APPENDIX-I

DETAILS OF THE INDUSTRIAL DISPUTES BILL PROPOSED BY THE GOVERNMENT OF MADRAS AND RESPONSES TO IT

Labour Legislation- Settlement of Trade Disputes of Protection of Trade Unions; and Unemployment Insurance

(Source G.O. No.1380 dated 27.5.1939, Development Dept.(TNA) (Extracts).

Note-1

Trade Disputes and Trade Unions

The question of introducing legislation which would help to maintain peace in industry and would facilitate the settlement of trade disputes as and when they arise has been under consideration for some time ‘now.’ The Government consider the present moment opportune to undertake such legislation. The proposed legislation will supplement the provisions of the Trade Unions Act, 1927, and the Trade Disputes Act, 1929.

Any legislation with respect to the relations between employers and workers will be on the basis of internal settlement of disputes; if such settlements be not possible Government, directly or through their officers. The Commissioner of Labour will be the Chief Conciliator and as such he will have the right to appoint officials and non-officials as Conciliators. The Conciliator will try his best to bring about an adjustment of the differences between the parties. If the parties show an accommodating spirit and adjust their differences on the lines suggested by him, the matter will end at that. But if they do not, it will be open to them, jointly and individually, to approach Government and ask them to refer the dispute for settlement to a Board or Court set up under the Act for purpose. In cases where the efforts of the Conciliator have not succeeded, no report will be published. The Conciliator will, of course, make a full report to Government in all cases so that they may be in close touch with the developments
in the dispute and the attitude of the parties. The Government will not publish these reports. There will however be one exception to this rule. Government reserve to themselves the right to publish such reports in certain exceptional circumstances so as to educate public opinion in the matter and thus to bring pressure upon one or the other of the parties to the dispute who may have shown extreme recalcitrance. Only in extraordinary circumstances where either of the parties are extremely unreasonable and would not give the Conciliators a fair opportunity to go into the merits of a case will there be any deviation from the general rule.

A difficulty which faces Government every time there is need for the appointment of a Court of Enquiry or Board of Conciliation is the selection of the personnel for such bodies. This unnecessarily complicates matters. Government intend creation a permanent machinery to which the parties can go. It is proposed to constitute judges of the District Courts in the mofussil, and of the City Civil Court in Madras Industrial Courts and of the City Civil Court in Madras as Industrial Courts and to associate with them, in the capacity of assessors, a representative each of the employers and the workers directly concerned in the dispute. The assessors, with their full knowledge of their respective cases, will help the judge in elucidating technical and other details bearing the questions at issue. To such a Court as this, the party who is not satisfied with Conciliation proceedings or after the announcement of the decision of the Industrial Court. But before the parties do so, they should intimate this factor to Government and the Government would, on their part see that the other party is duly notified.

**Trade Disputes & Trade Unions & Unemployment Assurance-The Madras Labour Union’s Statement of Objections**

The Executive Committee of the M.L.U. has considered very carefully the Memorandum of the Madras Government on Trade Disputes & Trade Unions. It consists of two distinct parts and consequently require two different laws. They cannot be clubbed together in one measure. On a very careful examination of the proposal rather sketchily drafted, the following conclusions have been reached:
1. The proposals made therein are inadequate, unsatisfactory and disappointing. The only policy that emerges from them is the prevention of strikes and settlement of disputes between Capital and Labour. This is purely meant in the interests of Government and not of workmen. The questions underlying all causes of disputes have not been raised nor answered. These relate to conditions of labour, security of service and adequate wages and the management of industry by labour to some degree, at least. While these crucial issues have not been faced and settled, disputes are inevitable and the various devices of legislation can prevent, a doubtful point, the symptoms but cannot cure the deep rooted diseases. Government in our province is not emanated by socialist principles but by the old fashioned liberalism which has been found wanting in all Western countries. The mentality behind this is scheme than the ominous Bombay measure is required to meet the expanding consciousness of labour. Reformism of this type is not even a palliative.

2. There are many gaps in the Scheme which have been purposely created to be filled up later by the rule-making powers of the Government. This is not satisfactory but constitutes a positive danger to labour aspirations and demands. Without a full picture, the position of labour in it cannot be ascertained. The rules should be published before hand along with the Bills before final opinion can be recorded.

3. It is stated that the report of the Conciliator will not be published in cases where his efforts have not succeeded. But Government reserves to itself the right to publish it is exceptional circumstances so as to educated the public in the matter and thus bring pressure upon one or there of the parties of the disputes who may have shown extreme recalcitrance. While this seems a plausible excuse, the Labour Union Executive is of the opinion that in no circumstances, should the report be published without the consent of the parties to the dispute.
4. With regard to the constitution of the Board of Enquiry or the Industrial Court or other tribunals, the executive do not agree that the City Civil Court Judge or the District Judge is the proper person to preside... It is suggested by the executive that the assessors, representatives of labour and industry. In case of their failing to do so, Government may appoint a judge, a non-official of the same type.

