will be no landlord, no tenant and no landless labourer.
(III) It shall be the obligation of the state to finance the cultivation of the collective farms by the supply of water, draught animals, implements, manure, seeds, etc.

(IV) The state shall be entitled to:

(a) levy the following charges on the produce of the farm:

(i) a portion for land revenue.

(ii) a portion to pay debenture holders, and

(iii) a portion to pay for the use of capital goods supplied, and

b) to prescribe penalties against the tenants who broke the condition of tenancy or willfully neglected to make the best use of the means of cultivation offered by the state or otherwise acted prejudicially to the scheme of collective farming.10

In his view, agricultural collectivism can help eradicate village landlordism along with many other social evils, peacefully, through legislative measures. Socio-economic legislation was thus an effective tool for bringing about democratic social change resulting in ‘State Socialism’ within ten years, maintained Ambedkar.

The idea of democratic collectivism is prima facie acceptable to the majority of the people in all industrial and agricultural organizations. It has exercised very considerable influence upon Indian politics as a strategy of economic growth. Ambedkar’s democratic collectivism, far from destroying man’s right to private property, has rather revived it, not in the antiquated individualistic form of letting each man retain his own property, which is difficult in State socialism, and its division of labour, but in the giving to every man a claim upon the equivalent of what he has done and produced. Through his collectivism runs one common thread – to make democratic socialism more real by broadening the application of democratic principles from the political to the non-political areas of human society.11

Ambedkar, therefore, advocates state ownership of agriculture with a collectivized method of cultivation and a modified form of State socialism in the field of industry. He justifies the merits of this scheme on the following grounds:

1. It places squarely on the shoulders of the state the obligation to supply capital necessary for agriculture as well as for industry.\(^\text{12}\)

2. State socialism is essential for the rapid industrialization of India. Private enterprise cannot do it and if it did, it would produce those inequalities of wealth, which private capitalism has produced in Europe and which should be a warning to Indians. Consolidation of Holdings and Tenancy Legislation are worse than useless. They cannot bring about prosperity in agriculture; neither consolidation nor tenancy legislation can be of any help to the untouchables who are landless labourers. Neither Consolidation nor Tenancy Legislation could solve their problems. Only collective farms on the lines set out in the proposal could help them. No expropriation of the interests concerned is meant in view of economic growth as the objective Consequently, there ought to be no objection to the proposal on that account.

In India, the government under Nehru’s Prime ministership planned co-operative farming and the establishment of service co-operatives. Unlike Nehru, Ambedkar found that ‘the tiny holdings, averaging a fraction of an acre per person, are uneconomic and wasteful and too small for the application of scientific methods of agriculture.’\(^\text{13}\) He felt that ‘nothing short of large-scale collective or co-operative farming will deal effectively with the land question. Nehru was attracted to the philosophy of the co-operative movement because it seemed to him a way of removing the disparities existing among various classes in India. The basic problem of India is the very small holdings. Modern techniques of agriculture could only be

\(^{12}\) Dr. Babasaheb Ambedkar, op.cit., Vol. 1, p. 408.

\(^{13}\) Nehru,: The Unity of India, Collected Writings, 1937-40, (London, Lindsay Drummond), 1948, PP. 120-22.
introduced in India if the infinite number of small farms were worked co-operatively. And for that, the establishment of service co-operatives was very essential. For Nehru, that did not mean joint cultivation or the peasants losing ownership of their lands. He made it clear that there should be service co-operatives all over the country, that is to say, people keeping their separate holdings, cultivating them separately, but meeting together in the village co-operatives for various other economic purposes. These service co-operatives will raise the standard of living in the villages in many ways.

Believing in the efficacy of the co-operative movement and the co-operative joint farming, Nehru did not approve of a rigid and coercive approach in the matter. He wanted to prepare proper ground by winning people and obtaining their consent. But much criticism was leveled against co-operative farming on the ground that it would lead to imposition and coercion.

Briefly put, the hallmark of Ambedkar’s development strategy is:

‘If small and scattered holdings are the ills from which our agriculture is suffering, to cure it of them is undeniably to industrialize.’ Here is a touch of pragmatism in his understanding of the agrarian question and suggesting of remedies, as converting agriculture into industry through Constitutional Law. But his views on collective farming were not acceptable to the Constituent Assembly, they were rejected on technical grounds. The Plan would not find place even under the Directive Principles of State Policy in the Indian Constitution.

O.P. Hegde, in his book, considered this as quite unacceptable for “the idea of collective farming of Ambedkar was very revolutionary; if accepted, it would require the nationalization of agriculture. The Constituent Assembly was totally opposed to the Ambedkar proposition, since it was dominated by the rural landed elites and upper caste Hindus, somehow connected with Indian agriculture. Further, the Government of
India has opted for a more soft measure of land reforms instead of collective farming.\textsuperscript{14}

Thus, Ambedkar has argued that to step up agricultural output, land reforms should come in a manner that they result in creation of economic holdings. Ambedkar presented data to show the economic effect of idle labour. He advocated shifting of this idle labour to non-agricultural activities, where it is productively used. This meant to him that industrialization of India was the soundest remedy for the agricultural problems of India and he realized that the scheme for Democratic Collectivism could not materialize unless women, labourers, scheduled castes and tribes were given due attention and their inclusion in the democratization processes would require them to be politically alive and trained. In other words, collective participation required the political awakening of those who have for long remained out of it. He, therefore, gives high priority to the upliftment of such groups like women, labourers, scheduled castes and the tribal people.

**Measures for the Emancipation of the Dalits**

Ambedkar wanted to change the tradition bound untouchable’s mind psychologically and make it more receptive to new thoughts and ideas. In order to boost their morale, it was necessary to unfold their history of bravery and great culture, which was hitherto deliberately suppressed and distorted. Therefore, he made an intensive research in this area as is evident in his three books viz. ‘Annihilation of Caste’, ‘Who were the Shudras?’ and ‘The Untouchables’.

In his book “Who were the Shudras”, he stated that:-

1) The shudras were one of the Aryan communities of the solar-race.

2) The Shudras ranked as the Kshatriya Varna in the Indo-Aryan society.

3) There was a time when the Aryan society recognized only three Varnas, namely, Brahmins, Kshatriyas and Vaishyas. The Shudras were not a separate Varna, but a part of the Kshatriya Varna.

4) There was a continuous feud between the Shudra kings and the Brahmins, in which the Brahmins were subjected to many tyrannies and indignities.

5) As a result of the hatred towards the Shudras due to their tyrannies and oppressions, the Brahmins refused to invest the Shudras with the sacred thread.

