APPENDIX D

The detailed results of the determinants of disputes, strikes and lockouts are given below:

1. The following industries have shown positive and significant relationship between degree of trade unionization and mandays lost in disputes per worker in overall period: 152, 153, 172, 173, 191, 192, 210, 241, 269, 281, 292, 314, 311.

2. The following industries have shown negative and significant relationship between degree of trade unionization and mandays lost in disputes per worker in overall period: 154, 155, 160, 171, 201, 202, 221, 231, 242, 251, 252, 271, 272, 289, 291, 313, 321, 331, 332, 333, 341, 352, 361.

3. The following industries have shown insignificant relationship between degree of trade unionization and mandays lost in disputes per worker in overall period: 151, 181, 232, 261, 300, 315, 319, 322, 352, 369.

4. The following industries have shown positive and significant relationship between degree of trade unionization and mandays lost in strikes per worker in overall period: 151, 152, 153, 172, 181, 192, 241, 251, 261, 269, 292, 311, 313, 314, 332.

5. The following industries have shown negative and significant relationship between degree of trade unionization and mandays lost in strikes per worker in overall period: 154, 155, 160, 210, 221, 232, 252, 271, 272, 289, 291, 300, 315, 319, 341, 352, 359, 369.

6. The following industries have reflected insignificant relationship between degree of trade unionization and mandays lost in strikes per worker in overall period: 171, 173, 191, 201, 202, 231, 242, 281, 321, 322, 331, 333, 361.
7. The following industries have shown positive and significant relationship between degree of trade unionization and mandays lost in lockouts per worker in overall period: 151, 153, 172, 173, 210, 232, 261, 292, 311, 333, 352, 369.

8. Negative and significant relationship between degree of trade unionization and mandays lost in lockouts per worker in overall period is revealed by the following industries: 155, 171, 191, 201, 202, 231, 242, 252, 271, 291, 313, 315, 319, 341.


10. The following industries have shown positive and significant relationship between degree of trade unionization and mandays lost in disputes per worker in pre-reform period: 152, 171, 172, 210, 232, 281, 261, 300, 314, 359.

11. Negative and significant relationship between degree of trade unionization and mandays lost in disputes per worker in pre-reform period is shown by the following industries: 155, 160, 181, 202, 221, 231, 242, 251, 252, 271, 289, 291, 319, 332, 341, 352, 361.


13. The following industries have shown positive and significant relationship between degree of trade unionization and mandays lost in disputes per worker in post-reform period: 153, 172, 191, 192, 210, 221, 269, 281, 292.

14. Negative and significant relationship between degree of trade unionization and mandays lost in disputes per worker in post-reform period is revealed by the

16. The following industries have shown positive and significant relationship between degree of trade unionization and mandays lost in strikes per worker in pre-reform period: 152, 153, 172, 181, 191, 232, 261, 300, 314, 315, 321, 352, 359.

17. Negative and significant relationship between degree of trade unionization and mandays lost in strikes per worker in pre-reform period is revealed by the following industries: 154, 155, 202, 221, 231, 252, 271, 272, 313, 331, 341, 319.

18. The following industries have shown positive and significant relationship between degree of trade unionization and mandays lost in strikes per worker in post-reform period: 151, 153, 172, 173, 192, 241, 251, 261, 269, 292, 311, 313, 314, 332, 361.

19. The following industries have shown negative and significant relationship between degree of trade unionization and mandays lost in strikes per worker in post-reform period: 221, 231, 272, 289, 291, 300, 315, 352, 369.


21. Insignificant relationship between degree of trade unionization and mandays lost in strikes per worker in post-reform period is shown by the following
22. Positive and significant relationship between degree of trade unionization and mandays lost in lockouts per worker in pre-reform period is shown by the following industries: 153, 171, 173, 241, 314, 331, 292.

23. The following industries have shown negative and significant relationship between degree of trade unionization and mandays lost in lockouts per worker in pre-reform period: 160, 172, 191, 201, 242, 269, 271, 319, 321.

24. Insignificant relationship between degree of trade unionization and mandays lost in lockouts per worker in pre-reform period was revealed by the following industries: 151, 152, 154, 155, 181, 192, 202, 210, 221, 231, 232, 251, 252, 261, 272, 281, 289, 291, 300, 311, 313, 315, 332, 333, 341, 352.


27. The following industries have revealed negative and significant relationship between degree of trade unionization and mandays lost in lockouts per worker in post-reform period: 160, 172, 201, 231, 251, 252, 261, 269, 289, 291, 292, 311, 321, 331, 333, 359, 369, 361.

28. The following industries have shown positive and significant relationship between real wages and salaries per worker and mandays lost in disputes per worker in overall period: 171, 173, 201, 232, 291, 300, 314, 319, 322, 331, 332, 341, 352, 361, 369.
29. Negative and significant relationship between real wages and salaries per worker and mandays lost in disputes per worker in overall period is revealed by the following industries: 153, 154, 155, 160, 181, 192, 210, 231, 241, 242, 252, 261, 271, 271, 289, 292, 321, 333.