5. It is said that direct action will be open to men even after the decision of a Conciliation Court or Board of Enquiry but notice should be given to Government who will then notify management... If Government is to be a mere post-man, what advantage is there in it instead of a Union giving notice direct.

6. Government desire to reserve power to refer matters to arbitration without consent of parties in exceptional circumstances. What are these exceptional circumstances? ... Such compulsory arbitration cannot be conducive to harmony nor will any decision given by such a Board be accepted without leading to further complications.

7. The policy adumbrated with regard to recognition of Union is somewhat curious and is not calculated to Government to recognise or not to recognise Trade Unions and invest them with authority. It is for labour and capital to determine it, provided a union fulfil certain requirements of law. In the circumstances of our political life in this province, Government cannot be expected to be impartial as rival trade unions will be and are run by leaders of different political parties. Even as it is, it is a well-known fact that Government are favourably disposed to certain unions. This will lead to the most unhealthy maneuvers on the part of contending factions. This will increase Government control over unions which is very undesirable and will lead to tyranny over them. Unions, consisting of men, not politically favourable to existing of men, not politically favourable to existing Government, will not receive recognition and will be crushed out of existence by those sponsored by it.
Unemployment Contribution

1. The proposal to institute an unemployment fund is to be welcomed, as it recognises the fundamental right of workmen to continuity of service.

2. The present scheme is too nebulous and the classification of workmen not entitled to this benefit is too large and not based on sound lines. For instance, who are short time and temporary workers? The practice of keeping men as temporary though they are practically permanent, prevails in some factories and the rule in the scheme will hit them. This must mean that contributions will not be expected from those so called temporary workmen.

3. There are one or two industries that pay bonuses and gratuities to workmen for various periods and after cessation of employment. Will these industries continuous the payment of these, if the unemployment scheme is established? It not, will the unemployment benefits be of any greater benefit to them.

4. The condition that men dismissed for misconduct will not entitled to the benefit will invest the management with very drastic powers to deal with workmen. What is misconduct and is it to be left to the management in question to decide it?

5. It is said that the men displaced should be available and capable of work, if they are to get benefits. This is too indefinite and unless the nature of the capacity and availability are defined, it is not practicable to offer an constructive criticisms. Although, old age pension is not contemplated by the proposed measure, the opinion is general that old age benefits are even more necessary than benefits during unemployment. The duty of finding work for the unemployed is that of the state and the executive would insist that work should be of the nature to which the displaced workmen has been accustomed till then.
6. The contribution per day must be in proportion to the income or wages of workmen and not a flat rate. The benefits to be given must be in the same proportion as the contribution.

7. The idea that the Govt. should be free to contribute or not is too preposterous to be entertained seriously. Government’s duty is clear and imperative to contribute and that even more than the other parties and such duty cannot be shirked without calling in question its sincerity.

8. The constitution of fund is, as has been stated, good in idea but is should not be made a government monopoly. An ad-hoc body should be brought into existence for the purpose on which representatives of labour and industry should find a place. In these days, party Governments have shown too much readiness to favour workmen of particular political leanings, and unless the fund is administered by an outside body, it will be liable to abuses which will expose it to ridicule and contempt and reduce even its utility.

9. The most salutary provision to be inserted is that the funds collected from a particular industry and factory should be earmarked for benefits for the displaced workmen of the particular industry and factory and not made available for other. Otherwise what will happen is large sums contributed by bigger factories, where displacement is occasional and slight, will be spent towards playing benefits to men of smaller concerns where displacement may be more frequent and larger in numbers in proportion to the contributions made.

10. If a workman has been contributing to the fund he must, at least get back the amount he has contributed even in cases when under the law he may not be entitled to the full benefit. The principles of equity and justice would demand such a return.
11. The executive offer these criticisms and hope that Government will draft the Bills so as to remove the defects pointed out. When the Bills are published, the executive will publish its opinion on them after fully giving them due consideration.

The Madras Labour Union,
136, Strahen’s Road,
Perambur Barracks
Madras.

G. Chelvapathy Chetty
G. Ramanujulu Naidu
(General Secretaries)

(This Note was enclosed with a letter from the Madras Labour Union for Textile Workers, to the Secretary, Development Dept. Government of Madras, dated 1.8.1939.)
Measures for the Amelioration of the conditions of workers- Memorandum to the Madras Government by the Madras Trade Union Congress.(Source: G.O. No.1380, 1939 (Dev. Dept.)- (TNA) )

We the representatives of the following Registered Trade Unions hereby submit a memorandum on the broad principles, which we desire should be the basis of a suitable legislative enactment. The growth of organised labour movement in the province will depend very largely on suitable legislation by the Government. The large number of trade disputes that have grown recently as a result of the growth of organised industries has convinced that a suitable legislation is of the utmost importance if industrial peace is to be assured.