6) Owing to the loss of the sacred thread, the Shudras became socially degraded, fell below the rank of the Vaishyas and came to form the fourth Varna."\(^{15}\)

Contrary to the established belief and practice, Ambedkar concluded that there were originally only three Varnas and that the Shudras were only a part of the second Varna. The degradation of the Shudras was the result of a violent conflict between the Shudras and Brahmins. (Shudra, King Sudas & Vashistha, the Brahmin), he cited evidence in history of conflicts between the Brahmins and Shudras,\(^{16}\) to explain why and how the Shudras came to be degraded from the second to the Fourth Varna. The technique of degrading the Shudras was to refuse to perform the \textit{Upanayana} of the Shudras, thus deprived them of learning of the Vedas by Vedic Brahmins. He quotes the example of a Shudra king who performed his coronation ceremony and thereby established that the shudras were eligible for Upanayana. He writes:

"As to the Shudras, the evidence is equally positive, if Sudas was a king, if Sudas was a Shudra, if his coronation ceremony was performed by Vashistha and if he performed the Rajasuya-yagya, then there could be no doubt that the Shudras did at one time wear the sacred thread. In addition to circumstantial evidence and the evidence of the author mentioned before, the Sankara-Ganapati cited by Max-Muller


\(^{16}\) Ibid, pp. 167-170.
contains an express provision declaring the Shudras to be eligible for
Upanayana.\textsuperscript{17}

Denying Upanayan, having profound social significance to the Shudras
amounted to reduce them to veritable servitude; without Upanayana, nobody could
have a right to perform sacrifice and it was the capacity to perform a sacrifice which
qualified a person to Right to Property. The capacity to perform a sacrifice depended
on a course in the study of the Vedas, which was open only to those who had
undergone the Upanayana ceremony. This was a deliberate distortion and
contradiction. He felt:

1) There should be one and only one standard book of Hindu religion, acceptable
to all Hindus and recognized by all Hindus. All other religious books such as
the Vedas, Shastras and Puranas should not be treated as sacred and
authoritative and the preaching of any doctrine, religious or social, contained in
these books should be penalized.

2) Priesthood must cease to be hereditary and there must be an examination to get
entitled to be a priest and the person who wants to be a priest must hold a
Sanad.

3) No ceremony performed by a priest who does not hold a Sanad shall be deemed
to be invalid in law and it should be made penal for a person who had no Sanad
to officiate as a priest.

4) A priest should be a servant of the State and should be subject to disciplinary
action by the State in matters of his morals, beliefs and worship.

5) The number of priests should be limited by law, according to the requirements
of the State...\textsuperscript{18}

\textsuperscript{17} Ibid., p. 195.
\textsuperscript{18} Dr.Babasaheb Ambedkar, op.cit., Vol. 1, pp.76-77.
Thus, the priestly class must be brought under control by legislation to save Indian society from further decay.

**Constitutional Safeguards**

Ambedkar succeeded to a considerable extent in securing human rights for the Scheduled Castes. The main provisions of the Constitution of India in respect of the welfare of the Scheduled Castes have already been discussed in Chapter III.

**Upliftment of Women**

To ensure due status to women, proper social legislation was absolutely necessary, Ambedkar said. Most of the social reformers as Raja Ram Mohan Roy, Swami Dayanand, Vivekananda, Durgabai Deshmukh, Mahatma Gandhi, Jyotiba Phule, Periyar and a host of others tried to improve the women’s lot through preachings, noble teachings, to press and even to influence the state to bring an end to the oppression of women in India.

Ambedkar was one of the modern thinkers who, whenever he got an opportunity, raised issues relating to women’s lot; may be that opportunity came in the form of a social reformer, a member in Bombay Legislative Council, in the Constituent Assembly as the chairman of the Drafting Committee, in the parliament as the first Law Minister of Independent India, he had been successful to influence the state to come to the rescue of Indian women. He made sincere efforts in understanding the reality about the status of women in India and advocating a practical reformist measures especially comprehensive Hindu Code Bill for the upliftment of women. Later on, these measures formed a basis of the legislation for providing better opportunities to women so that they could occupy a position of equality, respect and could realize their potential for building an equitable and egalitarian society. In a letter to a friend of his father, Ambedkar laid special stress on the education of women. He said:
“... We shall soon see better days and our progress will be greatly accelerated if male education is pursued side by side with the female education.”19

He led a relentless campaign against the oppression of women and fought for their rights to education and equal treatment with men. He also opened a school for the untouchable girls in August 1848 at Bhide Wada in Budhwar Peth.

Ambedkar held Manu responsible for the degradation of women in India. Yet he did not find anything peculiar in Manu. The laws of Manu are the views of Brahmins ever since the Brahmanism was born in India. Before Manu, there existed only a social theory. What Manu did was to convert what was a social theory into the law of the state. The second reason that led Manu to impose disabilities upon women was that the Shudras and women were the two chief sections of the Aryan society, which were flocking to join the religion of the Buddha and thereby undermining the foundations of Brahminic religion. Manu wanted to stem the tide that caused woman flowing in the direction of Buddhism.20 The purpose of referring to this statement here is to describe Ambedkar’s deep concern and his in-depth study of the position of women and seek the solution and women as well as the Shudras formed the bedrock of the society, and they continue to do so.

As a member of Bombay Legislative Council (1927), supporting the Maternity Bill, he said:

“It is the interest of the nation that the mother ought to get a certain amount of rest during the pre-natal period...”21

He also admitted that the burden of this ought to be largely borne by the government because of his view that people’s welfare is primarily the concern of the government.

19. Dhananjay Keer, op.cit., p. 27.
At the All India Depressed Classes Conference held at Nagpur on July 20, 1942, he said that a nation could not progress until the progress of women is achieved. He said there that:

“\textquote I am a great believer in women’s orginisation. I know what they can do to improve the condition of the society if they are convinced. In the eradication of social evils, they have to render great services.\textquote”\textsuperscript{22}

It may rightly be held that one of the most important contributions of Ambedkar in relation to upliftment of women was his initiative to draft and introduce the Hindu Code Bill in the Parliament. The bill indeed aroused tremendous responses from various quarters.

Dr. Shyama Prashad Mukherjee said that:

\textquote Hindu Code Bill would shatter the magnificent structure of Hindu Culture.\textquote J

Pandit Madan Mohan Malviya opposed the bill on the ground that through such legislation:

‘the very fibre of Hindu society would be weakened.’\textsuperscript{24}

Sardar Vallabh Bhai Patel and Dr. Rajendra Prashad were against the Code though the women members described the bill as a testament of their faith in the Constitution.

Apprehensive that he was not being seriously considered, in his letter of resignation to Nehru, the then Prime Minister, Ambedkar stated:

“For a long time, I have been thinking of resigning from the cabinet. The only thing that had held me back from giving effect to my intention was hat the hope that it would be possible to give effect to Hindu Code Bill before the life of present

\textsuperscript{22} Dhananjay Keer, op.cit., p. 352.
\textsuperscript{23} Ibid, p. 429.
\textsuperscript{24} Ibid, p. 430.
parliament came to an end. I even agreed to break up the bill and restricted it to the marriage and divorce in the fond hope that at least this much of our labour may bear fruit. But even that part of the bill has been killed and I see no purpose in my continuing to be a member of your Cabinet.”

Ambedkar was not destined to have the honour of putting the Hindu Code Bill on the Statue Book. It cannot, however, be denied that it was on the basis of qualitative labour that Hindu Code saw the light of the day, though in somewhat fragmented form. As is known, this bill was later split into four bills and the same were put on the Statue Book by parliament. They are:

3. The Hindu Minority and Guardianship Act, 1956.

Development of the Tribes

Ambedkar perhaps has not given a clear definition of tribe or description of what constitutes a tribe. He did in his own way, explain what he meant by tribe:

“The aboriginal groups which have remained in their primitive uncivilized state.”

He felt that it is shameful to see them in:

“uncivilized state in a land which boasts of a civilization thousands of years old. Not only are they not civilized but some of them follow pursuits which have led to their being classified as criminals.”