30. Insignificant relationship between real wages and salaries per worker and mandays lost in disputes per worker in overall period is revealed by: 151, 152, 172, 191, 202, 221, 251, 269, 281, 311, 313, 315, 359.

31. The following industries have shown positive and significant relationship between real wages and salaries per worker and mandays lost in strikes per worker in overall period: 151, 152, 201, 221, 251, 272, 281, 292, 311, 315, 319, 322, 331, 341, 359, 352.

32. Negative and significant relationship between real wages and salaries per worker and mandays lost in strikes per worker in overall period is shown in the following industries: 154, 155, 160, 171, 181, 192, 210, 231, 232, 241, 242, 261, 269, 271, 289, 291, 300.

33. Insignificant relationship between real wages and salaries per worker and mandays lost in strikes per worker in overall period is revealed by the following industries: 153, 172, 173, 191, 202, 252, 313, 314, 321, 332, 333, 361, 369.

34. Positive and significant relationship between real wages and salaries per worker and mandays lost in lockouts per worker in overall period is revealed by: 153, 154, 171, 191, 202, 221, 251, 272, 291, 314, 315, 321, 322, 341, 352.

35. Negative and significant relationship between real wages and salaries per worker and mandays lost in lockouts per worker in overall period is revealed by: 151, 155, 172, 210, 231, 232, 241, 242, 252, 261, 281, 289, 311, 331, 333, 369.
36. Insignificant relationship is between real wages and salaries per worker and mandays lost in lockouts per worker in overall period shown by the following industries: 152, 160, 173, 181, 192, 201, 269, 271, 292, 300, 313, 319, 332, 359, 361.

37. Positive and significant relationship between real wages and salaries per worker and mandays lost in disputes per worker in pre-reform period is revealed by the following industries: 151, 191, 252, 292, 313, 315, 341, 369, 201, 231, 269, 271, 291, 311, 322, 352, 319, 361.

38. Negative and significant relationship between real wages and salaries per worker and mandays lost in disputes per worker in pre-reform period includes the following industries: 152, 154, 155, 160, 181, 202, 221, 241, 242, 261, 272, 333, 359.


40. Positive and significant relationship between real wages and salaries per worker and mandays lost in disputes per worker in post-reform period is shown by the following industries: 152, 171, 202, 300, 319, 322, 331.

41. Negative and significant relationship between real wages and salaries per worker and mandays lost in disputes per worker in post-reform period is observed in following industries: 151, 153, 155, 173, 181, 191, 210, 231, 232, 241, 242, 252, 261, 281, 289, 292, 311, 313, 341, 369.

42. Insignificant relationship between real wages and salaries per worker and mandays lost in disputes per worker in post-reform period is shown by: 154, 160, 172, 192, 201, 221, 251, 269, 271, 272, 291, 314, 315, 321, 332, 333, 352, 359, 361.
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44. Negative and significant relationship between real wages and salaries per worker and mandays lost in strikes per worker in pre-reform period is revealed by: 181, 231, 241, 155, 172, 191, 261, 272, 313, 315


46. Insignificant relationship between real wages and salaries per worker and mandays lost in strikes per worker in post-reform period was observed in: 153, 154, 155, 171, 191, 192, 202, 252, 261, 311, 313, 314, 321, 332, 341.

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55. Following industries revealed positive and significant relationship between average factory size and mandays lost in disputes per worker in overall period: 152, 154, 155, 171, 173, 191, 192, 201, 242, 252, 314, 321.


58. The following industries have shown positive and significant relationship between average factory size and mandays lost in strikes per worker in overall period: 153, 154, 155, 160, 171, 232, 242, 319, 352.

59. Negative and significant relationship between average factory size and mandays lost in strikes per worker in overall period is observed in the following industries: 172, 201, 231, 251, 252, 261, 269, 271, 289, 291, 292, 311, 314, 315, 331, 341, 359, 369.

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74. Insignificant relationship between average factory size and mandays lost in strikes per worker in pre-reform period was observed in: 151, 152, 154, 155, 160, 173, 192, 201, 202, 242, 251, 252, 269, 281, 289, 291, 311, 314, 321, 331, 332, 333, 361, 369.

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76. The following industries have showed positive and significant relationship between average factory size and mandays lost in lockouts per worker in pre-reform period: 152, 153, 155, 172, 181, 192, 201, 242, 271, 292, 300, 313, 314, 331, 341.

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80. Insignificant relationship between average factory size and mandays lost in lockouts per worker in pre-reform period was observed in 173, 202, 231, 232, 221, 252, 289, 291, 311, 319, 332, 352.
81. Insignificant relationship between average factory size and mandays lost in lockouts per worker in post-reform period was observed in: 181, 202, 232, 241, 242, 252, 289, 291, 311, 313, 314, 315, 322, 331, 332, 341.