The Madras Government in their communiqué dated 22.10.37 have stated that (a) the Government would encourage internal settlement of disputes (b) The Government would like that no direct action should be resorted to without prior representation and (c) where an internal settlement is not possible, the Government would assist to secure a settlement by removing any impediment standing in the way of such settlement.

We desire to make it clear that we fully endorse the above noted principles of the said communiqué.

One of the chief obstacles standing in the way of settlement of trade disputes, is the absence of recognition of Unions by the employers, as a result of which prior representation becomes almost impossible.

We therefore consider that provision should be made for compulsory recognition of non-communal Registered Trade Unions with a membership of not less than 10% of the workers of the particular undertaking or establishment. Such
Registered & Recognised Unions should be enabled to secure all information necessary to protect the interest of the workers.

Provision must be made to protect the workers against victimisation on the lines of the Bombay Trade Disputes Act of 1939. Trade Unions officials should be afforded facilities to inspect the working of labour regulations. Recognised Trade Unions should have the statutory right of the facility of collection of Trade Union dues and distribution of union literature and announcement at a convention place in the premises of the work place and for holding talks with the workers in the rest places.

No alteration in the conditions of service which would affect adversely the workers in general of any individual worker, should be made without prior consideration with the union.

Trade Unions should be entitled to get reasoned replies to representations made by them.

Where a recognised Union has failed to secure an internal settlement of any dispute. It should be entitled to the assistance of the Government in forming a Board of Conciliation on application. The proceedings of the Court should be normally completed within four weeks from the date of application, unless intended by the mutual consent of the parties.

Where a Union feels it necessary to resort to strike after exhausting the above avenues, recruitment of black-legs to the detriment of workers should be prevented. Infringement of this provision should be made a cognisable offense on the complaint of a Registered Trade Union.
The relationship between employers and employees should be based not on individual contracts except in special technical jobs for which exemption may be granted by the Government in individual cases, but on collective contracts with the competent Trade Union or with the Conciliator where such Trade Unions do not exist. Such contracts should be compulsorily registered with the Government.

Where any trade dispute arises on account of interpretation of agreements or alleged breach of agreements, such disputes must be referred to the decision of a judicial tribunal for decreeing binding awards, with provision for full compensation in cases of wilful evasion or breaches of agreements.

Government should prescribe definite and proper procedure for regulation of the conduct of police in industrial disputes.

**Unemployment Insurance**

With regard to Unemployment Insurance Schemes, such scheme should not be by any industry, but must apply to all factories and establishments attached to such factories. The Bill should provide that no retrenchment should be effected without prior consultation with the recognised union and considering alternative proposals, and proving the technical and economic necessity for such retrenchment.

In regard to workers getting below Rs.20/- no contribution and the deficit should be made good by the employer.

We agree to a contribution of three pies per working day in regard to full contributions. Employment exchanges that may be constituted should have equal representations of organised labour and should not supply black-leg labour during trade dispute.
Workmen should not be refused benefits for refusing to black-leg and also indefinitely for dismissals and resignations. These cases should be guided by the English practice of a maximum disqualification of six months.

In conclusion, we desire to urge upon the Government the necessity of immediate legislation for the following:

1. 8-Hour day
2. Provision for Old Age, Invalidity and Orphan’s benefits.
3. Machinery for fixing conditions of service in each Industry.
4. Restricting the hours of work and otherwise regulating the conditions of service of Shop-Assistants.

(Memorandum submitted to Minister for Industries and Labour, Madras Dated 11.5.39 along with a covering letter signed by P. Ramamurthi, Secretary, Madras Provincial Trade Union Congress).
EMPLOYER’S VIEWS ON THE PROPOSED LEGISLATION

[ (Source G.O. 2196 dated 8.9.1939, Development Dept. (TNA)]

Letter from the Madras Chamber of Commerce to the Secretary, Dev. Dept., Government of Madras dated 14 July 1939

............... It is generally recognised that labour in India has not yet reached the standard of education common in most industrial countries; and it is particularly important on this account that labour should be guided and instructed by Government, and that simple but detailed rules should be laid down for the guidance of trade unions.