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26 Dr. Babasaheb Ambedkar, op.cit., Vol. 1, p. 52.
27 Ibid.
He accused Hindus of self-perpetuation at the cost of others. He stated that:
“civilizing the aborigines means adopting them as our own, living in their midst, and cultivating fellow-feeling, in short, loving them.”

Thus, he viewed the problem of the tribes from the social and economic point of view, as well as from the attitudinal point of view. He had thought that the primitive people, should not continue permanently to remain primitive. Rather there should be ‘a common cycle of participation’, both for the civilized people and the primitive people, so that there may be “a percolation of the ideas which are agitating the minds of the civilized part of Indian society into this primitive class of people.”

To bring democratic social change, the necessary pre-condition, therefore, was to liberate all the weaker sections of the society from the bondage of poverty, untouchability, ignorance, servitude, and caste-system. Hence he contemplated to liberate the tribes from their primitive uncivilized state. Further, he has rightly pointed out that:

“aborigines are a source of potential danger. If these savages remain savages they may not do any harm to the Hindus, but if they are reclaimed by non-Hindus and converted to their faiths, they will swell the ranks of the enemies of the Hindus.”

The discontent among the tribes may prove to be dangerous to national peace and tranquility. Hence, it is necessary to strive expeditiously to uplift them to the level of others and join them to the mainstream.

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28 Ibid, p. 53.
30 Ibid.
31 Dr. Babasaheb Ambedkar, op.cit., Vol. 1, p. 53.
To the Simon Commission, he had proposed that the adult suffrage should be extended for the aboriginal tribes. Under the present Constitution, they are categorized as the Scheduled Tribes and Article 164(1) of the Constitution provides that in the states of Bihar, Madhya Pradesh, and Orissa, there shall be a Minister in charge of tribal welfare.

**Education**

Education in India had always remained restricted to the members of the upper stratum of society. He held that:

“During the British rule, the field of education was deliberately kept confined to the upper classes, as the British feared that the spread of education among the members of lower classes might jeopardize their existence in India. The worst sufferers of such an education policy were the untouchables. Their segregation in schools was absolute. They had to sit outside the holy precincts of the temple school. Drinking water was not available to them. Even the method of punishment meted out to the untouchable students was different from the method to punish the caste Hindu students. While the caste Hindu students were beaten with sticks, the untouchable students were hit with clods and stones from a distance lest the touchable teachers got polluted. Thus, only those untouchable students, who meekly submitted to such horrible insults and physical injuries, could receive education. Those who could not put up with inhuman atrocities ran away from the school and spent the rest of their lives ploughing in the farms owned by others”.

Ambedkar, who developed an almost doctrinal belief in the efficacious and transformatory character of education, held that education must be available to all, irrespective of caste or status. “Education is something which ought to be brought

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32 Ibid, p. 471.
33 Quoted in G.S. Lokhande, op.cit., pp: 228-229.
within the reach of everyone.”34 The Bahshkrit Hitkarni Sabha” established in 1924 also aimed at promotion and -

a) spread of education among the Depressed Classes by opening hostels or by employing such other means as may seem necessary or desirable.

b) Spread of culture among the Depressed Classes by opening libraries, social centers and classes or study circles.

c) To advance and improve the economic condition of the Depressed Classes by starting Industrial and Agricultural Schools.

d) To represent the grievances of the Depressed Classes.35

In 1928, he established the Depressed Class Education Society to organise the school education of his people on a sound basis, appealed to the Bombay Government to help his society to establish hostels, in which poor students could be accommodated. In response, the Governor of Bombay declared that he would sanction a scheme for five hostels for the benefit of secondary school students of the depressed classes.36 Ambedkar made personal efforts to collect funds for these institutions.

The American writer, Professor Eleanor Zelliot, in her book on Dr. Ambedkar, writes:

“This is high thinking for any political party in India or in America! Dr Ambedkar was not only concerned that the Depressed Classes have education, but that education itself is bettered. It seems to me that the documents submitted to the Southborough Commission, Indian Statutory Commission and the University Reforms Committee in 1942 illustrate much of what I admire about Dr. Ambedkar’s way of thinking and action: to state exactly what is wrong, to suggest ways of correcting it, to

34 Ibid, p.84.
help those most in need of help and, to always remember all the people, the whole nation.\textsuperscript{37}

As a member, Ambedkar submitted detailed report about the deplorable condition of the Backward Communities to the Bombay Legislative Assembly, suggesting steps for the prevailing iniquitous educational System.

On June 20, 1946, the establishment of the People’s Education Society was an important step Ambedkar took to propagate higher education among the backward classes. The People’s Education Society’s objective is not merely to give instructions, but to impart such education as promotes intellectual, moral and social democracy. This is what modern India needs and this is what all well-wishers of India must promote, held Ambedkar.


\textsuperscript{37} Ibid, p. 231.
Aurangabad, Matoshri Ramabai Ambedkar High School, Aurangabad, Gautam Vidyalaya, Pandharpur, Nagsen Vidyalaya, Nanded. And quite a few hostels and Ashram: - Siddharth Vihar Hostel, Wadala, Mumbai, Subhedar Sawadkar, Vidyarthi Ashram, Mahad, District Raigad, Matoshri Ramabai Ambedkar Vidhyarthi Ashram, Dapoli, Dist. Raigad, Milind College of Arts and Science Girls’ Hostel, Aurangabad, Milind College of Arts Boys’ Hostel, Aurangabad, Milind College of Science Boys’ Hostel, Aurangabad, Dr. Babasaheb Ambedkar College of Commerce & Arts Boys’ Hostel, Aurangabad, Sant Gadge Maharaj Chokhamela Vasigraha, Pandarpur.38

In brief, the People’s Education Society has significantly contributed to the spread of higher education among the dalits. The colleges gave monthly scholarships, provided cheap accommodation and paid immense attention to student’s problems and encouraged progress. On the other hand, the students, after completing their education, have been working in villages and cities in various capacities in various bodies and offices.

Responsibility of the State in Spreading Education

Ambedkar’s voluntary efforts included educational modernization but he said that it’s a task that the state should undertake. Thus, in state socialism, he allocated a major role to the state in discharging its duties in respect of education of the unlettered millions of citizens in the country.

Infact, Ambedkar had a great hope in social legislation. In a speech in the Constituent Assembly on prevention of forced labour, he stressed that the centre must have the power of administration of laws and said:

“I am firmly convinced that even if you pass one hundred laws preventing forced labour, if the administration of these laws remained with the provinces, persons

38 K.N. Kadam : Dr. B.R. Ambedkar: The Emancipator of the Oppressed, (Bombay, Popular Parkashan), 1993 pp. 210-211.
who are victimized by forced labour would never be able to get the benefit of such laws."\(^{39}\)

Independent Labour Party’s manifesto included important provisions for workers. For example, for the benefit of industrial workers, the party would endeavor to introduce legislation to control the employment, dismissal and promotion of employees in factories, to fix maximum hours of work, to make provision for adequate wages and for leave with pay and to provide cheap and sanitary dwellings for workers. The unemployed would be relieved by introducing schemes of land settlement and by starting public works.\(^{40}\)

**Need for and Significance of Fundamental Rights**

As a believer in democracy, according to Ambedkar, a Bill of Rights and the Law of Land were designed to achieve an adequate balance between the liberty of the individual and the authority of the state. J.S. Mill, in his essay ‘On Liberty’, also referred to this ‘eternal problem’ of making ‘a fitting adjustment between individual independence and social control’ through the state. Such a balance could be achieved and maintained by providing a Bill of Rights in the Fundamental Law of the Land itself and putting it beyond the reach of the fluctuating majority in the Legislature, as far as possible, for the success or failure of a democracy depended largely on the extent of civil liberties enjoyed by the citizens.