82. Positive and significant relationship of D1 in overall period of disputes: 172, 311, 313, 314.

83. Only 315 industry revealed negative and significant relationship of D1 in overall period of disputes.

84. Following industries have shown insignificant relationship of D1 in overall period of disputes: 160, 171, 173, 319.

85. Positive and significant relationship of D1 in pre-reform period of disputes was observed in 319.

86. Negative and significant relationship of D1 in pre-reform period of disputes was observed in: 313 and 315.


88. Positive and significant relationship of D2 in the overall period of disputes was observed in: 154, 172, 241, 272, 332.


90. Following industries showed insignificant relationship of D2 in the overall period of disputes: 153, 155, 171, 181, 192, 201, 221, 231, 291, 300, 314.

92. Following industries have revealed negative and significant relationship of D2
in the overall period of strikes: 151, 152, 155, 160, 191, 202, 221, 251, 252,

93. Insignificant relationship of D2 in the overall period of strikes was observed

94. Positive and significant relationship of D2 in the overall period of lockouts is
observed in: 151, 152, 155, 172, 221, 300, 314, 322, 333.

95. The following industries have shown negative and significant relationship of
D2 in the overall period of lockouts is observed in: 153, 171, 173, 191, 210,

96. Insignificant relationship of D2 in the overall period of lockouts was observed
319, 321, 331, 352, 359, 361.
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Industrial Disputes in India: A Comparative Study

Meenu Saihjpal*

Abstract

Introduction of reforms signifies a change in the structure of the economy and changes in labour laws which affects the relationship between employer and employee. Hence, a comparison of this relationship before and after the introduction of reforms is expected to reveal significant insights into the problem of industrial disputes. Present paper points out that there is an absolute decline in the industrial disputes but this decline started much before the reforms. In the post reform period though there is a decline in both strikes and lockouts, however, the decline is very sharp in the case of strikes. Further, after the reforms there is an increase in the duration of lockouts as well as in the intensity as compared to strikes and this increase was observed not in the immediate period of the reforms but after 1995. Thus, there is a definite change in the relations between employers and employees. And since industrial disputes may occur from the sides of both employers and employees, therefore proper redressal of both sides is must.

Keywords: Industrial Disputes, employer–employee relations, strikes, lockouts, pre and post-reform

1 INTRODUCTION

With the globalization of different markets most of the developing countries have been provoked in recent times to effect wide ranging economic reforms aimed at liberalization. Indian economy, on account of the above listed reasons, has also experienced increased growth rates (Panchmukhi et.al. 2004, p 135). But the latest strike by workers in Maruti’s Manesar plant has once again brought into limelight the issue of employer – employee relations. Any such incident either by the workers or by the employers is indicative of the stained relations. Such an eruption from either of the sides is not the result of any immediate spark rather it is because of the slow accumulation of the anger on either side. And when this anger is not timely heard it explodes like a volcano. Such an eruption causes damage on both the sides for a long time to come. Thus, the conflict between employer and employee needs to be studied in the present situation. In particular against the backdrop of reforms in order to know whether there is any change in this relationship after the introduction of reforms. Further this issue becomes all the more significant in the context of sustaining current growth rates. Maintaining the same pace of growth requires an increase in domestic and foreign investment which in turn is highly dependent on industrial peace (Sundar, 2003, p 703). With disturbances in industrial peace both domestic and foreign investments tend to decline.

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Therefore, the present paper proposes to unfold issues related with industrial disputes in the pre and post-reform period. In the second section the definitional aspects along with the manifestations are explained. The next section makes a quick survey of the existing literature on disputes in India and also explains the gaps in the literature and thus, provides a case for this paper. The fourth and the fifth sections explain the methodology and analysis respectively. And the last section concludes the paper.

2 INDUSTRIAL DISPUTES - DEFINITION, MANIFESTATIONS, CAUSES AND IMPACT

2.1 Definition

According to Dale Yooder, industrial relations describe, “relationships between management and employees or among employees and their organization that characterize or grow out of employment”. Broadly speaking industrial relations refer to (a) the employer-employee relationship, in the changed scenario this also includes, (b) trade union activities, (c) activities of the state designed to modify, regulate and control relations between employers and employees and (d) last the employer-employee relationship under public services (Sinha et.al. 2004, p. 156). When the relationship between two parties gets sour it results in conflict. Conflict can arise from the employer side or from the employee side. When this conflict cannot be resolved through negotiations or when the negotiations following conflict are found to be unsatisfactory on the part of either side, it is manifested in industrial disputes. Industrial disputes between the two sides are the acknowledgement of the failure of the cordial relations and hence it is a concrete form of conflict. According to Bibhas Saha and Indranil Pan (1994, p.1081), “In the process of bargaining, parties sometimes deliberately pull out from a negotiation for some strategic reasons and such strategic pull outs are generally followed by strikes, lockouts and other types of agitation, which are called industrial disputes.” Thus, industrial dispute is a more organized, more systematic attack by either of the parties involved on their opponent. To be more precise, the legal definition given by Industrial Disputes Act of 1947 as per Section 2(k) defines industrial disputes as,

“Any dispute or difference between employers and employers or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour of any person”.