Recognition of Trade Unions-Conditions

....... We set out below, a list of conditions which we suggest that Government should insist upon before granting recognition to any union. We would point out that in so far as the condition, they should be regarded as conditions precedent; and in so far as they are dependent upon fulfilment in the course of the activities of the trade union after recognition, they should be regarded as continuing conditions, a breach of which will at once cause the recognition accorded by Government to the union to be forfeited for a period of at least twelve months,... lose of recognition for this period should follow automatically on any breach of the conditions of recognition...

(1) The Union shall be registered under the Indian Trade Unions Act, 1926, and shall have been in existence for a period of at least 12 months.

(2) The union shall follow only peaceful and legitimate methods in its activities, and shall not encourage class war in any form.

(3) The union shall neither directly nor indirectly encourage or counter the subversion of internal discipline in the factory or work place of the employer.
(4) Ordinary members of the union shall be drawn solely from the labourers whom it claims to represent.

(5) The union shall, when applying for recognition submit a nominal role of members whose subscriptions are paid up-to-date certified by two executive officers of the union.

(6) Not more than two members of the controlling body or executive of the union shall be persons who are not engaged in the industry with which the union is connected.

(7) No officer or member of the executive of the union shall be an officer or member of the executive of any other union.

(8) The union shall not order a strike unless the grievances of the employees have been submitted in writing to the employers, and the matter in dispute has been submitted to negotiation or conciliation in the manner provided for in the Act and such negotiation or conciliation has failed. In any event, the union shall give to the employer fourteen days’ notice in writing of its intention to call a strike; and it at the end of such a period a strike is not called, further notice of fourteen days shall be necessary, but may not be given until one month from the date of expiry of the former notice.

(9) The union shall not call a strike unless a secret ballot has been taken, and 75% of the votes cast and 50% of the workers directly involved are in favour of a strike.

(10) The union shall not negotiate on behalf of workers who have gone on strike without their permission, until such workers have returned to work unconditionally and shall not support or encourage any unauthorised strike,
any strike which is brought about by an unauthorised union or unlawful association or any strike of which due notice has not been given in the terms of paragraph(viii) above.

(11) The union shall not, nor shall any of its members, engage in trade union activities on the premises or property of the employer, except to the extent and subject to such conditions as are mutually agreed upon between the union and the employer.

(12) Communications from the union to the employer shall be made in writing or by deputation at a time and place to be mutually arranged.

(13) It shall be laid down in the rules of the union that the business of the union shall be confined to such matters affecting labour as are defined by the act to be matters on which a recognised union is entitled to be consulted by the employers.

**Recognition of Trade Unions-Percentage of Membership**

....... The Employees Federation has already suggested that this percentage should be 50% of workmen engaged in the industry, which the union represents, ... as the minimum membership qualifying a union for recognition.

We suggest that the following matters also should be provided for in any Bill which is introduced:

(a) When, at any stage of conciliation proceedings, an agreement has been reached between the parties, a memorandum of such agreement should be made in writing and signed by representatives of both parties to the dispute and a copy filed with the Commissioner of Labour. Any strike or lock-out within one year of the signing
of the agreement, for any purpose other than enforcement of the terms thereof, or in regard to a new dispute on matters having no relation to such agreement, should be declared to be an illegal strike or lock-out. This would, of course, not preclude discussions between the parties to the agreement, but would merely prevent direct action.

(b) ..... there should be a specific provision in the Bill that strikes or lock-outs without fourteen days prior notice are illegal....

(c) A strike or lock-out during the course of conciliation proceedings should also be declared illegal.

Signed by: 1. Chairman, Madras Chamber of Commerce.
2. Chairman, Madras Trade Association.
3. Chairman, Employers Federation of Southern India.
4. Chairman, SIMA.
5. President, United Planters Association.
7. Chairman, Cochin Chamber of Commerce.

Article in Capital of 22.6.1939 entitled” Reactionary Labour Legislation for Madras (Extract)

Labour Legislator calculated to stifle the trade and industry of the Province has been notified to be introduced in the August session of the Madras-Legislative Assembly. The Hon. Mr. Giri, the Minister for Labour, though regarded as the most visionary member of the Congress Cabinet, has been marked down by his opponents as the Minister who has done the least. Spurred on by such criticism apparently, Mr. Giri has now come forward with certain proposals which will interfere with private
enterprise and impose severe hardships on employers of labour. In a memorandum issued on Tuesday last, provision is made for the creation of a permanent Court of Enquiry, arbitration of a compulsory nature and the creation of a Conciliation Board, in addition to a scheme of Unemployment Insurance.