Harold J. Laski held rights as “those conditions of social life without which no man can seek, in general, to be himself at his best.”\(^{41}\)

To Ambedkar, “Fundamental Rights are the gift of the Law.”\(^{42}\) They are essential for the human beings. They are ‘inalienable’ and enforceable by the State.’

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\(^{42}\) Bhagwan Dass, op.cit., Vol. 1, p. 162.
Ambedkar, like Nehru, rejected the basis of Hindu orthodoxy and preached the gospel of equality in national movement. The demand for Fundamental Rights was one of the major issues in the protracted negotiations between the British and the Indian national leaders. The Indian National Congress and various other organizations were continuously demanding right to life, liberty, freedom of speech, expression, worship, assembly etc. far one and all. The same matter was discussed at the Round Table Conferences also. Nehru Report (1928) made a demand for Fundamental Rights, as it was felt that certain safeguards and guarantees were necessary to create and establish a sense of security among the people in view of the communal and other differences. In 1933, the Indian National Congress passed a resolution for Fundamental Rights.

Individually, Ambedkar had been pleading continuously for an elaborate system of Fundamental Rights for the minorities in particular, and for all citizens in general. He presented a memorandum, ‘Evidence before the Southborough Committee on Franchise’ in 1919, and another memorandum on, ‘A Scheme of Political safeguards for the Protection of the Depressed Classes’ in the future Constitution of a self-governing India. His book ‘States and Minorities’ is a detailed explanation of Fundamental Rights of citizens, which is itself in the form of a model constitution.

In the Constituent Assembly, as Ambedkar recalled, one and all welcomed the Bill of Rights. The Constitution has provided for two sets of rights – Fundamental Rights and Directive Principles of State Policy, that is (1) those rights that are enforceable by appropriate legal process; and (ii) those Directive Principles of State Policy which, “Though not enforceable in courts, are nevertheless to be regarded as fundamental in the governance of the country. These two parts adorn the constitution of India as Parts III, and IV in the course of Articles 12 to 35 and 36 to 51,

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45 Constituent Assembly Debates Vol-III, p. 437.
respectively, which were virtually reformulated versions of the seminal ideas contained in the memoranda submitted by Ambedkar to various committees on different occasions. He stated that ‘Fundamental Rights form the basis of any democratic society.’ The Fundamental Rights in the Indian Constitution are more elaborate and comprehensive than in the Bill of Rights in any other constitution. According to Rajasekhariah:

“This was necessitated by the special problems of diverse religious, cultural and social conditions of a heterogeneous society. They are also intended to provide not only security for and quality of citizenship but also certain standards of conduct, citizenship, justice and fair play”.

These rights were so drafted that the rights of all sections of the society, so diverse in its composition, are protected. Ambedkar described this part of the Constitution as ‘the most criticized part’ of the Constitution. It has been alleged that every Fundamental Right is riddled with so many exceptions and qualifications that they have eaten up the rights altogether, to which his response was;

“I am sorry to say that the whole of the criticism about Fundamental Rights is based upon a misconception. In the first place, the criticism, in so far as it seeks to distinguish Fundamental Rights from non-Fundamental Rights is not sound. It is incorrect to say that Fundamental Rights are absolute while non-Fundamental Rights are not absolute. The real distinction between the two is that non-fundamental rights are created by agreement between parties, while Fundamental Rights are the gift of the law. Because Fundamental

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Rights are the gift of the state, it does not follow that state cannot qualify them. Thus, this able defence of the limitations by Ambedkar is a tribute to his constitutional acumen which set at rest all misgivings and criticism. He conceived a system of rights with necessary limitations in the interest of individual freedom and authority of the state. He evolved and incorporated a philosophy of rights based on the need for balancing individual liberty and the need for social control, which alone can provide social justice.

**Directive Principles of State Policy**

The Directive Principles seek to emphasize economic and social goals of the polity. It was the intention of the founding fathers to incorporate into the constitution, concepts and principles that should determine governmental activity, which would bring about a social and economic revolution in the country. Article 38 requires the state, inter-alia, to minimize the inequalities in income and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals, but also amongst groups of people residing in different areas or engaged in different vocations. (Article 38 (2)). Article 39 requires the state to make available to all the citizens adequate means of livelihood; to distribute ownership and control of material resources so as to subserve the common good; to operate the economic system in such a way that it does not result in concentration of wealth and means of production to the common detriment; that there is equal pay for equal work; to protect the health and strength of workers, men and women, and the tender age of children against abuse and that citizens are not forced by economic necessity to enter avocations unsuited to their age and strength, that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth

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are protected against exploitation and against moral and material abandonment. (Article 39 (a), (b), (c), (d), (e), and (f)).

The state is also required to provide equal justice through the mechanism of free legal aid in order to ensure that the opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. More important of the relative provisions, mentioned below, are contained in Articles 39 to 47:

- To provide right to work, to education and public assistance in cases of unemployment, old age, sickness and disablement and other cases of underserved want;
- To make provision for securing just and humane conditions of work and for maternity relief,
- To provide work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities;
- To secure the participation of workers in the management of undertakings, establishments or other organizations engaged in industry;
- To secure for all the citizens a uniform civil code throughout the country;
- To provide free and compulsory education for children below the age of 14 years;
- To promote the educational and economic interests of the Scheduled Castes and Scheduled Tribes and economic interest of the Scheduled Castes and Scheduled Tribes and other weaker sections;
- To raise the level of nutrition and standard of living and to improve the public health, etc.
He held that the Indian constitutional format in respect of human rights is remarkably significant and unique attempt at conflict resolution, for the delicate balance it sought to achieve between political and civil rights on the one hand and social and economic rights on the other, or between the individual rights and demands of social justice. The whole scheme was based on a philosophy postulating a dialogue between individualism and state control.

Agricultural Reforms

In the article, ‘Ambedkar as a Theoretician and Policy Maker on Indian Agriculture’, Saibaba held that Ambedkar’s ideas on agricultural development were based on industrial development. He also pursues institutional reforms, which include land reforms and state socialism. 49

Indeed, as an economist, he predicted and projected the input and output relations that may emerge as a consequence of land reforms. The ills of agriculture in India do not lie primarily in the matter of enlarging holdings, but in increasing capital and output goods. This implies a production function for the agricultural sector. This idea makes it clear that Ambedkar was treating agriculture as an industry.

Ambedkar advised fast industrialization in India for many reasons:

1. Industrialization facilitates consolidation. It lessens the premium on land. It must precede consolidation.

2. It shall act as check against future sub-division and in favour of consolidation. He was of opinion that industrialization in India was an absolute necessity. Capital formation through industrialization, to him, was important as it could utilize the surplus labour of countryside for productive purposes.