Therefore, industrial dispute constitutes ‘dispute or difference’. The dispute should not merely be a personnel quarrel, it must be of substantial difference having an element of persistency and continuity till resolved. Further it includes the subject matter of the dispute. This implies issues regarding employment and non-employment. Under ‘employment’ in a dispute the situation is that an employer has already employed a person and a trade union asks the employer to not to employ that person. Whereas, ‘non-employment’ implies a situation when an employer has dismissed a workman or on the request of the trade union declines to employ him. Apart from this the subject matter of non-employment includes dismissal, discharge or retrenchment of the workmen by the employer. The subject matter also includes the terms of employment and conditions of labour. Terms of employment covers issues like wages, bonus, profit sharing,
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provident fund, gratuity payable by the employer to the workmen. And the last part implies the conditions under which the labour works. Conditions of labour are something more than the terms of employment as it includes hours of work, leave with wages, health and safety benefits, holidays, rest hours provided by the employer to the workmen. Further the Act also specifies the parties to the dispute. A dispute can arise between employers and employers or between employers and workmen or between workmen and workmen. However, if a dispute is raised by an individual workman and it is supported by other workmen or majority of the workmen of that industry can also be covered under the Act. It is further settled that even if the workmen subsequently withdraw their support, the dispute will not cease to be an industrial dispute.

However as per the Amendment of 1965 (Section 2-A), an individual workman has the right to raise an industrial dispute himself even without the support of any other workmen or union of the workmen. The grounds for raising such a dispute are - if he is discharged or dismissed or retrenched or whose services are terminated. Thus, industrial dispute can be an individual dispute also.

2.2 Manifestations

Whenever such disputes occur these are manifested through:

(A) Strikes
(B) Lockouts
(C) Gheraos

2.2. (A) Strikes: The word strike is derived from an old English work “stricantogo”. In common language, it implies to hit, crash into, quit work etc. As per Webster's Dictionary (p954) strike, “is to cease working at in order to compel compliance to a demand etc.” Further, according to Oxford Dictionary (pp 449-450) strike is, “withdrawal of labour by a group of employees, normally members of a trade union. An official strike is one called or recognized by a union; an unofficial strike is one started without union authorization”. Thus, strike is a prominent tool in the hands of labour force to vent out their resentment and grievances. It is in fact regarded as the oldest weapon with labour against their struggle with capitalism. The definition and use of the term has been undergoing a constant transformation. In simple terms it can be defined as, “a cessation of work with the intention of exerting pressure upon management for securing their demands” (Jyoti and Sidhu, 2003, p757). Or in other words, it is a temporary stoppage of work by a group or all employees of an establishment to express a grievance or to enforce a demand (Jacob, 2003, p783)." Section 2(q) of the Industrial Disputes Act of 1947 defines strike as, “means of cessation of work by a body of persons employed in any industry, acting in combination or a concerted refusal or a refusal under common understanding, of any number of persons who are or have been so employed to continue to work or to accept employment”. As per this definition the following elements are regarded as essential to define strike:

(1) Cessation of work - cessation of work by a body of persons employed in any
industry implies the actual stoppage of work. Actual stoppage of work can be omission of performance of duties assigned to their posts which hampers the overall work or it can be breaking the terms of contract of services i.e. the failure of the workers to report for employment for half an hour or even for a minute. Thus, the length of time is not a criterion to define strike. Moreover, cessation of work is not considered as the cessation of the contract of employment.

2. Concerted action - concetration is the basic ingredient of strike. A strike involves a combined withdrawal of services by workers or even if majority of workers support.

3. Objectives - Strikers must have certain objectives relating with the protection of their interests and rights. To be specific the strike must be because of the issues like employment or non-employment, terms of employment or conditions of services.

Therefore, the essentials of strike can be summed up as-

(i) Cessation of work, (ii) by a body of persons employed in any industry, (iii) acting in combination, (iv) comprising of persons working in any establishment which can be called industry under section 2(j), (v) refusing to work, (vi) demanding changes in employment or non-employment, or terms of employment or conditions of labour.

Depending on the different techniques involved, strikes can be of various types (Sundaram, 1992, pp 369-370). Apart from the complete cessation of work, there can be stay-in-strike, sit-down strike, pen-down strike, go-slow, work to rule hunger and relay hunger strike. Out of the above in the case of first two workers stay in their premises and refuse to vacate their seats and do not let anyone else do their work. In 'go-slow' strikes workers intentionally slow down their work so as to reduce the output of the industry. In case of 'work-to-rule', workers work strictly as per rules which delays flexibility and reduce output. 'Hunger' and 'relay hunger' strike exert moral pressure on the management. On the basis of the utility there can be strike under public utility services or under non public utility services also.