It is proposed to constitute the judges of District Courts in the moffusil and of the City civil Court in Madras as industry Courts, and to associate with them in the capacity of assessors one representative each of the employers and workers concerned in the dispute. To such a court the party who is not satisfied with conciliation can go. The weakness of the scheme, however, lies in the fact that the decisions of this body are not binding and are merely of a recommendatory nature, and the parties can resort to direct action. Thus we see for the first time that the Madras Government have legally recognised ‘direct action’ the bone of all industrial progress. If justice cannot be done even after such an elaborate procedure, is there any necessity for such labour legislation? This frankly discriminatory legislation against employers is one which the Government would do well to modify if they have really at heart the industrial peace and welfare of the presidency.

Thus another blow below the belt has been struck at employers, and it is up to them to take up the challenge and assert their rights, which are being robbed in the guise of law and good Government. If they remain quiet under the present threat, it will only be a foretaste of what is in store. Before he became a minister, Mr. Giri was known as a left wing socialist with a communist heart. This description of him has now been justified.
APPENDIX – 2

DETAILS OF HE CHOOLAI MILL STRIKE

(Source: G.O.1327, dtd. 20.5.1939, Dev. Dept. TNA)

Press Communique issued by the Ministry of Public Information dtd. 5.3.1939.

It is unfortunate that the Choolai Mill workmen have gone on strike. It is necessary that the public as well as parties concerned should know that the Government have done all that they possibly can to prevent this strike.

On 10th January 1938, the Madras Labour Union for Textile Workers applied to Government on behalf of the workers of Choolai Mills for the appointment of a Board of Conciliation under the Trade Disputes Act, 1929. The Government endeavoured to bring about an amicable internal settlement of the dispute and for this purpose the Hon. Minister for industries and Labour met the representatives of both sides twice. No settlement could however be arrived at. On the 11th February 1938, the Government announced the appointment of a Board of Conciliation to go into the dispute. On the 17th of May 1938, the Government published the report of the Board and communicated its recommendations to the parties. The Madras Labour Union for Textile Workers found itself unable to accept the findings of recommendations of the Board mainly on the ground that the contention of the company regarding profits was accepted by the Board without a full examination of accounts and balance sheets. The workers went on strike, but returned to work on the announcement of the Government’s decision to appoint an officer to go into the questions raised by the Union and more fully examine the financial position of the Company. On the 2nd August 1938, the Government deputed the Commissioner of Labour for this work.
After a careful examination of the accounts and balance sheets of the company for the five years ending 1937, the Commissioner of Labour reported that the mills were not in a position to pay increased wages.

...... The Government cannot but regret the action of the workers in stopping work and going on strike in the circumstances explained above.

The Government understand that picketing of an intense kind is going on at the mills... The Government strongly deprecates methods amounting to physical obstruction, like lying across entrance or attempts to block passages. Picketing that degenerates into a form of physical obstruction of intimidation is not peaceful picketing.

The Government have a right to expect the co-operation of the Trade Union concerned to prevent such breaches... and to explain to the workers that all that can be done has been and is being done by Government in the circumstances.
Letter from the General Secretary of Madras Labour Union to the Secretary, Development Department, Government of Madras, dtd. 9th March’39.

We are herewith sending a copy of the statement of the Union in reply to the Government communiqué issued by the Ministry of Public Information on the dispute between workers of the Choolai Mills and the Management.

The Madras Labour Union Executive have pursued with care the communiqué issued by the Ministry of Public Information. The Union considers it very unfortunate that such a statement should emanate from the Ministry. The information is neither full nor does it do justice to the workmen’s case... The Union is in the interests of labour obliged to issue the following statement so that the public may judge truly as between not only the men and management but as between the Government and the men.

1. There is no adequate description of the grievances of the men in the communiqué. The most glaring of them is what is called the ‘pass system’ by which hundreds of workmen are paid lower wages than the permanent men, though the former do exactly the same work and for the same period. Not only are pass-men paid lower wages but are not enjoying other advantages like leave, leave pay, etc. This is not a new grievance that began last year, but this unjust system has been going on for more than six years—since 1937 and even longer. Again and again these inequalities have been brought to the attention of the management. But the management did not even care to reply to letters though the Union is a registered and a recognised one... So far as this grievance is concerned even the Government cannot dispute its strength and justice. The
Union appealed to the Government and the Government was kept fully informed of the situation again and again.

2. The Government appointed a Board of Conciliation consisting of men with no knowledge of labour conditions and outlook. The Board includes a gentleman who had been positively hostile to labour. The Union lodged an emphatic protest against the personnel of the Board. But the Government would not budge. The Union submitted to the inevitable... After many months the Board issued a report granting some minor things but said that the Mills could not pay higher wages to the pass-men, though they were compelled by overwhelming evidence to hold that the labour contention was absolutely right. The Board said that the mills were not making any profits, not for one or two years but for the last six years- a most extraordinary phenomenon with no definite time limits to such a state of things. This is to say that workmen were asked to wait till the Greek Calends.