In his study of small holdings, Ambedkar treats the capacity of industry to absorb labour and thus reduce the pressure on agricultural land as the fundamental social gain or dividend. Ambedkar, therefore, clearly states that industrialization shall precede the measure for land consolidation.⁵⁰

**Unemployment**

Interestingly, he was emphatic that the surplus agricultural labour has to be accommodated in industries if we want to solve the problems of unemployment. As such, he insisted on capital intensive agriculture as well as industry. In this regard, he was totally opposed to Gandhian view. Gandhi held that it is only the labour intensive method of production that could solve the problem of rural unemployment in India.

Ambedkar, for all practical purposes, insisted on considering agriculture as an industry and held that the production and employment could be maximized both in agriculture and industry, only though increased application of factor inputs like land, labour, money capital and machinery.

As a realist, he was aware that land reforms were an intensely political matter, which involved substantial conflicts of interests. He was of the opinion that the remedy for preventing sub-divisions and fragmentation was consolidation of holdings; but under the existing social economy, it was not possible. In his view, such a measure was only legal eyewash.

**Abolition of Khoti System**

The prevalent revenue system in the Bombay Presidency, particularly in Ratnagiri, Kolaba and Thane Districts was known as Khoti System. The Khoti tenure differed from the ordinary Royatwari tenure inasmuch as in the latter, the government collects revenue directly from those who are in occupation of the land while in the former case, the government is required to employee the services of the Khot for the

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⁵⁰ O.D. Heggade, op.cit., p. 94.
Thus Khots were the mediators between the government and the farmers for collection of revenue. After paying the collected revenue amount to the government, they were free to do, as they liked, to the inferior classes. They were so powerful that they led the cultivators in their jurisdiction into a state of abject slavery. This agitated the tenants. They demanded the abolition of the unjust system of khoti. "The relations between the Khots and the inferior holders have been so strained that three Khots were murdered by them." Since the system disturbed the peace and tranquility of the Presidency, Ambedkar was convinced that it must be abolished and introduced a bill on 17 September 1937 in the Bombay Legislative Assembly to -

1. abolish the Khoti system and to establish direct relationship between government and those who are in possession or occupation of land which is under the management or beneficial enjoyment of Khot,
2. make provision for the payment of reasonable compensation to the Khot for the loss of his rights, and
3. give those inferior holders, who are in actual occupation of the land, the status of occupants within the meaning of the Land Revenue Code, and
4. provide for other incidental purposes.

Through the abolition of the Khoti System, Ambedkar sought to put an end to the exploitation of the actual tillers of the land and establish a direct relationship between them and the government. The Bill proved to be forerunner to the Land Reforms Legislation in the post-independence India. In the first popular Provincial Assemblies, Ambedkar was the first legislator in India to introduce a bill for the

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52. Ibid.
53. Ibid, p. 100.
abolition of the serfdom of agricultural tenants. On May 13, 1938, he toured Konkan district and resolved to end their serfdom by abolishing the Khoti System and if the bill, which he had introduced, failed, they should be prepared to launch passive resistance.

It may be interesting to observe that the problems of Indian agriculture that Ambedkar tried to address have become more complex with the passage of time in India. Ambedkar’s bill on the abolition of the Khoti System had far-reaching implications for land Reforms in India. He felt that his suggestion of speedy industrialization, treatment of agriculture as state industry, collective farming etc., are sound remedies to solve our agricultural problems even today.

Right to Strike

In Ambedkar’s view, “a strike is nothing more than a breach of contract of service. When a worker strikes, all that it means is that he commits a breach of contract of service: there is nothing more than it....” To go on strike was a civil wrong and not a crime, and making man serve against his will was nothing less than making him a slave. His views on the right to strike and forceful speech on the ‘Industrial Disputes Bill’ in the Bombay Legislative Assembly, are well known and appear to be a guide for the labourers and labour leaders. In his speech, he dealt with specific points and concluded that “the bill really, in my judgment, ought to be called ‘The Workers Civil Liberties Suspension Act’.

Ambedkar described this bill as “bad, bloody and bloodthirsty inasmuch as it made a strike under certain circumstances illegal and affected the right of the labourer to strike.” To penalize a strike, therefore, I contend, is nothing short of making the

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55. Dhananjay Keer, op.cit., p. 296
56. Ibid, p.309.

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worker a slave.... As defined in the Constitution of the United States, slavery is nothing else but involuntary servitude. And this is involuntary servitude. If members are prepared to accept the meaning of the word ‘strike’ as being nothing more than a breach of contract then a strike is simply another name for the right to freedom; it is nothing else than the right to the freedom of one’s services on any terms that one wants to obtain. And once you concede the right to freedom, you necessarily concede the right to strike.  

On the other hand, Ambedkar pointed out to the leaders, who every now and then asked to resort to strike that the strike was the last resort to compel the owners of mills or industries to fulfill the demands of workers and opposed the strike sponsored by the Girmi Kamgar Union, Mumbai in 1929. He believed in the workers’ ‘Right to strike’ but reiterated, “The weapon of strike should be used sparingly and to the advantage of the workers, and not for political objectives of the communist leader.” So, with his characteristic boldness, he reiterated his view that the communists were impelled to resort to strike more with political objectives than with the object of bettering the lot of the workers. Ambedkar was the first to insist that the government should make it mandatory for each mill or industry to annually submit its budget to the government. In the prevalent industrial setup, Ambedkar was disturbed to note; firstly, hundreds of people were employed in excess in higher salary grades simply because they were related to the managing agents in some way. The larger part of the contribution of workers was taken away in order to pay these people. All these people were controlling the industry, floating the capital and bloating up by all sorts of paper transactions.

Secondly, he noticed that no annual budgets of the mills were presented to the government. Ambedkar pointed out that: Government is required to present its budget

60. Ibid, P. 207.
61. Ibid, P. 208.
every year.\textsuperscript{63} Then why is it that a mill owner gets his earning not entirely by his capital but also by the sweat of another man, why should he not be compelled to give details of his management? I do not understand, why the mill owners or, for that matter, any owner of any industry, should not be required by law to present the budget annually.\textsuperscript{64} Ambedkar felt, in any dispute, the government was always on the side of the employer. Government made use of even police force, and peace was breached. According to him, real equity between employers and employees can be possible only by including two provisions:

(i) The employers must be compelled to disclose the budget and

(ii) The government must cease to use the police force against the workers merely because there is breach of peace.\textsuperscript{65}

The Bombay government passed the bill, but it created a big tide of opposition outside the Legislative Assembly in the industrial towns and cities, which voiced disapproval of the bill. A one-day strike was organized under the agies of Independent Labour party on 7\textsuperscript{th} Nov.1938. "It was the first successful strike launched against a popular government by labour leader...."\textsuperscript{66} D. Keer observed that this strike had far reaching effects. Two things emerged from this strike. It was proved on all counts that Ambedkar could dominate the labour field also. His organization played a very important role and proved supreme. His reputation as a labour leader was established; and it prepared a background for his future relationship with the All-India Labour problems. Ambedkar and the communists made a united front on the issue of labour welfare. Ambedkar, however, had shrewdly kept his party and organization intact and aloof from those of the communists and yet could effectively dominate the field.\textsuperscript{67}