2.2. (B) Lockouts - Lockout is the anti-thesis of strike. Just as strikes are a weapon in the hands of labourers similarly lockouts are a weapon in the hands of employers. Initially lockouts were referred to as “turn off” and usually used as a coercive process to compel the employees to bargain on certain issues. According to Section 2(4) lockout means, “temporary closing of a place of employment or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him.” From this definition it can be assumed that all the reasons of closure of the place may constitute a lockout. But when an employer has acted to coerce workers to deal with management then only it becomes a lockout. Sometimes lockouts are confused with closures. In closure the relationship between employer and employees are severed but in lockout the relationship is temporarily affected. Closure can be
due to economic as well as any other reasons but lockout is purely due to industrial dispute. Closure implies that no bargaining can take place now but lockout implies a tactic for bargaining.

2.2. (C) Gheraos- In gheraos, workers confine the authorities in their place of work, which can last for a few hours, for few days. During gheraos the authorities are not allowed to go out of the place of work. These days the practice of gheraos has gone down substantially.

2.3 Causes Any friction either on the part of employee or on the part of employer has its origin in some cause. Largely, as per theory wages and allowances form a major component of their demands. Similarly bonus demands, retrenchment, long working hours, question of leave, poor working conditions etc. are the major reasons from the side of the employees. Increasing pressure of the trade unions is also an important determinant of strikes. Likewise from the employers' side rising wage bills, heavy bonus payments, indiscipline and violence contribute as the major reasons for a concrete conflict called as lockout. However, any such collision has widespread effects. Strikes and lockouts adversely affect the employees, employers, and society. There is loss of wages and reduced production. This affect is not confined to one year but it passes on through the coming years. As the employers due to losses cut the future distribution of bonuses and also cut down future employment. On the other hand the workers who are retrenched face the reduction in the family incomes which is transformed like a communicable disease to the coming years. Moreover, such strikes or lockouts have the tendency of affecting other sectors of the economy due to the linkages.

3 REVIEW OF LITERATURE

3.1 Review

The literature on industrial disputes, with in the context of India, is at its infant stage as the problem of industrial disputes has not received much attention from the economists. Though at the international level this problem has been discussed at length, the studies which were done before the reforms have largely concentrated on strikes and those which were done after the reforms have concentrated on lockouts. Below is the detailed study of literature.

Ross and Hartman (1960) covered the analysis of strikes for the period of 1900-1956 for 15 countries [Denmark, Netherlands, U.K., Germany, Norway, Sweden, France, Italy, Japan, India, Australia, Finland, South Africa, Canada, USA]. In India, high strike propensity was observed. Participation rates have also increased and are the highest in the countries studied. Average duration of strikes is also very high in relation to others. S.K. Khurana (1972) gives a comparison of public and private sector in terms of industrial disputes for the time period 1961-1969. The findings of the study revealed that the rate of deterioration in industrial relations was faster in the covered time period. And on this count public sector registered a better performance. Dayal Sahib (1978) analyses industrial relations in India in 1970's. It is a theoretical study. Sahib finds that the main reasons for the disturbed industrial relations are inflation, stagnant real wage, needs based minimum wage and the bonus demand. He further
Meenu Saihjpal

shows that wage-price spiral and bonus issues are aggravating the problem of disputes. He then concludes that there is a need for the systematic Government wage policy, changes in Bonus Act and there is need to issue need based minimum wage. Om Parkash and Subhash Chandar (1985) studied industrial relations in Punjab for 1966-1981. They have covered the incidence of mandays lost, wage and production loss and it also focuses on settlement of industrial disputes through conciliation, arbitration and adjudication. They have concluded that as the industrial activity picked up in Punjab in 1966-81, there has been an increase in industrial disputes, number of workers involved and mandays lost. In terms of industries, disputes were high in cotton textiles, wool, silk, synthetic fibre, basic metal and alloys. Another empirical study by R. Bean and K. Holden (1992) for the year 1952-1990 uses the method of ordinary least squares to estimate the relationship between number of strikes and real earnings, trade union density, dummy variable is included for election years, another dummy is included for emergency year. Initially the model is estimated for 1952-1977 period and the results showed that union density is positively associated with strike frequency and is significant (if instrumental variables approach is used, it loses its significance). Real wages are negatively related with strike frequency but are insignificant. Election year increased the number of strikes and emergency had reduced the same. Then the data was further extended to 1990. Trade union density was significant (but if instrumental variables are used as the estimating technique then it loses its significance). Real wages are again insignificant and emergency is significant but election year is insignificant.