3. The nature of the report aroused opposition among the men as it shut the door practically for an indefinite period & perpetuated the unjust system... Even granting that the management was justified in violating the principle of equal wages for equal work, it was for the Mills to prove why they were working at a loss if that the only painful alternative open to them after giving notice to the Mills and Government. The Government appointed the Labour Commissioner to examine the accounts more carefully and then the strike was called off.

4. The Labour Commissioner after some months of the enquiry issued a report, which according to a Government statement said that the Mills could not pay the just wages of the men on the ground of incapacity. The reasons for coming
to such a conclusion were not disclosed as Government thought it was not in the interests of the mills, men and industry. It was not clear how such a disclosure could harm to the cause of labour.

5. The Union representatives had an interview with the manager and discussed the matter but he maintained the non-possums altitude. Then on 9th February last the men had a stay-in-strike and it was ended by Mr. Giri coming to the Mills and telling the men that they should give him ten days... Then the Minister told them that nothing could be done and they were at liberty to take what course they chose.

6. ...Government had already stated categorically that nothing could be done towards doing justice to the passmen. The Union are of opinion that if Government had taken a firmer attitude towards the mills the latter would have found some means of satisfying the men.

7. The last paragraph contains allegations of violence on the part of workmen who have gone on strike.... The Union will not follow the example of the Ministry of Public Information and express its views on the behaviour of the men.

8. The men at first suspected the management of trying to get people into the mills in the guise of servants and pump service men, etc., for doing the regular work. Therefore they did not agree to send them... Now that the Ministry for Publicity and Information is so anxious to maintain traditions of chivalry for the benefit of the Mills; the Union shall not lag for behind.
Indian Express of 11.3.1939-titled ‘silence friendship’

A Press communiqué issued by the Ministry of Public Information condemns the workmen of Choolai Mills for having gone on strike and claims that Government had done all that they possibly could to prevent the strike. Since a struggle with the mill management, it is necessary that the public should have a very clear idea of what exactly it is that the strikers demand. Timely enlightenment on this subject is given by the Madras Labour Union, in a statement remarkable as much for its dignity as for its clarity and straightforwardness....

The principle of equality of pay for equal work is so unexceptionable that it is inconceivable that anyone with a sense of fundamental justice can challenge it, and Government have not to our knowledge challenged it either, so far. On the other hand a Board of Conciliation appointed by Government....was compelled by overwhelming evidence to hold that the labour contention was absolutely right. It was only on the score of the mills not making profits that the Board upheld the pass-system, but the argument is a one sided one, since it was accompanied by no suggestion that years of profit should mean extra gain for workmen. No burden for sharing the burden of lean years can be cast on labour so long as no share in the prosperity of industry beyond routine wages is recognised as due to them by the employers.... Official failure to settle a strike in the manner intended by a responsible member of Government(V.V.Giri) cannot shift the blame for it from those responsible for its failure to the victims of the wrong sought to be remedied. If the Ministry of Publicity and Information cannot do better than issue communiqués of this kind conflicting with the entire spirit and tenor of Ministerial leadership in important departments like labour, the public will be more thankful for his silence than for his propaganda.
Copy of the Memorial addressed to the Governor of Madras dated 29th November, 1939, passed at a public meeting of the Choolai Mill Workers held at Wadia Park, Madras (Endorsed by the MLU & signed by the two General Secretaries-G. Chelvapathy Chetty and G. Ramanujulu Naidu)

We, the undersigned labourers of the Choolai Mills, most respectfully showeth:

1. That about 3000 workers were employed in the Choolai Mills which was closed on 23rd February 1939.

2. That all the employees, consequent on the closing of the mill were thrown out of work and have no means of livelihood except through labour.

3. That our grievances leading to the strike have been fully represented to the Hon’ble the Minister for Labour Mr. V.V.Giri.

4. That in spite of our representations the Minister did not adopt any measure to bring pressure on the mill authorities for our re-employment and settlement of the dispute.

5. That 103 of us were arrested and thrown into prison for nearly 2 months.

6. That in the meanwhile the mill owners went into voluntary liquidation on with the result that our salaries for the month remained unpaid.

7. That we strenuously endeavoured our best to bring pressure on the authorities to bring about a settlement and provide us with work.

8. That we now understand that the Congress Government has resigned and the entire administration rests solely with your excellency.
9. That in view of the deplorable state of affairs and with a view to save ourselves and our children from starvation and death we look up to the most generous and kind hearted British administrator to provide us with work immediately, by Government taking up the mills either through the owners or by purchasing the same.