\textsuperscript{63} Dr. Babasaheb Ambedkar, op.cit., Vol. II, p. 231.
\textsuperscript{64} Ibid.
\textsuperscript{65} Ibid.
\textsuperscript{66} Dhananjay Keer, op.cit., p. 315.
\textsuperscript{67} Ibid, p. 316.
In essence, Ambedkar had tried to formulate –

1. a full employment policy for labour;
2. a state supported, patronized labour welfare system;
3. a Tripartite Labour Tribunal System to solve Industrial Disputes; and
4. to develop an ideal labour participatory mechanism in nation building by asking the unionized labour not to be totalitarian in nature because of their collective bargaining power. 68

**Labour Reforms**

Ambedkar argued for evolving a state patronized and supported labour welfare system in India. He strove hard for establishing such a system since his days as a Labour Member of the Viceroy’s Council in 1942 and 1946. The Industrial Disputes Act, the Industrial Employment Standing Orders Act, the Minimum Wages Act, the Factories Act etc were all pushed through legislation during his tenure and were mainly the result of his deep interest in the welfare of the warring class. In these labour legislations, Ambedkar’s emphasis was mainly on social security measures and improved working conditions for the workers. Ambedkar was of the view that the government should directly intervene in areas where the labour interests are involved and are in serious jeopardy. He emphasized on giving equal opportunity to workers and employers to participate in formulating labour policy and strengthening the labour movement by introducing compulsory recognition of trade unions in order to enable labour play an effective role in the economy of the country.

**Measures taken as Labour Minister (July 1942 to June 1946)**

Ambedkar initiated the idea of Tripartite Labour Conference comprising representatives of employers, employees and government to provide a forum across a table to discuss, explain and explore the issues of labour unrest and conflict; find solutions and evolve policies for the promotion of industrial peace.

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68 O.D. Hegde, op.cit., p. 114.
The First Tripartite Labour Conference was held on the 7th Aug. 1942. In his keynote address, Ambedkar said:

"...It is for the first time... in the history of these Labour Conferences that the representatives of the employers and employees have been brought face to face within the ambit of a joint conference.... Our conference will have three...main aims and objects:

1. The promotion of uniformity in labour legislation;

2. laying down of a procedure for the settlement of industrial disputes; and

3. the discussion of all matters of All-India importance between employers and employees.69

Industrial peace: Ambedkar maintained that industrial peace depended upon the existence of the machinery ready at hand for the quick settlement of industrial disputes and the prompt removal of all such conditions in industry, which must fray tempers and bring about deterioration in the morale of workers, and also affecting their social welfare.70 To deal with such likelihood, Ambedkar, therefore, suggested:

1) A Plenary Conference and

2) A Standing -Advisory Committee based on the following three principles:

   i. equality of representation between government and non-government representatives;

   ii. equality of representation between employers and employees;

   iii. an assurance of representation and certain interests by reservation. This will ensure some representation of interest other than those represented by the main employers’ and employees’ organizations.71

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71. Ibid, pp. 16-17.
Clearly, the objective was to involve labour in decision-making and formulating labour policies. The setting up of the Indian Labour Conference (ILC) is the first step taken by Ambedkar as Labour Member in the Viceroy’s Council, in introducing the concept of Workers’ Participation in Management in India.

The Indian Labour Conference is one of the pillars of industrial relations in India. The organization has contributed substantially in formulating labour policies and passing legislation for the welfare of workers.

The issues discussed during the pre-Independence period before these two bodies, show the significant role played by the Tripartite Body in formulating the base and preparedness for evolving labour policies and programmes to be set up once the country achieved sovereignty.

*Indian Labour Conference: First Tripartite Conference held in New Delhi on August 7, 1942, under the Chairmanship of B.R. Ambedkar*

General discussions on labour welfare and labour morale in war-time were held on the following topics:

1) Provision of adequate Air Raid Protection (ARP) measures including the provision of slit trenches or other shelters and of adequate air-raid services.

2) Propaganda including the provision of wireless sets for the dissemination of concrete news.

3) Maintenance of cost-price grain shops to ensure steady supply of food grains at reasonable prices to workers.

4) Provision of stocks of grain for emergencies and adequate arrangements for cooking.

5) Provision of canteens particularly in places where workers’ families live.

6) Facilities for remitting allowance to families of workers.
7) Short breaks during work to enable production to be sustained at a high level.

8) Payment of wages in the event of suspension of work due to air raid conditions\textsuperscript{72}.

Second Tripartite Conference in New Delhi on September 6 and 7, 1943, under the Chairmanship of B.R. Ambedkar, discussed:

1) Involuntary unemployment due to shortage of coal, raw material, etc.

2) Procedure for the conference – adoption of the report.

3) Labour representation in legislatures, local bodies and statutory committees.

4) Social security, minimum wages.

5) Principles for fixing dearness allowance.

6) Provision for Standing Orders on the lines of provisions in chapter V of Bombay Industrial Disputes Act in large industrial concerns.

7) Statement by provincial governments regarding setting up of Tripartite Organizations in the provinces.

8) Model Provident Fund Rules\textsuperscript{73}.

Third Tripartite Conference meeting New Delhi on October 27 and 28, 1944 under the Chairmanship of B.R. Ambedkar which discussed the following:

1) Compulsory Insurance of liabilities under the Workmen’s Compensation Act, 1923.

2) Revision of the Trade Disputes Act, 1929.

3) Organisation of employment in the transition from War to Peace.


\textsuperscript{73} Ibid, p. 1138.
4) Participation of States in the Sickness Insurance Scheme for Industrial Labour in India.

5) Statutory Machinery for fixation of Minimum Wages.

6) Resolution proposed by the All India Trade Union Congress (AITUC) and the procedure for amendment of Defense of India Rules (DIR) affecting labour.

7) Special rations for workers doing heavy work.  

*Fourth Tripartite Conference held in New Delhi on November 27 & 28, 1945 under the Chairmanship of B.R. Ambedkar* discussed:

1) Unemployment- (I) involuntary unemployment resulting from controls and (II) in the transition period.

2) Reduction of working hours in Factories Act.

3) Minimum wages legislation.

4) Attitude of Employment Exchange during strikes and lockouts.

5) Industrial canteens.

6) Proposed amendment of the Workmen's Compensation Act, 1923.

7) Proposed legislation for compelling employers to frame rules for regulating service rights of employees in industrial concerns.

8) Proposed amendment of the Trade Unions Act, 1926.  

As a result, the newly formed Government in 1947 could bring out its labour policy and programme on the basis of the groundwork already done by the Indian Labour

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74 Ibid, pp 1138-39
75 Ibid, p. 1139
Progress of Labour Legislation in India: 1942-1946

As Labour Member in the Viceroy’s Council, Ambedkar played a crucial and effective role in passing labour legislation for providing social security measures for promoting the welfare of the workers. Above all, he strengthened the process of workers’ participation by molding the Industrial Relations Policy and by implementing the decisions of the Indian Labour Conferences held during his time, and by enacting various labour laws. In this connection, the progress of labour legislation enacted from 1942 to 1946 is given below:

1942

2) The Indian Boilers (Amendment) Act, 1942 (V of 1942)]
3) The Cotton Ginning & Pressing Factories (Amendment) Act, 1942 (IX of 1942)
4) The Weekly Holidays Act, 1942 (XVIII of 1942)
8) The Railways (Hours of Employment) Ordinance, 1942 (XIV of 1942).77

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76. Ibid., p. VIII (By Sharad Pawar Chief Minister of Maharashtra).
77. Ibid, p 1008.
1943
1) The Indian Boilers (Amendment) Act, 1943, (XVII of 1943).
5) The Factories (Control of Dismantling) Ordinance, 1943 (XXXI of 1943).  