Another empirical study by Bibhas Saha and Indranil Pan (1994) covers the time period from 1980-1986. It includes strikes and lockouts together as industrial disputes. Two digit data for 19 industries has been used. The dependent variable of the model is industry wise mandays lost per employee from disputes. The independent variables are the degree of trade unionization, average factory size and average monthly earnings of an employee. A dummy variables has also been included to incorporate the impact of historic textile strike and for similar other disputes for 1981-84. The results of the study indicated a negative relationship between mandays lost and trade unionization, positive relationship between mandays lost and factory size i.e. industries with larger factory size will have greater mandays lost. There was an insignificant relationship between employee's earnings and mandays lost. However, the study does not study strikes and lockouts separately.

Chaudhary and Bhattacharjee (1994) cover the time period from 1960-1986 and is an empirical study. They counter the studies done by R. Bean and K. Holden and Bibhas Saha and Indranil Pan. The authors question how it is that real wage changes (in Bean and Holden) and average monthly earnings (in Bibhas Saha and Indranil Pan) had insignificant effect on strike frequency and mandays lost per worker respectively. The present study points out that both these preclude the possibility of a simultaneous relationship between wages and strikes. Strikes can affect wages and wages can affect strikes. Thus, the authors have presented a new model which includes the elements of wage determination under collective bargaining. It also includes wage indexation and structural shift variables. The results indicate that strikes affected wages whereas strikes were not affected by wages. The structural variable had a
significant negative effect on both wages and strikes. However, this is an all India level study and thus, does not cover the industry specific research and even lockouts are not covered. Ruddar Dutt (2000) conducted an empirical study for the period 1980-1997, which is subdivided into pre-liberalization (1986-1991) and post-liberalization (1991-1997) phases. It covers both strikes and lockouts and the estimation is done at regional level. He points out that in the second phase there is a percentage decline in both strikes and lockout but the percentage share of lockouts in mandays lost has increased. Thus, in the post-liberalization period incidence of lockouts has increased. This phenomenon has been observed in states like Andhra Pradesh, Kerala, Rajasthan, Assam, Himachal Pradesh, U.P., Haryana, Bihar and Tamil Nadu. It was maximum in Assam. But an altogether different phenomenon was observed in Punjab and Haryana as in these states share of strikes in total mandays lost has increased in the post reform period. A regression analysis was also done to know how the employers respond to increase in strikes, whether they take a defensive approach and reduce lockouts or they retaliate by increasing lockouts. The independent variable was mandays lost in strikes and mandays lost in lockouts as dependent variable. These were tested for pre and post-liberalization period and for 18 states. The correlation coefficient was found to be positive and significant for Tamil Nadu and Madhya Pradesh. It was negative and significant for 7 states. The All India value was positive but insignificant. Further pooled regression analysis was done using least square Dummy variable Model (Fixed Effect Model). The results showed that the relationship of lockouts to strikes is positive and significant. Effect of liberalization was also significant. K.R. Shyam Sundar (2000) tries to capture the impact of reforms on industrial relations, and analyse the duration, size and magnitude of work stoppage activity through secondary data. (Work stoppage which involves at least 10 workers). The results show that the frequency of work stoppage has shown a tendency to decline is 80's and in 90's. But relative volume lost started declining after 1982-83 and continued to fall in 1990's but in late 1990's the trend had reversed. The detailed analysis of the reform period (1991-2002) reveals that the first two years of reforms witnessed an increase in volume lost. Then 1998 onwards the figure for the same started increasing. The revival of the work stoppage activity was further confirmed by the increase in average size of work stoppage, average duration, and average magnitude. Thus, he rejects the official claims of decline in conflicts in industrial relations after the reforms. It is also concluded that lockouts were quite dominant in 1990s and attained their maximum values after 1990s. Also a regional analysis of work stoppage was done and was found that Andhra Pradesh, Tamil Nadu and West-Bengal dominate lockouts.

3.2 Gaps in Literature

The above discussion of the review of the literature shows that most of the studies on this topic have not analyzed the trends, causes and consequences of strikes and lockouts separately. The time period covered under these studies is largely till the end of 1990s and hence these do not explain the trends in recent years.
4 METHODOLOGY

4.1 Time Period, Hypothesis, Data Base

The trends in industrial disputes (both strike and lockouts) shall be studied for pre and post-reform period. For this purpose 1981-1990 will be taken as pre-reform period and 1991-2005 will be taken as post-reform period. Based on the review of literature we expect that in the post reform period there shall be an absolute decline in the strike and lockout activity as compared to the pre-reform period. Further, in the post-reform period a decline in the mandays lost on account of strikes is expected to be greater than the decline in the mandays lost on account of lockouts. For the purpose of the study secondary data is used. Largely the data is from the various publications of Labour Bureau, Shimla, viz -

i) Pocketbook of Labour Statistics.
ii) Statistics on Industrial Disputes.
iii) Industrial Disputes Review.
iv) Statistics on Industrial Disputes, Retrenchments, and Lay offs in India

4.2 Variables

Industrial disputes are represented through (i) number of disputes (both strike and lockouts), (ii) number of workers involved (both strike and lockouts), and (iii) number of mandays lost (both strike and lockouts). However, in order to have a clearer picture of the extent of the disputes various ratios like number of mandays lost per dispute, number of workers involved per dispute, are calculated respectively for both strikes and lockouts and for both pre and post reform period.