(signed by more than 250 workers)

(The proposal or requests were not heeded to till at least 1942).
APPENDIX-3


(Source: Letter from Mohan Kumaramangalam, Tamilnadu Communist Party to the Home Member, Government of India. File No. 7/13/47. Home Political, 1947, NAI)

(Extracted)

Much was expected of the new Ministry but the ordinary people; our party also came forward to offer its hand co-operation; the Textile Workers’ Unions in Madura and Vikramasingapuram withdrew notices of strike to give the ministry time; the Kisan Sabha submitted a memorandum on making effective procurement of food grains in order to solve the food crisis. All hoped the foremost Communist leaders of the Provinces would be released to help in the difficult situation.

Unfortunately the new Ministry has done little to justify the high hopes placed in it; the Communist leaders remain in jail; the food situation is precarious with rations reduced to 8 oz. And the Ministry pursuing the same old appeasement policy of offering a bonus to the hoarders and not of launching an anti-hoarding drive. The bogus cases against many Trade Union and Kisan Sabha workers and leaders continue in the Courts while the blackmarketeers caught by them are let off. The landlords began to resort to evictions on a large scale in order to bring lands under their own cultivation in order to circumvent the provisions of an anticipated land bill.

Arrests have also continued; two leaders of the Kisan Sabha in Madura, Jamal Mohidden and Meeran who were attempting to settle a dispute in which the Ministry had assure the Kisans of the rightness of their cause, were arrested and detained; the Secretary of the Pallavaram Quarry Workers’Union, Venkataswami was detained
because his Union gave notice of strike although the position of the Union has been vindicated through the granting without a strike of the major portion of its demands; Venkataswami, however, remains in jail! Three Communists of Tanjore and two Communist workers of Buckingham and Carnatic Mills as well as numerous other workers have been arrested.

The Ministry had refused to order non-official enquiries into any previous shootings; it has also followed the policy of the Prakasam Ministry in both North Malabar where 1,500 Malabar Special Police(MSP) are yet stationed and Goldenrock where 500 MSP are stationed, despite the fact that no incidents or clashes have taken place in these areas for a long period.

Thus despite the change in the Ministry, the situation in the province, far from growing better, has in fact deteriorated as the worsening food situation and steadily growing number of arrests show.
**LIST OF TRADE UNION LEADERS DETAINED UNDER THE PUBLIC SAFETY ACT, 1947 (in Tamilnadu)**