1944
1) Coal Mines Safety (Stowing) Amendment Act, 1944 (III of 1944).
2) Factories (Amendment) Act, 1944 (XIV of 1944).

1945
1) Factories (Amendment) Act, 1945 (III of 1945)

1946
2) Indian Mines (Amendment) Act, 1946 (II of 1946)
3) Factories (Amendment) Act, 1946 (X of 1946)
4) Industrial Employment (Standing Orders) Act, 1946 (XX of 1946).

78 Ibid, pp 1008-1009.
79 Ibid, p. 1009.
80 Ibid.
81 Ibid. For detail also see, Dr. Babasaheb Ambedkar, op.cit., Vol. 10, pp. 19-91.
Central Industrial Relations Machinery

Ambedkar set up central machinery for industrial relations to:

1) Mobilize public opinion.
2) Enact the legislation/statutes.
3) Provide machinery for implementation.

Following his recommendations, the Government of India appointed on the 9th April 1945, a Chief Labour Commissioner with field staff, charged with the duties of prevention and settlement of industrial disputes, enforcement of labour laws and promotion of labour welfare in the industries and undertakings controlled by the Central Government, in the then federal railways, and in mines, oil fields and major ports.

The Chief Labour Commissioner's organization consisted of the following:

1) A Chief Labour Commissioner (Central) with headquarters at New Delhi.
2) Three Regional Labour Commissioners (Central) with headquarters at Mumbai, Kolkata and Lahore.
3) A Deputy Labour Commissioner (Headquarters) at New Delhi.
4) Nine Conciliation Officers and 23 Labour Inspectors (Central) located at various centers throughout India.
5) One Central Inspector of Industrial Concerns.

The functions and powers of the new organizations were specified as follows:

a) *Industrial Relations and Conciliation*: These included, in particular, assistance in the formation and maintenance of voluntary machinery in industrial establishments for the prevention and settlement of trade disputes and
maintenance of continuous contact with the state and relations between employers and workers.

b) Labour welfare (excluding welfare in coal mines for which a separate organization existed under the Coal Mines Commissioner), including examination of welfare measures and advice to employers and government. The Central Inspector of Industrial Canteens has to inspect and advise on the setting up of canteens in undertakings under the Central Government.

c) Implementation of labour laws, to the extent to which their administration is the responsibility of the Central Government

d) Maintenance of information regarding wage rates and conditions of work.

The Chief Labour Commissioner (Central)’s organization became instrumental in implementing labour policies. The functioning of the organization facilitated the promotion of congenial atmosphere for the growth of trade unions in the central sphere. The organisation also assisted employers, as well as unions, in creating an awareness, in providing statutory welfare measures for the workers, and maintaining peace in industry. Further, it succeeded in extending the fruits of labour legislation to the unorganized sectors, where workers were exploited on a large scale.82

Labour Investigative Committee

Two important Committees were constituted before Independence to enquire into the conditions of workers in India and to give recommendations to Government for formulating labour policies. These committees are known as (1) The Royal Labour Commission (2) The Labour Investigative Committees. The study made by the Royal Commission on Labour was based upon restricted samples. Therefore, it was felt necessary to conduct a detailed study covering all industries for providing social security measures to the workers. Steps to conduct a comprehensive study of the

82. Labour Investigation Committee, (Delhi, Government of India), Main Report 1946 pp 455-56.
conditions of labour were taken by government within 1½ years of B.R. Ambedkar’s taking charge as Labour Member. The Government of India, by Resolution No L 4012 dated February 12 1944, appointed the Labour Investigative Committee. The Tripartite Labour Conference, at its meeting in September 1943, unanimously decided to set up machinery to investigate questions of wages and earnings, employment and housing and social conditions generally and then formulate plans of social security for labour. In pursuance of this resolution, the Governor General-in-council appointed a Committee of Enquiry to be known as Labour Investigative Committee. The members of the said committee were: (1) Mr. D.V. Rege, I.C.S., Chairman, (2) Mr. S.R. Deshpande, M.B.E., (3) D. Ahmad Mukhtar and (4) Mr. B.P. Adarkar. Its terms of reference were as follows:

a) To collect data relating, inter-alia, to wages and earnings, employment, housing and social conditions of labour and, in particular, of industrial labour in India; and

b) To Investigate and report, inter-alia, on the following matters: -

1. The risks that bring about insecurity.
2. The needs of labour, by various classes, to meet such risks.
3. The methods most suitable for meeting such risks and
4. housing and factory conditions.

The Labour Investigation Committee selected the following industries for its comprehensive study:--


E. Other Types of Labour: 35. Port Labour, 36. Municipal Labour, 37. Central P.W.D.Labour, 38. Rickshaw Pullers.\textsuperscript{84}

The Committee published its report on the 5\textsuperscript{th} March 1946. The recommendations of the Labour Investigative Committee subsequently became the basis for the enactment of social security legislation for workers in India.

**Machinery for fixing Minimum Wages**

The wages were classified in three categories;

1. Living wage,
2. Fair wage and
3. Minimum wage

The living wage is defined as the wage that provides for maintaining maximum efficiency of the worker and enables him to live with his family members a dignified life as a citizen of the country.

The term ‘Fair Wage’ is defined as a wage that is determined on the basis of productivity, efficiency of workers and capacity of the industry to pay.

\textsuperscript{84} Ibid, p. 2
The term ‘Minimum Wage’ has been defined as the wage that is sufficient for providing the bare necessities of man. Ambedkar considered that for promoting the welfare of workers, it is essential for government to fix minimum wages, and make it compulsory for the employer to pay them to the workers. For him, such provisions which exist in more advanced countries are even more necessary in India, where workers’ organizations are yet poorly developed and the workers’ bargaining power is consequently poor.

The bill provided by the Provincial Government for fixation of minimum wages for employment covered by the Schedule to the bill. The items in the Schedule are those where sweated labour is most prevalent or where there is a big chance of exploitation of labour85. After a time, when some experience is gained, more categories of employments could be added and the bill provided for additions to the schedule. A longer period is allowed for the fixation of minimum wages for agricultural labour, as administrative difficulties in this case would be more than in the other categories of employment covered by the Schedule. The bill also provided for periodical revision of wages fixed. Provision has been made for appointment of Advisory Committees and Advisory Boards comprising equal representation of employers and workmen. In cases where an employer pays less than the minimum wages fixed by Provincial Government, a summary procedure was provided for recovery of the balance with a penalty and for subsequent prosecution of the offending party.

The Bill, as finally passed by the Dominion Legislature, received the assent of the Governor-General on 15th March 1948, and was known as the Minimum Wages Act, 1948. The Minimum Wages Act was largely instrumental in securing millions of unorganized organized workers’ minimum wages fixed by Government, from time to time, in most of the industries.