5 DATA ANALYSIS

Table 5.1 reveals that the total number of disputes started to decline much before the reforms as for the years 1981-1985 the total number of disputes were 11,409 and the same declined to 9047 in 1986-1990. However, the decline was much sharper in the case of strikes as compared to the lockouts as the number of strikes declined from 9311 (1981-1985) to 6966 (1986-1990), whereas the number of lockouts declined only marginally from 2098 to 2081 for the same time period. For the initial years after the reforms the trend was reversed for lockouts with a rise in their number to 2441 (1991-1995). But the number of strikes continued to decline for the same time period. For 1995-2005 both the variables declined i.e the decline in the number of strikes started much before the reforms and immediately after the reforms there was an increase in the number of lockouts as revealed by Chart 1.
Industrial Disputes in India: A Comparative Study

Table 5.1 Number of Disputes

<table>
<thead>
<tr>
<th>Year</th>
<th>Strikes</th>
<th>Lockouts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981-1985</td>
<td>9311</td>
<td>2098</td>
</tr>
<tr>
<td>1986-1990</td>
<td>6966</td>
<td>2081</td>
</tr>
<tr>
<td>1991-1995</td>
<td>4743</td>
<td>2441</td>
</tr>
<tr>
<td>1996-2000</td>
<td>3187</td>
<td>2079</td>
</tr>
<tr>
<td>2001-2005</td>
<td>1385</td>
<td>1353</td>
</tr>
</tbody>
</table>

Source: Industrial Disputes in India. Labour Bureau, Shimla, various issues.

On the other hand table 5.2 reveals that there was a decline in the number of workers involved in both strikes and lockouts for 1981-1985 and also for 1986-1991. But for 1991-1995 there was an increase in the number of workers involved in lockouts as the number was 1764. However, for the 1996-2000 and 2001-2005 time period a different trend was observed. During these time periods the number of workers involved in strikes increased (4189, 7024 respectively). Thus, after 1995 more workers were being involved in strikes as compared to lockouts.
### Table 5.2 Number of Workers Involved

<table>
<thead>
<tr>
<th>Year</th>
<th>Strikes</th>
<th>Lockouts</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981-85</td>
<td>6223</td>
<td>1323</td>
<td>7546</td>
</tr>
<tr>
<td>1986-1990</td>
<td>6196</td>
<td>1082</td>
<td>7278</td>
</tr>
<tr>
<td>1991-1995</td>
<td>3620</td>
<td>1764</td>
<td>5384</td>
</tr>
<tr>
<td>1996-2000</td>
<td>4189</td>
<td>1746</td>
<td>5935</td>
</tr>
<tr>
<td>2001-2005</td>
<td>7024</td>
<td>1542</td>
<td>8566</td>
</tr>
</tbody>
</table>

Source: Industrial Disputes in India, Labour Bureau, Shimla, various issues.

### Chart 5.2 Number of Works

![Chart 5.2 Number of Works](image)

### Table 5.3 Number of Mandays Lost

<table>
<thead>
<tr>
<th>Year</th>
<th>Strikes</th>
<th>Lockouts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981-85</td>
<td>149,686</td>
<td>93,635</td>
</tr>
<tr>
<td>1986-1990</td>
<td>66,679</td>
<td>92,088</td>
</tr>
<tr>
<td>1991-1995</td>
<td>45,546</td>
<td>69,715</td>
</tr>
<tr>
<td>1996-2000</td>
<td>46,046</td>
<td>68,822</td>
</tr>
<tr>
<td>2001-2005</td>
<td>34,064</td>
<td>100,077</td>
</tr>
</tbody>
</table>

Source: Industrial Disputes in India, Labour Bureau, Shimla, various issues.
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There was a sharp decline in the number of mandays lost on account of both strikes and lockouts but for 1996-2000 and 2001-2005. For 1996-2000 there was an increase in mandays lost due to strikes and for 2001-2005 there was an increase in mandays lost on account of lockouts as is revealed by chart 5.3 and table 5.3. However, the picture becomes clearer with the calculations of ratios like number of workers involved per dispute, mandays lost per worker and mandays lost per dispute. Table 5.4 reveals that there was an increase in the number of workers per strike in the years preceding immediately before the reforms. As in 1981-1985 the value was 668 whereas in 1986-1990 the value increased to a very high 889. However, the values declined in 1991-1995. But after that the values have been increasing. The trends in number of workers involved per lockout in the pre reform period are different from the strikes, as these declined from 631 in 1981-1985 to 520 in 1986-1990. However, in the post reform period these have shown a consistent upward trend in the involvement of the workers. Thus, in the pre reform period more and more workers are being involved in industrial disputes.