<table>
<thead>
<tr>
<th>S.N.</th>
<th>NAME</th>
<th>DETAILS</th>
<th>AREA OF ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>T.R. Ganesan</td>
<td>Member, Madras District Committee, CPI, Secretary, Madras Engineering and Foundry Worker’s Union</td>
<td>Madras</td>
</tr>
<tr>
<td>2</td>
<td>R. Kisen</td>
<td>Secretary-Madras Press Workers’ Union</td>
<td>Madras</td>
</tr>
<tr>
<td>3</td>
<td>V.S. Somasundaram</td>
<td>Secretary-Madras Tramway and Electric Supply Workers’ Union</td>
<td>Madras</td>
</tr>
<tr>
<td>4</td>
<td>V. P. Chintan</td>
<td>Secretary - Spencer’s Workers’ Union</td>
<td>Madras</td>
</tr>
<tr>
<td>5</td>
<td>K. Murugesan</td>
<td>Secretary - Tannery Workers’ Union</td>
<td>Madras</td>
</tr>
<tr>
<td>6</td>
<td>R.M. Doraikannu</td>
<td>Secretary, Madras Automobileworkers’ Union</td>
<td>Madras</td>
</tr>
<tr>
<td>7</td>
<td>V. Parameswaran</td>
<td>Treasurer, Madras Automobile Workers’ Union</td>
<td>Madras</td>
</tr>
<tr>
<td>8</td>
<td>V. Venkatraman</td>
<td>President; Madras Corporation Labour Union</td>
<td>Madras</td>
</tr>
<tr>
<td></td>
<td>Name</td>
<td>Position</td>
<td>Location</td>
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<tr>
<td>9</td>
<td>P. Karupannan</td>
<td>Secretary, Madras Corporation Labour Union.</td>
<td>Madras</td>
</tr>
<tr>
<td>10</td>
<td>D. Chenchiah</td>
<td>Treasurer, Madras Corporation Labour Union.</td>
<td>Madras</td>
</tr>
<tr>
<td>11</td>
<td>Anandan Nambiar</td>
<td>General Secretary, South Indian Railway Labour Union</td>
<td>Goldenrock</td>
</tr>
<tr>
<td>12</td>
<td>P. Bhanu</td>
<td>Office Secretary, South Indian Railway Labour Union</td>
<td>Goldenrock</td>
</tr>
<tr>
<td>13</td>
<td>S. Manickavachagam</td>
<td>Asst. Secretary, South Indian Railway Labour Union</td>
<td>Goldenrock</td>
</tr>
<tr>
<td>14</td>
<td>S. Ismail Khan</td>
<td>President, South Indian Railway Labour Union</td>
<td>Goldenrock</td>
</tr>
<tr>
<td>15</td>
<td>K. A. Chari</td>
<td>Secretary, Municipal Workers’ Union</td>
<td>Trichnopoly</td>
</tr>
<tr>
<td>16</td>
<td>A.S. Krishnamurthy</td>
<td>Secretary, Cigar Workers’ Union</td>
<td>Trichnopoly</td>
</tr>
<tr>
<td>17</td>
<td>John</td>
<td>E.C. Member, Madras Labour Union</td>
<td>Madras</td>
</tr>
<tr>
<td>18</td>
<td>Pooncholai</td>
<td>E.C. Member, Madras Labour Union</td>
<td>Madras</td>
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<tr>
<td>No.</td>
<td>Name</td>
<td>Position and Union</td>
<td>Location</td>
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<tr>
<td>19</td>
<td>Ardhanari</td>
<td>E.C. Member, Mill Workers' Union</td>
<td>Salem Dist.</td>
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<tr>
<td>20</td>
<td>A. Balasubramanian</td>
<td>Tannery and Municipal Workers’ Union</td>
<td>Dindigul.</td>
</tr>
<tr>
<td>21</td>
<td>K.L. Narasimhan</td>
<td>General Secretary, M&amp;SMR Employees Union</td>
<td>Madras</td>
</tr>
<tr>
<td>22</td>
<td>S.M. Ramaih</td>
<td>President, Mill Workers’ Union</td>
<td>Salem</td>
</tr>
<tr>
<td>23</td>
<td>K. Selvaraj</td>
<td>Secretary, Mill Workers’ Union</td>
<td>Salem</td>
</tr>
<tr>
<td>24</td>
<td>G. Samuel</td>
<td>V. President, Tamilnadu Handloom Weavers’ Federation</td>
<td>Salem</td>
</tr>
<tr>
<td>25</td>
<td>K. Bhaktavasalam</td>
<td>Asst. Secretary, Tamilnadu Handloom Weavers Federation</td>
<td>Conjevaram</td>
</tr>
<tr>
<td>26</td>
<td>D. R. Gopalan</td>
<td>President, N. Arcot District Bidi Workers Union</td>
<td>Vellore</td>
</tr>
<tr>
<td>27</td>
<td>G. Kuppusani</td>
<td>Mill Workers’ Union</td>
<td>Coimbatore</td>
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<tr>
<td>28</td>
<td>P.K. Pandurangam</td>
<td>Mill Workers’ Union</td>
<td>Coimbatore</td>
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<tr>
<td>29</td>
<td>Ramaswami</td>
<td>Secretary, Tiruppur Mill Workers Union</td>
<td>Coimbatore</td>
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<tr>
<td>30</td>
<td>Ramaswami</td>
<td>Secretary, Cement Workers Union, Madukarai</td>
<td>Coimbatore</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Position and Union</td>
<td>Location</td>
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<tr>
<td>31</td>
<td>M. K. Swami</td>
<td>District Handloom Weavers Union</td>
<td>Coimbatore</td>
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<tr>
<td>32</td>
<td>Ulaganadhan</td>
<td>Motor Labourers’ Union</td>
<td>Virudhunagar</td>
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<tr>
<td>33</td>
<td>C. Sambandam</td>
<td>Secretary, SIRLU, Mandapam Branch</td>
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<tr>
<td>34</td>
<td>J.B. Purushothaman</td>
<td>V. President, SIRLU, Erode Branch</td>
<td>Erode</td>
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<tr>
<td>35</td>
<td>A. Lingappan</td>
<td>SIRLU, Erode Branch</td>
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<tr>
<td>36</td>
<td>K.T. Raju</td>
<td>SIRLU, Erode Branch</td>
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<td>37</td>
<td>M. Kripapuri</td>
<td>SIRLU, Erode Branch</td>
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<tr>
<td>38</td>
<td>Venkataswami</td>
<td>Quarry Workers’ Union, Pallavaram</td>
<td>Madras</td>
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<tr>
<td>39</td>
<td>P. Srinivasan</td>
<td>Textile Workers’ Union</td>
<td>Vickrama Singhapuram</td>
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<tr>
<td>40</td>
<td>P. Balachandra Menon</td>
<td>Secretary, Madras Provincial Trade Union Congress</td>
<td>Madras</td>
</tr>
<tr>
<td>41</td>
<td>R. Ramanathan</td>
<td>Jt. Secretary, Madras Provincial Trade Union Congress</td>
<td>Madras</td>
</tr>
</tbody>
</table>