In the final analysis, Ambedkar passionately desired to improve the conditions of the Labour for which he worked personally in individual capacity as well as tried to legalize these measures in his official capacity. As a Member of the Viceroy’s Council, he made an impact on the labour movement and industrial relations in India, The Indian Labour Conferences he convened, gave an opportunity to labour to work shoulder to shoulder with the employer for formulating labour policies for economic development in the post-Independence era. The Minimum Wages Act, 1948, the Industrial Employment Standing Orders Act and Social Security measures adopted, led to reducing exploitation of labour, and improving their working condition. The creation of the Chief Labour Commissioner’s Organisation facilitated the implementation of labour laws in establishments of the Government of India. It also served as a forum for workers and employers to come together and settle their disputes without resorting to strikes and lockouts.

**Constitutional Measures**

Under the chairmanship of Ambedkar, the framing of the constitution within a period of three years from December 1946 to November 1949 by the Drafting Committee was indeed a remarkable achievement taking into account the stupendous volume, size, diversity and complex problems of India. The credit for the above achievement must be given to the national leaders, statesmen, freedom fighters and intellectuals coming from several spheres of national life and regions, interests, social groups and political parties for making suggestions, demands of various kinds, facilitating the proceedings in conducive and cordial atmosphere and, the most important, providing support for innovation and appreciating scholarship.

Ambedkar, as Chairman of the Drafting Committee minutely scrutinized the draft clause by clause and piloted the Draft Constitution in the House, securing to all Citizens justice, liberty, equality and fraternity. He impressed the Sovereign House, having the ablest and talented personalities of the century, with his parliamentary skill,
oratory, sense of judgment, fearlessness, far sightedness, vast knowledge and, above all, his genius in the field of constitutionalism.86

The Indian Constitution, in general, aims at meeting the needs and aspirations of the people of India, traditional in nature, and modernizing it according to the future needs and trends. As manifest in the Preamble, the objective is to secure to all its citizens Justice - Social, Economic and Political, Liberty of speech and expression, belief, faith, and worship; Equality of status and opportunity; and to promote among them all Fraternity assuring the dignity of the individual.

In order to achieve such a noble aim, Ambedkar suggested that people must observe the rules of ‘Constitutional Morality’. Ambedkar held that constitutional morality is not a national sentiment, but a human virtue; therefore, it has to be cultivated among the people. Obviously, the constitution cannot remain in isolation. The involvement of all people and their parties, with devotion to constitutional morality, can make it successful. Therefore, Ambedkar said that a democratic system could endure only when citizens as a whole hold fast to constitutional methods for achieving their social and economic objectives. Now that constitutional methods are open and available, they must abandon the bloody or coercive methods of revolution, of civil disobedience, of non-cooperation. For achieving social and economic objectives, these methods should have no place in the country; all of us may put our shoulders together and pledge to ‘Constitutional Morality’.

**Constitutional Structure of Indian Democracy**

The important feature of the constitutional structure of Indian Democracy is its Federalism. Ambedkar was for ‘Strong Centre’ along with ‘Federation,’ strongly favoured providing more powers to the centre, as he felt that it was in the interest of the unity of the country. Before independence, many eminent persons viewed that

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federalism would be most suitable for India, keeping in view the existence of Princely States and Hindu-Muslim Problems. But the creation of Pakistan and the problems generated thereafter made them to change their viewpoint. This also had a deep impact on Ambedkar, who persistently desired to achieve national integration along with social integration. He felt that strong centre would be necessary for the unity and integrity of the country. M.M. Shakdhar also observes in his book 'Framework of Indian Politics.' (1983) 134 that "Dr. Ambedkar's concern to achieve national unity through federalism also becomes apparent when he justified the character of Indian Federalism. It has been argued that the Indian political system is quasi-federal, a unitary state with subsidiary federal features rather than a federal state with subsidiary unitary factors. In the Indian federal system, power is distributed among the states and the centre. This system has been developed to reconcile national unity with state autonomy."

Article (1) of the constitution stating, 'India, that is Bharat, shall be a Union of States,' came under criticism and arguments. There were a number of amendments moved in the Constitution Assembly to call it a 'Federation' instead of 'Union of States'. Ambedkar had his own explanation and justification to call own polity as 'Union of States', not a federation. Though India was to be a Federation but the Federation was not the result of an agreement by the states to join in a Federation and that the Federation not being the result of an agreement, no state has the right to secede from it. India is a Union because it is indestructible.

Unmistakably, the US Federalism was continuously in his mind and he has discussed elaborately the main points of difference between the Indian polity and American federation. However, the differences between American and Indian federation that distinguish them are more fundamental and glaring than the similarities

between the two. The differences are in respect of citizenship and degree of autonomy enjoyed by states. He explained his view thus:

“All federal systems, including the American, are placed in a tight mould of federalism. No matter what the circumstances, it cannot change its form and shape. It can never be Unitary. On the other hand, the Draft Constitution can be both unitary as well as federal, according to the requirements of time and circumstances. In the normal times, it is framed to work as a federal system. But in times of war, it is so designed as to make it work as though it were a Unitary System”.

Another innovation made by Ambedkar in the Draft Constitution was that it ‘added new ways of overcoming the rigidity and legalism inherent in federalism’. The first special feature is “the power given to parliament to legislate on exclusively provincial subjects in normal times.... The second means was adopted to avoid rigidity and legalism in the provision for facility with which the Constitution could be amended…” Indian federal system is a flexible federation. There is yet another special feature of Indian federation which distinguishes it from other federations. It is a well known fact that a federation being a dual polity based on divided authority with separate legislative, executive and judicial powers for each of the two polities is bound to produce diversity in laws, in administration, in judicial procedure. Up to a point, this diversity may be tolerated but beyond a certain point, it would produce chaos. That is why Ambedkar made an attempt to foist means and methods to eliminate the inherent diversities of a dual polity i.e. ‘India will have Federation and at the same time will have uniformity in all basic matters which are essential to maintain the Unity of the Country’.

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88. Ibid, p. 149.
89. The President of India can issue a proclamation under Article 252 of the constitution (279 of the draft) and the whole system transformed and state becomes a unitary state.
The means adopted by the Draft Constitution are:

1) A Single Judiciary
2) Uniformity in fundamental Laws; civil and criminal, and
3) A common All India Civil Service to man important posts.  

Thus, uniformity and integrity has been ensured in the civil and corporate life of India through the Codes of Civil and Criminal Laws; providing the civil services, recruited on All India basis with common qualifications and with uniform pay scales throughout the union and single integrated Judiciary under which the judges of Supreme Court and High Court are appointed by President of India.

Thus, it can be said that Ambedkar’s distinct contribution in this regard lies in the fact that he had the vision and fore thought to look beyond and think of the needs of a divisive, but a growing society. In providing for a less rigid form of federation, Ambedkar was guided by the principle that a constitution is, after all, the expression of the will and needs of the people at given time.

Many members of the Constituent Assembly expressed their concern over the concentration of powers in the Centre but did not visualize the likelihood of dangers to the solidarity of the Indian Union i.e. Shri Lokanath Misra (Orissa’s Governor), voiced the fear of the Centre becoming too strong.

Advocating the need for a strong centre, Ambedkar stated in the Constituent Assembly: “Some critics have said that centre is too strong. Others have said that it must be made stronger. The Draft Constitution has struck a balance, how much you may deny powers to the centre; it is difficult to prevent the centre from becoming strong. Conditions in modern world are such that centralization of power is inevitable. ....

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89. Ibid, pp. 152-53.