Table 5.4 Number of Workers Involved per Dispute (000's)

<table>
<thead>
<tr>
<th>Year</th>
<th>Strikes</th>
<th>Lockouts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981-1985</td>
<td>668</td>
<td>630</td>
</tr>
<tr>
<td>1986-1990</td>
<td>889</td>
<td>519</td>
</tr>
<tr>
<td>1991-1995</td>
<td>763</td>
<td>722</td>
</tr>
<tr>
<td>1996-2000</td>
<td>1314</td>
<td>839</td>
</tr>
<tr>
<td>2001-2005</td>
<td>5071</td>
<td>1139</td>
</tr>
</tbody>
</table>

Source: Industrial Disputes in India, Labour Bureau, Shimla, various issues.
Further, table 5.5 reveals that the mandays lost per worker for all disputes have shown a tendency to decline much before the start of the reforms. However, there was a decline in mandays lost per worker in strikes for 1986-1990 but for the same time period the same variable for lockouts showed an increase. With the initiation of reforms a decline in mandays lost per worker in lockouts is observed which is stretched till 2000. The same variable for strikes started to rise immediately with the beginning of the reforms. However, 1995 onwards this variable for strikes started to fall. Thus, the intensity of lockouts has always been greater than the strikes though the overall loss of number of mandays per worker for all disputes is declining. But after 2000 the same variable for lockouts has started to increase sharply as is revealed by chart 5.5.

Table 5.5 Number of Mandays Lost Per Worker

<table>
<thead>
<tr>
<th>Year</th>
<th>Strikes</th>
<th>Lockouts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981-1985</td>
<td>24.0</td>
<td>70.7</td>
</tr>
<tr>
<td>1986-1990</td>
<td>10.7</td>
<td>85.1</td>
</tr>
<tr>
<td>1991-1995</td>
<td>12.6</td>
<td>39.4</td>
</tr>
<tr>
<td>1996-2000</td>
<td>10.9</td>
<td>39.4</td>
</tr>
<tr>
<td>2001-2005</td>
<td>4.8</td>
<td>64.9</td>
</tr>
</tbody>
</table>

Source: Industrial Disputes in India, Labour Bureau, Shimla, various issues.
Table 5.6 shows the values for number of mandays lost per dispute for both strikes and lockouts. It shows that mandays lost per dispute in lockouts had been always greater than the mandays lost per lockouts in strikes from 1981 to 2005. However, there was a decline in this variable for both lockouts and strikes for 1986-1990. Though the decline in this variable for lockouts continued even in the post reform period (1991-1995), but the same variable for strikes started to increase immediately after the reforms. The increase in this variable for lockouts increased from 1996 to 2005. Thus, although there has been an absolute decline in the strikes and lockouts but the number of mandays lost per dispute for lockouts has remained greater than for the strikes. Also the number of mandays lost per dispute for lockouts have shown a tendency to increase after 1996. Thus, the social intensity of lockouts is also increasing as is revealed by chart 5.6.

Table 5.6 Number of Mandays Lost per Dispute

<table>
<thead>
<tr>
<th>Year</th>
<th>Strikes</th>
<th>Lockouts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981-1985</td>
<td>16076</td>
<td>44631</td>
</tr>
<tr>
<td>1986-1990</td>
<td>9572</td>
<td>44252</td>
</tr>
<tr>
<td>1991-1995</td>
<td>9603</td>
<td>28560</td>
</tr>
<tr>
<td>1996-2000</td>
<td>14448</td>
<td>33103</td>
</tr>
<tr>
<td>2001-2005</td>
<td>24595</td>
<td>73967</td>
</tr>
</tbody>
</table>

Source: Industrial Disputes in India, Labour Bureau, Shimla, various issues.
6 CONCLUSIONS

The present study points out that there is an absolute decline in the industrial disputes but it started much before the reforms. Further, the decline is very sharp in the case of strikes as compared to lockouts. Also, after the reforms there is an increase in the duration as well as in the intensity of lockouts as compared to strikes and this increase was observed not in the immediate period of the reforms but after 1995. Thus, the problem of disturbed industrial relations is not over. Rather it has taken a different face. As a result the treatment of this problem has to be special in particular against the backdrop of the reforms. The implementation of the reforms cannot be stopped though it can only be delayed. Therefore, it has to be so balanced that there are minimal industrial disputes. Since, industrial disputes may occur from both employees and employers, therefore proper redressal of both sides is a must. Both employers and employees have to now adapt themselves with the changed global business environment keeping their relations well intact.

References

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18. The Industrial Disputes Act (1947).